

**EPHRAIM CITY  
ORDINANCE ECO 23-04**

**AN ORDINANCE AMENDING DISPOSITION OF PROPERTY NOTICING**

**WHEREAS**, the Utah state code mandates that before the municipal legislative body appropriates any funds for a corporate purpose, a public hearing must be held;

**WHEREAS**, the current noticing requirements of the municipality do not align with the aforementioned state code;

**WHEREAS**, in accordance with Subsection (3)(d)(i), the Utah state code requires that a notice of the hearing be published for the municipality as a class A notice under Section 63G-30-102 for the disposition of Property;

**WHEREAS**, the municipality recognizes the importance of transparency and public engagement in municipal decision-making processes;

**NOW THEREFORE**, BE IT ORDAINED, by the Ephraim City Council that the ordinance shall be amended to align with the Utah state code, ensuring that a notice of the hearing is published at least 14 days prior to the hearing, in accordance with Subsection (3)(d)(i) and Section 63G-30-102.

**SECTION 1:**        **AMENDMENT** “1.44.010 Real Property” of the Ephraim City Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

1.44.010 Real Property

- A. For the purpose of disposing of significant parcels of real property, the following definitions shall apply:

**REASONABLE NOTICE:** Publishing notice of a public hearing, along with a general description of the significant parcel of real property being disposed of, in a newspaper of local circulation fourteen (14) days prior to the public hearing concerning the disposition.

**SIGNIFICANT PARCEL OF REAL PROPERTY:** Any land and anything growing on, attached to, or erected on it, excluding anything that may be severed without injury to the land, owned by the city.

- B. Regardless of whether or not a parcel of property is deemed to be a significant parcel as defined in paragraph A, a public hearing shall be required to be held by the city council on any disposal of land owned by the city, and reasonable notice given according to paragraph A. (Ord. 14-03, 6-4-2014)

AFTER AMENDMENT

1.44.010 Real Property

1. For the purpose of disposing of significant parcels of real property, the following definitions shall apply:
  - a. **REASONABLE NOTICE:** Publishing notice of a public hearing, along with a general description of the significant parcel of real property being disposed of shall provide a class A notice; fourteen (14) days prior to the public hearing concerning the disposition. (1)
  - b. **SIGNIFICANT PARCEL OF REAL PROPERTY:** Any land and anything growing on, attached to, or erected on it, excluding anything that may be severed without injury to the land owned by the city.
2. Regardless of whether or not a parcel of property is deemed to be a significant parcel as defined in paragraph A, a public hearing shall be required to be held by the city council on any disposal of land owned by the city, and reasonable notice given according to paragraph A. (Ord. 14-03, 6-4-2014)

**SECTION 2: EFFECTIVE DATE** This Ordinance shall be in full force and effect from June 7, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE EPHRAIM CITY COUNCIL

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Councilmember Alder	_____	_____	_____	_____
Councilmember Wheeler	_____	_____	_____	_____
Councilmember Lund	_____	_____	_____	_____
Councilmember Anderson	_____	_____	_____	_____
Councilmember Stevens	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
John Scott, Mayor, Ephraim City

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Candice Maudsley, Recorder,  
Ephraim City