



PUBLIC NOTICE is hereby given that the County Council of Cache County, Utah will hold a **COUNCIL MEETING** at **5:00 p.m.** in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah 84321, **TUESDAY, FEBRUARY 8, 2022.**

Council meetings are live streamed on the Cache County YouTube channel at:
<https://www.youtube.com/channel/UCa4xvEI8bnIEz3B9zw2teaA>

AGENDA

COUNCIL MEETING

- 5:00 p.m.
1. **CALL TO ORDER**
 2. **OPENING** – Councilman Paul Borup
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (January 25, 2022)
 5. **REPORT OF COUNTY EXECUTIVE**
 - a. **Appointments:** 2022 Executive and Council Member Boards and Committees Assignments
 - b. **Financial Reports:** January 2022 Expense Report (Warrant Register)
 - c. **Other Items:**
 6. **ITEMS OF SPECIAL INTEREST**
 7. **DEPARTMENT OR COMMITTEE REPORTS**
 - a. General Plan Update – Lauren Ryan, Countywide Planner
 8. **BOARD OF EQUALIZATION MATTERS**
- 5:30 p.m.
9. **PUBLIC HEARINGS**
 - a. **Reset Public Hearing for February 22, 2022 – Resolution 2022-03**
A resolution declaring the County’s interest in the Real Property located in Lewiston, Utah, described as the portion of tax identification parcel number 14-029-0018 that is north of 2000 South Street in Lewiston as surplus Property and approving the disposition thereof
 - b. **Set Public Hearing for February 22, 2022 – Resolution 2022-04**
A resolution approving the appointment of a representative to the Cache Water District Board of Trustees
 10. **PENDING ACTION**
 11. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**
 - a. **Consideration for Approval** -- 2021 Tax Relief Report
 - b. **Discussion** -- Cache Resource Center
 - c. **Discussion** -- Designation of what constitutes a “significant parcel of real property” and “reasonable notice” for purposes of the surplus and disposition of real property
 - d. **Ordinance 2022-05** An ordinance amending section 2.12.200 of the Cache County Code to update and correct the meeting place of the County Council
 - e. **Ordinance 2022-06** An ordinance amending section 3.40.030 of the Cache County Code to update the Utah Code section referenced therein
 - f. **Ordinance 2022-07** An ordinance amending section 3.40.040 of the Cache County Code to update the Utah Code section referenced therein

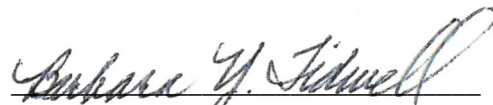
- g. **Ordinance 2022-08** An ordinance amending section 2.56.010 of the Cache County Code to update the Utah Code section referenced therein
- h. **Ordinance 2022-09** An ordinance amending sections 15.24.010 and 15.24.020 of the Cache County Code to update a Utah Code section referenced therein and omit provisions related to a Utah Code section that no longer exists
- i. **Ordinance 2022-10** An ordinance amending section 9.17.010 of the Cache County Code to update the Utah Code sections referenced therein
- j. **Ordinance 2022-11** An ordinance amending Title 3 of the Cache County Code regarding revenue and finance to bring it into harmony with State Code and current County practices

12. **OTHER BUSINESS**

- a. **Special Council Meeting with Congressman Blake Moore** *Thursday, February 10, 2022 – 1:00 – 2:00 p.m.*
- b. **County Day on the Hill** *Wednesday, February 23, 2022*
- c. **UAC Building Utah Conference** *Wednesday-Friday, March 23-25, 2022 – Carbon County Events Center*
- d. **UAC Management Conference** *Tuesday-Thursday, April 26-28, 2022 – Ogden Eccles Conference Center*

13. **COUNCIL MEMBER REPORTS**

14. **ADJOURN**


Barbara Y. Tidwell, Chair

**2022 CACHE COUNTY COUNCIL AND EXECUTIVES
BOARDS AND COMMITTEES ASSIGNMENTS**

	David Zook	Chief Deputy County Executive	Gina Worthen	David Erickson	Paul Borup	Barbara Tidwell	Karl Ward	Nolan Gunnell	Gordon Zilles
Area Aging Authority		X							
Bear River Board of Health	X								
Bear River Association of Governments (BRAG) Governing Board	X				X		X		
Bear River Association of Governments (BRAG) Human Services Board						X			
Bear River Mental Health Board	X								
Cache County Audit Committee	X	X			X	X	X		
Cache County Budget Committee	X	X	X			X		X	
Cache County Community Foundation Board	X	X				X			
Cache County Council of Governments (CCCOG)	X	Attend							
Cache County Economic Development Advisory Board	X		X		X				
Cache County Employee Compensation Committee	X	Attend				X			X
Cache County Fairgrounds Advisory Board	X	Attend	X	X	X				
Cache County Fire District Board	X	X		X					X
Cache County Library Board of Directors		X	X						
Cache County Planning & Zoning Commission		Attend						X	
Cache County Vegetation Management Control Board	X			X					
Cache Metropolitan Planning Organization (CMPO)	X	Attend							
Cache Valley Chamber of Commerce	X								

**2022 CACHE COUNTY COUNCIL AND EXECUTIVES
BOARDS AND COMMITTEES ASSIGNMENTS**

	David Zook	Chief Deputy County Executive	Gina Worthen	David Erickson	Paul Borup	Barbara Tidwell	Karl Ward	Nolan Gunnell	Gordon Zilles
Cache Valley Economic Development Alliance (CVEDA)	X								
Cache Valley Visitors Bureau Advisory Board			X						
Hardware Ranch Advisory Board									X
Bear River Local Homelessness Council	X						X		
Information Technology (IT) Advisory Board		X	X						
Logan-Cache Airport Authority Board	X	Attend					X		
Cache County Roads Advisory Board	X	X							X
Cache County Roads Special Service District	X								
North Park Interlocal Cooperative (NPIC) Governing Board		X							X
Ordinance and Policy Review Committee	X	X	X	X		X			
Public Relations Committee	X	Attend	X		X	X			
RAPZ / Restaurant Tax Committee	X			X		X			
Solid Waste Advisory Board	X			X					
Tourism Tax Advisory Board	X								
Trails Committee						X			
UAC Governing Board			X	X					
Utah Joint Highway Committee	X								



Tax Relief Report-Real Property

2/8/2022
Auditor's Office

2020 Tax Relief Entered 01/30/21 to 01/31/22

Totals for Abatements and Tax Relief

20 Pct	Blind	Circ Bkr	Cancelled	Indigent	Irrigation	Veteran	Active Duty	Total
121,745.53	1,169.33	130,103.15	47,717.56	1,864.07	0	839,279.03	2,184.00	1,144,062.67

Parcel Counts for Abatements and Tax Relief

20 Pct	Blind	Circ Bkr	Cancelled	Indigent	Irrigation	Veteran	Active Duty	Total Parcels
220	10	232	25	5	0	599	1	867

**For detail by parcel refer to the "Tax Relief Report"*

**For detail by type of tax relief refer to the "Abatements-Listing By Abatement Type"*

Tax Relief List Approval

Council Chairperson

Date

Attest:

County Clerk/Auditor

Date

*** Note: Personal property exemptions are on a separate report from real property ***



Cache County Resource Center Appropriations Request

Overview:

Cache County and multiple service providers seek to create a consolidated center for citizens in need of social programs and assistance. The objective is to provide a simple one-stop location to reduce confusion and streamline citizens' engagement with multiple entities that offer various services.

We believe that a coordinated and shared approach to providing services will not only help recipients avoid multiple trips to different physical locations during the intake process and thereafter, but will also reduce the lag time between subscribing to certain programs and when benefits become available to those in need. Similarly, from a programs administration perspective, collocating services can reduce overhead costs and create synergies that ultimately benefit recipients.



Highlights:

- Purchase of land & existing building. Primary and secondary options available for immediate execution.
- Centrally located within Cache Valley providing convenient access to users.
- Estimated project cost of \$10,000,000 – property acquisition and renovations.
- Local match of 10% - Cache County and related stakeholder contribution.
- Ongoing costs to be covered by Cache County and participating stakeholders.

Details:

Currently, users of various social programs must navigate a myriad of different locales and websites to sign up for receiving services. Often times they simply don't know where to go or what programs exist to assist them when they need help and resources the most, which can inadvertently delay receiving services while they navigate a confusing system. The creation of a centralized Cache County Resource Center will provide a coordinated approach to reduce lag time for those who require help, enabling them to receive services more quickly and efficiently.

Included stakeholders will provide:

- | | |
|-------------------------------|---|
| 1. Poverty Prevention | 3. Social Services |
| a. Homelessness Prevention | a. Domestic Violence Support |
| b. Housing & Shelter Advocacy | b. Mental Health & Addiction Recovery |
| c. Utility Assistance | c. Childcare, Youth Programming, and Family Support |
| d. Food Security | |
| 2. Workforce Assistance | |

Request for Appropriation Budget Template

Enter data into each yellow cell.

Request Title:	Cache County Resource Center
Sponsor:	Rep. Dan Johnson

Step 1. Revenue		
Funding Source		
Amount Requested	\$9,000,000	State Legislature
Other Revenue Sources	\$ 1,000,000.00	Cache County + Private/Nonprofit Stakeholders
Total Revenues:	\$ 10,000,000.00	
<i>Difference between Revenue & Expenditures</i>		\$ -
Step 2. Expenditures		
Amounts	Details	
<i>Acquisition: Land & Building</i>	\$ 7,000,000.00	<i>Purchase of land and existing building</i>
<i>Construction Management</i>	\$ 700,000.00	<i>Project oversight and process management</i>
<i>Permitting & Regulatory Compliance</i>	\$ 100,000.00	<i>Applicable fees and licensing</i>
<i>Engineering</i>	\$ 150,000.00	<i>Third-party engineering fees to repurpose existing facilities</i>
<i>Equipment</i>	\$ 750,000.00	<i>Applicable mechanical, HVAC, electrical & lighting, plumbing, etc. systems and hardware</i>
<i>Furnishings</i>	\$ 150,000.00	<i>Interior office furnishings</i>
<i>Technology</i>	\$ 250,000.00	<i>IT hardware, equipment, and relevant software systems (OS & mgmt apps)</i>
<i>Variables (10%)</i>	\$ 900,000.00	<i>Held in reserve for increases associated with supply-chain challenges, surcharges, (sub)contractor wage inflation passed on during project, etc.</i>
Total Expenditures:	\$ 10,000,000.00	



Submitter: John Luthy
Department: Attorney
Requested Meeting Date: February 8, 2022

Agenda Item Language: Discussion: Designation of what constitutes a “significant parcel of real property” and “reasonable notice” for purposes of the surplus and disposition of real property

Recommendation: Providing input for the County Attorney to create an ordinance regarding the surplus and disposition of real property

Background: Utah Code section 17-50-312(5) says that “[b]efore a county may dispose of a significant parcel of real property, the county shall...provide reasonable notice of the proposed disposition at least 14 days before the opportunity for public comment.” It then goes on to say that “[e]ach county shall, by ordinance, define what constitutes: (i) a significant parcel of real property...; and (ii) reasonable notice...”

Cache County does not have an ordinance defining what constitutes a significant parcel of real property or what constitutes reasonable notice for purposes of providing notice of the proposed disposition of real property. The County Attorney’s Office advises the passage of such an ordinance but would like the Council’s input regarding how the proposed ordinance should define “a significant parcel of real property” and “reasonable notice.”

Fiscal Impact: N/A

Public Hearing Required: No

Presenter Name: County Attorney John Luthy

Presentation Time: 5 minutes

Point of Contact: John Luthy

Legal Review: N/A



**CACHE COUNTY
ORDINANCE NO. 2022-05**

**AN ORDINANCE AMENDING SECTION 2.12.200 OF THE CACHE COUNTY CODE
TO UPDATE AND CORRECT THE MEETING PLACE OF THE COUNTY COUNCIL**

- (A) WHEREAS, Utah Code section 52-4-102 requires the Cache County Council to:
- a. take its actions openly; and
 - b. conduct its deliberations openly; and
- (B) WHEREAS, it is in the public interest to conduct regular County Council meetings at a designated place; and
- (C) WHEREAS, the current Cache County Code assigns a meeting place that is no longer used;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Section 2.12.200 of the Cache County Code is amended to read in full as follows:

2.12.200: REGULAR MEETINGS:

- A. Monthly: Regular meetings shall be held not less than twice per month as established by ordinance.
- B. Notice: Public notice of each meeting shall be given in accordance with state law.
- C. Place and Date: The regular meetings of the county council of Cache County, Utah, will be held in the Cache County council chambers in the Historic County Courthouse at 199 Main, Logan, Utah, on the second and fourth Tuesday of each and every month, except that during December the regular meetings of the county council will be on the first and second Tuesday of the month.
- D. Time: Regular meetings shall commence at five o'clock (5:00) P.M., or as soon thereafter as reasonably possible.
- E. Exception: If the day for which a regular meeting of the county council is scheduled falls upon a legal holiday or if the county council determines that there is good cause to reschedule any regular meeting, any regular meeting may be held at such other time and place as may be determined by the county council; provided, however, that lawful notice thereof is given.



F. Unless determined otherwise by a majority of council members present at the meeting, the order of business for a regular meeting shall be as follows:

1. Call to order;
2. Opening Remarks;
3. Review and approval of agenda;
4. Review and approval of minutes;
5. Report of county executive;
6. Items of special interest;
7. Budgetary matters;
8. Public hearings, appeals and board of equalization matters;
9. Pending action;
10. Initial proposals for consideration of action;
11. Other business;
12. Council member reports;
13. Adjournment.

SECTION 2:

This ordinance takes effect 15 days following its passage and approval by the County Council.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH
THIS 8TH DAY OF FEBRUARY 2022.

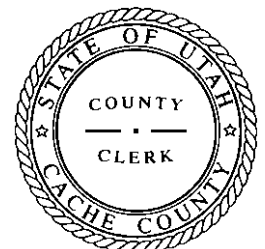
	In Favor	Against	Abstained	Absent
Paul R. Borup				
David Erickson				
Nolan Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
Total				

CACHE COUNTY COUNCIL:

ATTEST:

Barbara Tidwell, Chair

Jess Bradfield, County Clerk / Auditor





ACTION OF COUNTY EXECUTIVE:

_____ Approved

_____ Disapproved (written statement of objection attached)

David Zook, County Executive

Date



Redline version of Section **2.12.200** to show proposed changes:

2.12.200: REGULAR MEETINGS:

- A. Monthly: Regular meetings shall be held not less than twice per month as established by ordinance.
- B. Notice: Public notice of each meeting shall be given in accordance with state law.
- C. Place ~~And~~ Date: The regular meetings of the county council of Cache County, Utah, will be held in the Cache County council chambers **in the Historic County Courthouse at ~~120 North 100 West~~ 199 Main Street**, Logan, Utah, on the second and fourth Tuesday of each and every month, **except that during December the regular meetings of the county council will be on the first and second Tuesday of the month.**
- D. Time: Regular meetings shall commence at five o'clock (5:00) P.M., or as soon thereafter as reasonably possible.
- E. Exception: If the day for which a regular meeting of the county council is scheduled falls upon a legal holiday or if the county council determines that there is good cause to reschedule any regular meeting, any regular meeting may be held at such other time and place as may be determined by the county council; provided, however, that lawful notice thereof is given.
- F. Unless determined otherwise by a majority of council members present at the meeting, the order of business for a regular meeting shall be as follows:
 - 1. Call to order;
 - 2. ~~Invocation~~ **Opening Remarks**;
 - 3. Review and approval of agenda;
 - 4. Review and approval of minutes;
 - 5. Report of county executive;
 - 6. Items of special interest;
 - 7. Budgetary matters;
 - 8. Public hearings, appeals and board of equalization matters;
 - 9. Pending action;
 - 10. Initial proposals for consideration of action;
 - 11. Other business;
 - 12. Council member reports;
 - 13. Adjournment.



**CACHE COUNTY
ORDINANCE NO. 2022-06**

**AN ORDINANCE AMENDING SECTION 3.40.030 OF THE CACHE COUNTY CODE
TO UPDATE THE UTAH CODE SECTION REFERENCED THEREIN**

- (A) WHEREAS, Cache County Code section 3.40.030 currently references an outdated and renumbered provision of the Utah Code; and
- (B) WHEREAS, the Cache County Council has an interest in maintaining the accuracy and applicability of the references to the Utah Code found in the Cache County Code;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Subsection G of Section 3.40.030 of the Cache County Code is amended to read in full as follows:

3.40.030: DISPOSAL OF PERSONAL PROPERTY:

- G. The following tangible personal property shall be exempt from the procedures set forth in this chapter:
 - 1. Property which is of a unique nature and for which there is a limited market, if any.
 - 2. Property disposed of in accordance with the provisions of Utah Code sections 24-2-101 through 24-4-119 (the Forfeiture and Disposition of Property Act); Utah Code sections 77-24a-1 through -5 (regarding the disposition of lost or mislaid property); and Utah Code sections 67-4a-101 through -1504 (the Revised Uniform Unclaimed Property Act).
 - 3. Property that has a value of less than two hundred dollars (\$200).

SECTION 2:

This ordinance takes effect 15 days following its passage and approval by the County Council.



PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH
THIS 8TH DAY OF FEBRUARY 2022.

	In Favor	Against	Abstained	Absent
Paul R. Borup				
David Erickson				
Nolan Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
Total				

CACHE COUNTY COUNCIL:

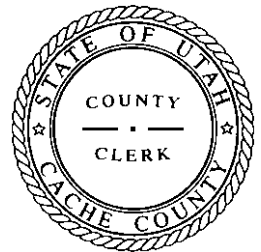
ATTEST:

Barbara Tidwell, Chair

Jess Bradfield, County Clerk / Auditor

ACTION OF COUNTY EXECUTIVE:

_____ Approved
_____ Disapproved (written statement of objection attached)



David Zook, County Executive

Date



Redline version of Subsection G of Section 3.40.030 to show proposed changes:

3.40.030: DISPOSAL OF PERSONAL PROPERTY:

G. The following tangible personal property shall be exempt from the procedures set forth in this chapter:

1. Property which is of a unique nature and for which there is a limited market, if any.
2. Property ~~obtained by the Cache County sheriff's office~~ disposed of in accordance with the provisions of Utah Code ~~Annotated~~ sections ~~76-10-525~~ 24-2-101 through 24-4-119 (the Forfeiture and Disposition of Property Act ~~regarding disposition of weapons~~); Utah Code ~~Annotated~~ sections ~~77-24-4~~ 77-24a-1 through -5 (regarding the disposition ~~sale~~ of lost or mislaid ~~unclaimed~~ property); ~~Utah Code Annotated section 77-24a-5 (regarding disposition of certain unclaimed property)~~; and Utah Code ~~Annotated~~ sections 67-4a-101 through -1504 ~~et seq.~~, (the Revised Uniform ~~u~~Unclaimed ~~p~~Property ~~a~~Act).
3. Property that has a value of less than two hundred dollars (\$200.00).



**CACHE COUNTY
ORDINANCE NO. 2022-07**

**AN ORDINANCE AMENDING SECTION 3.40.040 OF THE CACHE COUNTY CODE
TO UPDATE THE UTAH CODE SECTION REFERENCED THEREIN**

- (A) WHEREAS, Cache County Code section 3.40.040 currently references an outdated and renumbered provision of the Utah Code; and
- (B) WHEREAS, the Cache County Council has an interest in maintaining the accuracy and applicability of the references to the Utah Code found in the Cache County Code;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Section 3.40.040 of the Cache County Code is amended to read in full as follows:

3.40.040: DISPOSAL OF SURPLUS REAL PROPERTY:

- A. In accordance with Utah Code section 17-50-312, no real property acquired after July 1, 1983, may be sold on the open market unless the following conditions are met:
 - 1. The real property is not property acquired by condemnation or by the threat of condemnation.
 - 2. The real property has been offered for sale to the person or entity from whom the county acquired the property at the highest offer with first right of refusal; and the person or entity failed to accept the offer within ninety (90) days after notification by registered mail to their last known address.
 - 3. The county has not rezoned the property or been involved in the rezoning of the property or the acquisition of additional property to enhance the value of the real property to be sold.
- B. No real property may be disposed of unless the county council has:
 - 1. Held a public hearing regarding the proposed declaration of the subject property to be surplus;
 - 2. By motion, subsequent to the public hearing, declared the property to be surplus; and
 - 3. By resolution, approved the disposition of the subject property.



C. Upon the adoption of a resolution of approval by the county council, the county clerk shall, at the request of the county executive, execute and deliver to the county executive any deed or other legal instrument required for the conveyance of the title to the real property.

SECTION 2:

This ordinance takes effect 15 days following its passage and approval by the County Council.

**PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH
THIS 8TH DAY OF FEBRUARY 2022.**

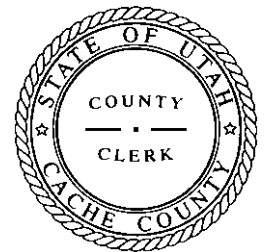
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Paul R. Borup				
David Erickson				
Nolan Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
Total				

CACHE COUNTY COUNCIL:

ATTEST:

Barbara Tidwell, Chair

Jess Bradfield, County Clerk / Auditor



ACTION OF COUNTY EXECUTIVE:

_____ Approved
_____ Disapproved (written statement of objection attached)

David Zook, County Executive

Date



Redline version of Section 3.40.040 to show proposed change:

3.40.040: DISPOSAL OF SURPLUS REAL PROPERTY:

- A. In accordance with Utah Code ~~Annotated~~ section ~~78-34-20-17-50-312~~, ~~as amended~~, no real property acquired after July 1, 1983, may be sold on the open market unless the following conditions are met:
1. The real property is not property acquired by condemnation or by the threat of condemnation.
 2. The real property has been offered for sale to the person or entity from whom the county acquired the property at the highest offer with first right of refusal; and the person or entity failed to accept the offer within ninety (90) days after notification by registered mail to their last known address.
 3. The county has not rezoned the property or been involved in the rezoning of the property or the acquisition of additional property to enhance the value of the real property to be sold.
- B. No real property may be disposed of unless the county council has:
1. Held a public hearing regarding the proposed declaration of the subject property to be surplus;
 2. By motion, subsequent to the public hearing, declared the property to be surplus; and
 3. By resolution, approved the disposition of the subject property.
- C. Upon the adoption of a resolution of approval by the county council, the county clerk shall, at the request of the county executive, execute and deliver to the county executive any deed or other legal instrument required for the conveyance of the title to the real property.



**CACHE COUNTY
ORDINANCE NO. 2022-08**

**AN ORDINANCE AMENDING SECTION 2.56.010 OF THE CACHE COUNTY CODE
TO UPDATE THE UTAH CODE SECTION REFERENCED THEREIN**

- (A) WHEREAS, Cache County Code section 2.56.010 currently references an outdated and renumbered provision of the Utah Code; and
- (B) WHEREAS, the Cache County Council has an interest in maintaining the accuracy and applicability of the references to the Utah Code found in the Cache County Code;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Section 2.56.010 of the Cache County Code is amended to read in full as follows:

2.56.010: DEFINITIONS:

For the purposes of this chapter, “emergency” or “disaster” means any situation causing or threatening to cause widespread damage, social disruption, or injury or loss of life or property resulting from attack, internal disturbance, natural phenomena, or technological hazard, and includes a disaster as defined by Utah Code section 53-2a-102(5); a state of emergency as defined by Utah Code section 53-2a-102(17); a local emergency as defined by Utah Code section 53-2a-203(5); or any other situation in which there exists a threat to public health, safety, welfare or property under emergency conditions.

SECTION 2:

This ordinance takes effect 15 days following its passage and approval by the County Council.

**PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH
THIS 8TH DAY OF FEBRUARY 2022.**

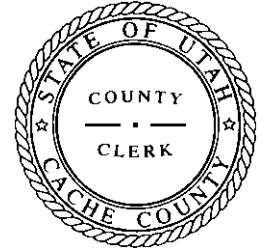
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David Erickson				
Nolan Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
Total				

CACHE COUNTY COUNCIL:

ATTEST:

Barbara Tidwell, Chair

Jess Bradfield, County Clerk / Auditor



ACTION OF COUNTY EXECUTIVE:

_____ Approved

_____ Disapproved (written statement of objection attached)

David Zook, County Executive

Date

Redline version of Section 2.56.010 to show proposed change:

2.56.010: DEFINITIONS:

For the purposes of this chapter, “emergency” or “disaster” means any situation causing or threatening to cause widespread damage, social disruption, or injury or loss of life or property resulting from attack, internal disturbance, natural phenomena, or technological hazard, and includes ~~a localized disaster as defined by Utah Code Annotated section 63-5a-2~~; a disaster as defined by Utah Code ~~Annotated~~ sections ~~53-2a-102(5) 63-5-2(1) and 63-5a-2(1)~~; a state of emergency as defined by Utah Code ~~Annotated~~ section ~~63-5a-2(6) 53-2a-102(17)~~; a local emergency as defined by Utah Code ~~Annotated~~ section ~~63-5a-2(7) 53-2a-203(5)~~; or any other situation in which there exists a threat to public health, safety, welfare or property under emergency conditions.



**CACHE COUNTY
ORDINANCE NO. 2022-09**

AN ORDINANCE AMENDING SECTIONS 15.24.010 AND 15.24.020 OF THE CACHE COUNTY CODE TO UPDATE A UTAH CODE SECTION REFERENCED THEREIN AND OMIT PROVISIONS RELATED TO A UTAH CODE SECTION THAT NO LONGER EXISTS

- (A) WHEREAS, Cache County Code Section 15.24.010 currently references an outdated and renumbered provision of the Utah Code; and
- (B) WHEREAS, the Cache County Council has an interest in maintaining the accuracy and applicability of the references to the Utah Code found in the Cache County Code;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Sections 15.24.010 and 15.24.020 of the Cache County Code are amended to read in full as follows:

15.24.010: LAWFUL FENCE DEFINED:

A lawful fence shall be not less than four feet (4') in height, and may be constructed of barbed or other fencing wire with not less than four (4) wires, and good, substantial posts not more than one rod apart. Corner posts, where the inside angle is less than one hundred thirty five degrees (135°) shall be substantially braced or counterweighted. Gates in such fences need not be constructed of wire, but shall, in all cases, provide equal protection to ingress and egress as such lawful fence, and if constructed of wire, shall conform to specifications above set out for such lawful fence.

15.24.020: LEGAL FENCE DEFINED:

Pursuant to Utah Code section 4-25-204, the Cache County council declares that a lawful fence in Cache County, Utah, is defined as:

- A. An electrified fence existing on a single or multiple wires attached to a fence post by insulators so that the same may carry an electric charge; or
- B. A fence consisting of three (3) or more barbed wires, boards or poles attached to posts not more than one rod apart.

SECTION 2:

This ordinance takes effect 15 days following its passage and approval by the County Council.



PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH
THIS 8TH DAY OF FEBRUARY 2022.

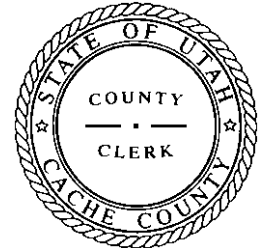
	In Favor	Against	Abstained	Absent
Paul R. Borup				
David Erickson				
Nolan Gunnell				
Barbara Tidwell				
Karl Ward				
Gina Worthen				
Gordon Zilles				
Total				

CACHE COUNTY COUNCIL:

ATTEST:

Barbara Tidwell, Chair

Jess Bradfield, County Clerk / Auditor



ACTION OF COUNTY EXECUTIVE:

_____ Approved

_____ Disapproved (written statement of objection attached)

David Zook, County Executive

Date



Redline version of Sections 15.24.010 and 15.24.020 to show proposed changes:

15.24.010: LAWFUL FENCE DEFINED:

~~A. Defined: Such~~ A lawful fence shall be not less than four feet (4') in height, and may be constructed of barbed or other fencing wire with not less than four (4) wires, and good, substantial posts not more than one rod apart. Corner posts, where the inside angle is less than one hundred thirty five degrees (135°) shall be substantially braced or counterweighted. Gates in such fences need not be constructed of wire, but shall, in all cases, provide equal protection to ingress and egress as such lawful fence, and if constructed of wire, shall conform to specifications above set out for such lawful fence.

~~B. Territorial Restriction For Operation Of This Section: Nothing contained in this section shall be construed to affect Cache County, Utah, nor any precinct therein until the provisions of Utah Code Annotated section 3-5-77, as amended from time to time, shall have been fully complied with.~~

15.24.020: LEGAL FENCE DEFINED:

Pursuant to Utah Code ~~Annotated~~ section ~~4-25-7~~ 4-25-204, ~~as amended~~, the Cache County council declares that a lawful fence in Cache County, Utah, is defined as follows:

- A. ~~Electric Fence:~~ An electrified fence existing on a single or multiple wires attached to a fence post by insulators so that the same may carry an electric charge; ~~or~~
- B. ~~Regular Fence:~~ A fence consisting of three (3) or more barbed wires, boards or poles attached to posts not more than one rod apart.



**CACHE COUNTY
ORDINANCE NO. 2022-10**

**AN ORDINANCE AMENDING SECTION 9.17.010 OF THE CACHE COUNTY CODE
TO UPDATE THE UTAH CODE SECTIONS REFERENCED THEREIN**

- (A) WHEREAS, Cache County Code section 9.17.010 currently references an outdated and renumbered provision of the Utah Code; and
- (B) WHEREAS, the Cache County Council has an interest in maintaining the accuracy and applicability of the references to the Utah Code found in the Cache County Code;

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Section 9.17.010 of the Cache County Code is amended to read in full as follows:

9.17.010: DEFINITIONS:

For the purposes of this chapter the following terms have the meanings indicated:

COMPULSORY SCHOOL AGE MINOR: A person between the ages of six (6) and eighteen (18) years of age who is not exempted, and must be attending public school or regularly established private school during the school year of the district in which the minor resides pursuant to the compulsory education requirements set forth in Utah Code sections 53G-6-201 to 53G-6-211.

EMERGENCY: An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, an automobile accident or any situation requiring immediate action to prevent bodily injury or loss of life.

ESTABLISHMENT: Any privately owned place of business, whether nonprofit or operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

GUARDIAN:

- A. A person who, under court order, is the guardian of the person of minor, or
- B. A public or private agency with whom a minor has been placed by a court.

MINOR: Any person under eighteen (18) years of age.

OPEN CAMPUS: When a compulsory school age minor is allowed by school officials to leave school for lunch purposes.



OPERATOR: Any individual, firm, association, partnership, or corporation operating, managing or conducting any establishment. The term includes members or partners of any association or partnership and the officers of a corporation.

PARENT: A person who is:

- A. A natural parent, adoptive parent, or stepparent of another person, or
- B. At least eighteen (18) years of age and authorized by a parent or guardian to have the care and custody of a minor.

PUBLIC PLACE: Any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, sidewalks, the common areas of schools, hospitals, apartment houses, office buildings, stores and shops.

SERIOUS BODILY INJURY: Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the functions of any bodily member or organ.

TRUANCY HOURS: Those hours in which a compulsory school age youth should be attending school in the district or jurisdiction in which the student attends school.

SECTION 2:

This ordinance takes effect 15 days following its passage and approval by the County Council.

**PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH
THIS 8TH DAY OF FEBRUARY 2022.**

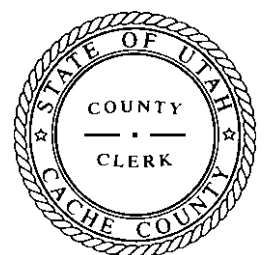
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Gordon Zilles				
Total				

CACHE COUNTY COUNCIL:

ATTEST:

Barbara Tidwell, Chair

Jess Bradfield, County Clerk / Auditor





ACTION OF COUNTY EXECUTIVE:

_____ Approved

_____ Disapproved (written statement of objection attached)

David Zook, County Executive

Date



Redline version of Section 9.17.010 to show proposed changes:

9.17.010: DEFINITIONS:

For the purposes of this chapter **the following terms have the meanings indicated:**

COMPULSORY SCHOOL AGE MINOR: A person between the ages of six (6) and eighteen (18) years of age who is not exempted, and must be attending public school or regularly established private school during the school year of the district in which the minor resides pursuant to **the Utah** compulsory education requirements; **set forth in Utah Code Annotated sections ~~53A-11-101 to 53A-11-106~~ 53G-6-201 to 53G-6-211.**

EMERGENCY: An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, an automobile accident or any situation requiring immediate action to prevent bodily injury or loss of life.

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