

ORDINANCE 2009-08

AN ORDINANCE AMENDING SUBSECTION 11-3-1(6) OF THE TOOELE COUNTY CODE, ADJUSTING THE TERM OF OFFICE FOR MEMBERS OF THE STANSBURY RECREATION SERVICE AREA BOARD OF TRUSTEES

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I - PURPOSE. This ordinance is enacted to amend the number of years which members of the Board of Trustees serve for the Stansbury Recreation Service Area. Subsection 11-3-1(6) of the Tooele County Code states that all trustees of the service area shall be elected to six year terms by the qualified voters of the service area. However, Section 17D-1-304 of Utah Code Ann. limits the term of office for members of an administrative control board to four years. Therefore, the six-year term of office stated in the Tooele County Code is in violation of state law and must be amended.

SECTION II - SUBSECTION AMENDED. Subsection 11-3-1(6), Board of Trustees, of Section 11-3-1, Stansbury Recreation Service Area, of the Tooele County Code is hereby amended to read as follows:

11-3-1. Stansbury Recreation Service Area.

(6) Board of Trustees. The Board of Commissioners of Tooele County shall initially appoint a board of trustees for said service area, consisting of 3 members to serve for terms of 2, 4 and 6 years respectively, from the first Monday in January, 1983. After the initial appointment, except for appointments made to fill unexpired terms, all trustees of the service area shall be elected to four-year terms by the qualified voters of the service area as follows:

An election shall be held on the first Wednesday in December, 1984, for the appointed trustee whose term expires the first Monday in January, 1985. Thereafter, an election shall be held each succeeding 2 years on the first Wednesday in December next preceding the expiration of the term of office of an incumbent trustee. Each trustee so subsequently elected shall serve for a term of four years and until his successor is elected. (Elections for the Board of Trustees was provided for by Ord. No. 84-7)

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 Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

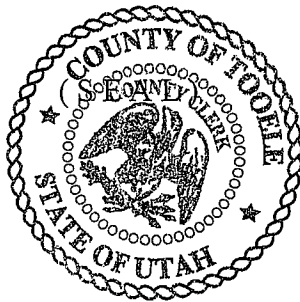
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 10th day of February 2009.

ATTEST:

TOOELE COUNTY COMMISSION:


MARILYN K. GILLETTE, Clerk


COLLEEN S. JOHNSON, Chairman



Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

11-3-1. Stansbury Recreation Service Area.

(6) Board of Trustees. The Board of Commissioners of Tooele County shall initially appoint a board of trustees for said service area, consisting of 3 members to serve for terms of 2, 4 and 6 years respectively, from the first Monday in January, 1983. After the initial appointment, except for appointments made to fill unexpired terms, all trustees of the service area shall be elected to 6 four-year terms by the qualified voters of the service area as follows:

An election shall be held on the first Wednesday in December, 1984, for the appointed trustee whose term expires the first Monday in January, 1985. Thereafter, an election shall be held each succeeding 2 years on the first Wednesday in December next preceding the expiration of the term of office of an incumbent trustee. Each trustee so subsequently elected shall serve for a term of 6 four years and until his successor is elected. (Elections for the Board of Trustees was provided for by Ord. No. 84-7)