

**ORDINANCE 2005-23**

**AN ORDINANCE ESTABLISHING A TEMPORARY LAND USE  
REGULATION FOR ALL MG-H ZONING DISTRICTS**

**THE TOOELE COUNTY COMMISSION, WHICH IS THE LEGISLATIVE BODY  
OF TOOELE COUNTY, ORDAINS AS FOLLOWS:**

**SECTION I - FINDING.** The Tooele County Commission finds a compelling, countervailing public interest exists for amending Chapters 17 and 18 of the Tooele County Land Use Ordinance as follows:

Low-level radioactive wastes and hazardous wastes are declared to be public nuisances by county ordinances. The county's general plan states that new businesses handling such wastes and coming into the area should be discouraged. Storing and treating such wastes in the county should be limited, and the permitting process should remain difficult, demanding, and expensive to discourage some companies from locating in Tooele County. Furthermore, the public demands the Tooele County Commission carefully review and limit such wastes coming into the county.

**SECTION II - ENACTMENT.** Pursuant to Utah Code Annotated 17-27a-504, this temporary land use regulation is established for the areas identified as MG-H zoning districts in Tooele County. The erection, construction, reconstruction, or alteration of any building or structure or subdivision approval in such areas is prohibited for a period not to exceed six (6) months. Applications currently pending and those yet to be filed for rezones, conditional use permits, and other land use approvals regarding property in the MG-H zoning districts are hereby also placed in a state of moratorium for a period not to exceed six (6) months. During such period of time Tooele County will review, refine, and update its land use ordinance, particularly Chapters 17 and 18, to establish proper regulations regarding the application process for and the actual storage, treatment, and disposal of hazardous and low-level radioactive wastes in the MG-H zoning districts.

**SECTION III - REPEALER.** Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION IV - EFFECTIVE DATE.** It is the opinion of the Tooele County Commission that this ordinance is necessary for the immediate preservation of the peace, health or safety of the County and the inhabitants thereof. It shall, therefore, take effect immediately upon publication in one issue of a newspaper published in and having general circulation in Tooele County.

**IN WITNESS WHEREOF,** the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 26<sup>th</sup> day of September 2005.

**ATTEST:**

**TOOELE COUNTY COMMISSION:**

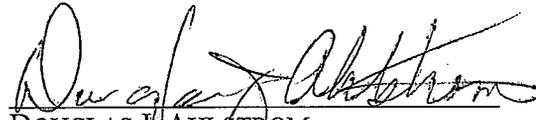
  
DENNIS D. EWING, Clerk

  
DENNIS ROCKWELL, Chairman



Commissioner Rockwell voted aye  
Commissioner Lawrence voted aye  
Commissioner Johnson voted aye

**APPROVED AS TO FORM:**

  
DOUGLAS J. AHLSTROM  
Tooele County Attorney