

Title 9 – Land Management Code

Chapter 1

GENERAL PROVISIONS

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9-1-8: NOTICES:

Whenever notice to adjoining property owners or the public is required by any section of this title, the notice shall be given in the following manner:

A. **Public Notice:** Public notice of all public hearings and public meetings required to be noticed shall be given in accordance with Utah Code Annotated §10-9a-201 as amended, as applicable.

B. **Notice to Adjoining Property Owners:**

1. Where the provisions of Utah Code Annotated § 10-9a-201 et seq. as amended, require notice of public hearings to be given to adjoining property owners, the applicant shall give such notice to those owners whose property is located entirely or partly within three hundred feet (300') from any boundary of the property subject to the application. Notice shall be mailed at least ~~fourteen~~ (14) ~~ten~~ (10) calendar days prior to the public hearing to the address appearing on the last completed real property assessment rolls in the office of the County Recorder. The notice shall include a map showing the land included in the application and a letter stating that the application has been filed, the nature of the application, the time, place, and date of the public hearing on the application, and that more complete information is available at the Town offices. (ord. 15-004, 4-28-2015)

2. The applicant will provide a referral packet as defined in Chapter 4 of this title. The Planning and Zoning Department will prepare and mail the notice to adjacent landowners, as well as appropriate agencies. The mailing will be paid for by the applicant. The notice shall be mailed at least ~~fourteen (14)~~ ten (10) calendar days prior to the public hearing. (ord. 15-004, 4-28-2015, amd. 21-005, 05-11-2021)

C. **Notice to Condominiums:** In addition to the notice required under subsection B of this section, for condominium projects within the three hundred-foot (300') radius from the applicant's property, notice shall also be given to the registered agent of the condominium Homeowners Association on file with the State Homeowners Association Registry. (amd. ord. 21-005, 05-11-2021)

D. **Defects in Notice:** The notices to affected property owners are given as a convenience to them. Minor defects in mailing, or incomplete mailing shall not be grounds for invalidating any permit or application, or for the delay of any public hearing, unless the Planning Commission or Town Council shall find the defects in notice are such that the ability of interested persons to make a meaningful presentation of their concerns at the public hearing has been significantly impaired. The approval authority for the land use action at hand shall hear any objections raised relating to notice and rule on whether notice was adequate before proceeding to hear the merits of the application. (ord. 15-004, 4-28-2015, amd. ord. 21-005, 05-11-2021)