

**ORDINANCE NO. 2015-12**  
**CACHE COUNTY, UTAH**  
**AMENDMENTS TO TITLE 15.12**

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AN ORDINANCE AMENDING AND SUPERSEDING CHAPTER 12 OF TITLE 15  
OF THE CACHE COUNTY ORDINANCE  
REGARDING THE PUBLIC LAND CORNER PRESERVATION FUND

WHEREAS, the State of Utah allows Cache County to enact a Public Land Corner Preservation Fund in Utah Code 17-23-19, and;

WHEREAS, the purpose of this ordinance is to allocate funding to maintain existing and locate new section corners, and;

WHEREAS, it is in the interest of the public to maintain clear and accurate records of land ownership including section corners that enable land records to be accurately tied to the ground, and;

WHEREAS, the County Council caused notice of the amendments to Title 15 of the Cache County Ordinance to be advertised in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement these ordinances.

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Cache County that Chapter 12 of Title 15 of the Cache County Ordinance is hereby amended and superseded as follows:

**1. STATUTORY AUTHORITY**

The statutory authority for enacting this ordinance is Utah Code Annotated §17-23-19 (1953, as amended).

**2. PURPOSE OF PROVISIONS**

The purpose of this ordinance is to amend and supersede Chapter 12 of Title 15 of the Cache County Ordinance regarding a Public Land Corner Preservation Fund to maintain existing and establish new section corners throughout the County.

**3. FINDINGS**

- A. The amendments to Title 15.12 of the Cache County Ordinance are in conformity with the Utah Code Annotated §17-23-19 (1953, as amended).
- B. The amendments to Title 15.12 of the Cache County Ordinance are necessary to maintain existing and locate new section corners.
- C. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Title 15.12 of the Cache County Ordinance be approved.

**4. EXHIBITS**

Title 15 Chapter 12 of the Cache County Ordinance is amended as follows:

**15.12.010 – Public Land Corner Preservation Fund**

- A. Pursuant to the provisions of Utah Code Annotated Section 17-23-19, the Public Land Corner Preservation Fund is established. Moneys generated for the fund

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shall be used only to pay expenses incurred in the establishment, reestablishment, and maintenance of corners of government surveys pursuant to the powers and duties provided under Title 17, Chapter 23, and Title 57, Chapter 10, of the Utah Code Ann. 1953.

B. The county shall establish a fee schedule, adopted by resolution, for filing maps, records of survey, road dedication plats, and other property plats in the Development Services Office. All moneys collected from these identified fees shall be used to for the Public Land Corner Preservation Fund.

**5. PRIOR ORDINANCES, RESOLUTIONS, POLICIES AND ACTIONS SUPERSEDED.**

This ordinance amends and supersedes Chapter 12 of Title 15 of the Cache County Ordinance, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

**6. EFFECTIVE DATE.**

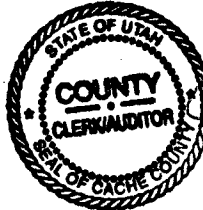
This ordinance takes effect on October 28<sup>th</sup>, 2015. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

APPROVED AND ADOPTED this 13<sup>th</sup> day of October, 2015.

	In Favor	Against	Abstained	Absent
Potter	X			
Erickson	X			
White	X			
Merrill	X			
Robison	X			
Yeates	X			
Zilles	X			
Total	7			

CACHE COUNTY COUNCIL:

*Kathy Robison*  
Kathy Robison, Chair  
Cache County Council



ATTEST:

*Jill Zollinger*  
Jill Zollinger  
Cache County Clerk

Publication Date:

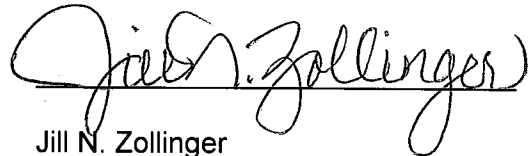
October 28, 2015

ORDINANCE ACTION = ORDINANCE NUMBER 2015-12

PRESENTATION TO THE COUNTY EXECUTIVE:

Ordinance number 2015-12 adopted by the Cache County Council on the 13<sup>th</sup> day of October, 2015, is herewith presented to the Cache County Executive for approval or disapproval. The County Executive shall notify the County Clerk of his approval or disapproval on or before the 28<sup>th</sup> day of October, 2015. If the County Executive disapproves, he shall submit a written statement of his objections with the notice of disapproval.

Submitted this 21<sup>st</sup> day of October, 2015.



Jill N. Zollinger  
Cache County Clerk/Auditor

Action of County Executive:

Ordinance Number 2015-12 is hereby:

Approved  
 Disapproved (Written statement of objection attached)

Dated this 26 Day of October 2015.



Craig "W" Buttars  
Cache County Executive

Notice of Non-action:

Ordinance Number 2015-12 was presented to the Cache County Executive on the \_\_\_ Day of \_\_\_\_\_ 2015 and was neither approved nor disapproved by him within 15 days after presentation to him. Therefore, the ordinance has been recorded, published, and is in full force and effect as of this \_\_\_ Day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Jill N. Zollinger  
Cache County Clerk/Auditor

Ordinance History:

Date adopted by the County Council 10/13/2015  
Date presented to the County Executive 10/21/2015  
Date approved/disapproved by County Executive \_\_\_\_\_

Action by Council upon return:

\_\_\_\_\_ Disapproval overridden  
\_\_\_\_\_ Disapproval sustained

Date 15 day period ended 10/28/2015  
Date of publication or notice 10/28/2015  
Effective date of ordinance 10/28/2015  
Date filed in County Clerk's office 10/14/2015