

WEBER FIRE DISTRICT

**WEBER FIRE DISTRICT
BOARD OF TRUSTEES
RESOLUTION NO. 38-2026**

A RESOLUTION OF THE BOARD OF TRUSTEES OF WEBER FIRE DISTRICT AGAIN DECLARING ITS INTENT TO ADJUST A COMMON DISTRICT BOUNDARY PURSUANT TO UTAH CODE SECTION 17B-1-417; IDENTIFYING THE AFFECTED AREA WITH AN UPDATED LEGAL DESCRIPTION; AUTHORIZING THE COLLECTION AND VERIFICATION OF PROPERTY-OWNER AND REGISTERED-VOTER CONSENTS; AUTHORIZING COORDINATION WITH THE OTHER AFFECTED DISTRICT; AND PROVIDING FOR RELATED MATTERS.

SECTION 1. RECITALS

- WHEREAS**, Weber Fire District (the “District”) is a governmental entity organized and operating under the laws of the State of Utah and is authorized to provide fire protection, emergency medical, and related services within its lawful boundaries; and
- WHEREAS**, Utah Code Section 17B-1-417 authorizes the boards of trustees of two or more qualifying special districts that share a common boundary and provide the same service on the same wholesale or retail basis to adjust their common boundary; and
- WHEREAS**, the District passed Resolution 31-2026 on August 11, 2026, declaring its intent to adjust a common boundary with Cache County Fire District regarding property associated with the Powder Mtn Ski Resort; and
- WHEREAS**, that Resolution 31-2026 outlined the Affected Area which was attached as an exhibit to that resolution; and
- WHEREAS**, in consultation with Cache County Fire District and the owner of the majority of the Affected Area, it was discovered that the exhibit attached to Resolution 31-2026 did not have a complete legal description and was missing language; and
- WHEREAS**, the District needs to provide an accurate legal description for the Affected Area, which is attached to this Resolution’s Exhibit A; and
- WHEREAS**, the District feels it needs to again declare its intention regarding adjusting a common boundary along with including all of the “Whereas” from the Resolution 31-2026 so that there is a clear and accurate record; and
- WHEREAS**, the District and Cache County Fire District share a common boundary and provide substantially the same fire protection and emergency services on the same retail basis; and
- WHEREAS**, the area proposed for adjustment consists of property located within Cache County Fire District’s boundary, is associated with Powder Mtn Ski Resort, and is more particularly described in the legal description and depicted on the preliminary boundary-adjustment plat attached as Exhibit A (the “Affected Area”); and
- WHEREAS**, the Cache County Fire District cannot provide fire protection and emergency medical services to the Affected Area even though it is within Cache County Fire District’s boundary; and
- WHEREAS**, the proposed boundary adjustment would remove the Affected Area from Cache County Fire District and include the Affected Area within the boundaries of Weber Fire District; and

WHEREAS, Powder Mtn Ski Resort together with any other record owner identified by a current title or ownership report, is expected to provide signed, written consent to the proposed adjustment for 100% of the private real property located within the Affected Area; and

WHEREAS, the District anticipates that there are no registered voters residing within the Affected Area, subject to written verification by the appropriate county clerk or clerks; and

WHEREAS, if the written consents required by Utah Code Section 17B-1-417(3)(d) are filed with the boards of both affected districts, the statutory public-hearing and notice requirements described in Subsections 17B-1-417(3)(a) through (c) do not apply; and

WHEREAS, if the written consents and registered voter verification is not provided, then the District will need to follow the statutory requirements and notice up and hold a public hearing on this boundary adjustment issue regarding the Affected Area; and

WHEREAS, the Board finds that evaluating and pursuing the proposed boundary adjustment is in the public interest and may provide clearer service responsibility, improved emergency-response coordination, and more effective long-term fire and emergency medical service to the Affected Area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WEBER FIRE DISTRICT AS FOLLOWS:

SECTION 2. DECLARATION OF INTENT

The Board of Trustees hereby declares its intent, pursuant to Utah Code Section 17B-1-417, to adjust the common boundary between Weber Fire District and Cache County Fire District so that the Affected Area described in Exhibit A will be removed from Cache County Fire District and included within Weber Fire District. This Resolution declares the Board's intent to pursue the adjustment and does not, by itself, finally approve or complete the boundary adjustment.

SECTION 3. CONSENTS AND PROCEDURAL VERIFICATION

The Board of Trustees again authorizes and directs the District staff and legal counsel to obtain and verify:

- (a) signed, written consent from the owners of 100% of the private real property within the Affected Area;
- (b) confirmation of the identity and ownership interests of all record owners within the Affected Area; and
- (c) written confirmation from the appropriate county clerk or clerks regarding the number of registered voters residing within the Affected Area and the number of votes cast within the Affected Area for the office of governor at the last regular general election.

The Board of Trustees authorizes and directs the District staff and legal counsel to proceed without the notice and public hearing otherwise required by Utah Code Section 17B-1-417 only after legal counsel confirms that all requirements of Subsection 17B-1-417(3)(d) have been satisfied. If those requirements are not satisfied, the Board of Trustees authorizes and directs that the District staff and legal counsel shall provide the appropriate notice and schedule a public hearing to be held by the Board of Trustees as required by applicable law. The Board of Trustees shall hold this public hearing before any final approval of a boundary adjustment, as required by applicable law.

SECTION 4. COORDINATION AND PREPARATION OF DOCUMENTS

The Fire Chief, the Fire Chief's authorized designee, District legal counsel, and other appropriate District representatives are authorized to coordinate with Cache County Fire District, Powder Mtn Ski

Resort, the affected county or counties, licensed surveyors, the Office of the Lieutenant Governor, and any other governmental entities as reasonably necessary to evaluate and advance the proposed boundary adjustment. This authority includes preparing or obtaining the final legal description and local entity plat, ownership and voter certifications, written consents, a proposed final boundary-adjustment resolution, notices, certifications, and other documents required by Utah law. Any material change to the Affected Area or final approval of the boundary adjustment shall be presented to the Board for further action.

SECTION 5. REPEALER OF CONFLICTING ENACTMENTS

All orders and resolutions with respect to the matters herein enacted and adopted which have heretofore been adopted by the District, or parts thereof, which are in conflict with any of the provisions of this Resolution are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order, or resolution, or part thereof, heretofore repealed.

SECTION 6. PRIOR RESOLUTIONS

The body and substance of any and all prior resolutions, together with their specific provisions, where not otherwise in conflict with this Resolution, are hereby reaffirmed and readopted.

SECTION 7. SAVINGS CLAUSE

If any provision of this Resolution shall be held or deemed to be, or shall in fact be, invalid, inoperative, or unenforceable for any reason, such reason shall not have the effect of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever, this Resolution and the provisions of this Resolution being deemed to be the separate, independent, and severable act of the Board of Trustees of Weber Fire District.

SECTION 8. EFFECTIVE DATE

This Resolution shall be effective on the 11th day of August, 2026, upon adoption and after publication or posting as required by law. The boundary adjustment itself shall not take effect unless and until both affected district boards adopt the resolutions required by Utah Code Section 17B-1-417 and the Office of the Lieutenant Governor issues the applicable certificate of boundary adjustment. The District's authority to levy or collect taxes, assessments, or applicable service fees within the Affected Area remains subject to completion and recording of all documents required by law.

PASSED AND ADOPTED by the Board of Trustees of Weber Fire District this 8th day of September, 2026.

WEBER FIRE DISTRICT

Kevin Ward, Chair

ATTEST:

Kellie Petersen, Interim District Clerk

APPROVED AS TO FORM:

Amy Hugie, Legal Counsel

EXHIBIT A

AFFECTED AREA