

RESOLUTION NO. 40-2026

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE WEBER FIRE DISTRICT REAFFIRMING RESOLUTION NO. 28-2026, ACKNOWLEDGING AND CORRECTING A PROCEDURAL NOTICE ERROR, AND AUTHORIZING A NEW PUBLIC HEARING AND PROTEST PERIOD FOR THE PROPOSED ANNEXATION OF ROY CITY

WHEREAS, The Weber Fire District ("District") is a local district organized and existing under the laws of the State of Utah and authorized to provide fire protection, emergency medical, rescue, and related emergency services; and

WHEREAS, Roy City currently owns and operates a municipal fire department providing fire protection and emergency medical services within its municipal boundaries; and

WHEREAS, on June 16, 2026, the Roy City Council adopted Resolution No. 26-16 declaring its intent to annex all territory within the municipal boundaries of Roy City into the Weber Fire District and requesting annexation into the District pursuant to Utah Code Title 17B; and

WHEREAS, Roy City Resolution No. 26-16 and the accompanying map constitute the initiating documents for annexation under Utah Code Section 17B-1-403; and

WHEREAS, on July 14, 2026, the Board adopted Resolution No. 28-2026 acknowledging Roy City's request for annexation, accepting the City's request to proceed, authorizing District staff to complete the statutory annexation process, and expressing the Board's intent that operational responsibility transition to the District on or about December 27, 2026, subject to completion of all statutory requirements, regulatory approvals, certification of the annexation, and necessary agreements; and

WHEREAS, Resolution No. 28-2026 authorized the Fire Chief, District Administrator, District Clerk, District legal counsel, and other designated District representatives to coordinate with Roy City and other governmental agencies; prepare and review required agreements, legal descriptions, maps, notices, resolutions, petitions, and statutory filings; conduct required public hearings; make required governmental filings; negotiate transition agreements concerning personnel, assets, liabilities, equipment, facilities, and service delivery; execute necessary administrative documents; and take all other actions reasonably necessary to complete the annexation in accordance with Utah law; and

WHEREAS, the District conducted a public hearing concerning the proposed Roy City annexation on July 14, 2026; and

WHEREAS, after the July 14, 2026 public hearing, the District determined that the individual mailed notice required by Utah Code Section 17B-1-410(1)(a) had not been completed before that hearing; and

WHEREAS, the Board desires to acknowledge and correct this procedural notice error by providing the required mailed notice, posting the notice as required by Utah Code Section 17B-1-410(1)(b), providing all other applicable public notice, and conducting a new public hearing on October 1, 2026; and

WHEREAS, the October 1, 2026 public hearing will serve as the operative public hearing under Utah Code Sections 17B-1-409 and 17B-1-410, and the statutory protest period under Utah Code Section 17B-1-412 will be calculated from that hearing; and

WHEREAS, the Board does not intend to rely upon the July 14, 2026 public hearing or the protest period following that hearing as satisfying the statutory hearing and protest requirements for the proposed annexation; and

WHEREAS, the Board has reviewed the information and direction contained in Resolution No. 28-2026 and desires to reaffirm that resolution, ratify the corrective notice actions taken by District staff, and continue the annexation process in full compliance with Utah law.

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

Section 1. Reaffirmation of Resolution No. 28-2026.

The Board reaffirms Resolution No. 28-2026 in its entirety, including the acceptance of Roy City's annexation request, the authorization for District representatives to proceed with the annexation process, the target operational transition date, and the requirement that all actions comply with applicable law. Resolution No. 28-2026 remains in full force and effect except that the statutory public hearing and protest period shall be governed by this Resolution.

Section 2. Acceptance of Request.

The Board again acknowledges receipt of Roy City Resolution No. 26-16 and accepts Roy City's request to proceed with annexation into the Weber Fire District.

Section 3. Acknowledgment and Correction of Procedural Notice Error.

The Board acknowledges that the individual mailed notice required by Utah Code Section 17B-1-410(1)(a) was not completed before the July 14, 2026 public hearing. To correct that procedural error and ensure that affected property owners and registered voters receive the notice and protest opportunity required by law, the Board ratifies the corrective mailing, posting, and public notice actions undertaken by District staff and authorizes the District to conduct a new public hearing on October 1, 2026, at 6:01 p.m. at Weber Fire District Station 61, 2023 West 1300 North, Farr West, Utah 84404.

Section 4. Operative Public Hearing and Protest Period.

The October 1, 2026 public hearing shall constitute the operative public hearing for the proposed Roy City annexation under Utah Code Sections 17B-1-409 and 17B-1-410. The period for filing written protests under Utah Code Section 17B-1-412 shall be calculated from the October 1, 2026 public hearing. The District shall not rely upon the July 14, 2026 public hearing or the protest period following that hearing as satisfying those statutory requirements.

Section 5. Continued Authorization to Proceed.

The Board authorizes the Fire Chief, District Administrator, District Clerk, District legal counsel, and such other District representatives as may be designated to continue undertaking all actions necessary and appropriate to complete the annexation process, including but not limited to:

- Coordinating with Roy City and other governmental agencies;
- Preparing and reviewing all required agreements;
- Preparing legal descriptions, maps, notices, resolutions, and other statutory filings;
- Conducting or participating in all required public hearings;
- Receiving, preserving, reviewing, and determining the sufficiency of written protests filed during the statutory protest period;
- Filing all required documents with the Office of the Lieutenant Governor and any other governmental entity having jurisdiction;
- Negotiating transition agreements relating to personnel, assets, liabilities, equipment, facilities, and service delivery;
- Executing administrative documents necessary to implement the Board's direction; and
- Taking all other actions reasonably necessary to complete the annexation in accordance with Utah law.

Section 6. Target Transition Date.

The Board reaffirms its intent that operational responsibility for fire protection and emergency medical services transition to the Weber Fire District on or about **December 27, 2026**, provided all statutory requirements have been satisfied and all necessary agreements have been executed. If additional time is required to comply with applicable law or complete the transition, District staff is authorized to coordinate an alternate effective transition date.

Section 7. Compliance with Utah Law.

All actions undertaken pursuant to this Resolution shall be completed in compliance with Utah Code Title 17B, including applicable annexation procedures, notice requirements, public hearing requirements, protest procedures, filing requirements, and all other applicable federal, state, and local laws.

Section 8. Severability.

If any provision of this Resolution is determined to be invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 9. Effective Date.

This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF WEBER FIRE DISTRICT, STATE OF UTAH, on the 1st day of October, 2026.

WEBER FIRE DISTRICT
Board of Trustees

Kevin Ward, Board Chair

ATTEST:

Jolene Whipple, Interim District Clerk

APPROVED AS TO FORM:

Amy Hugie, District Legal Counsel

ATTACHMENT “A”

Roy City Council Resolution No. 26-16, passed June 16, 2026