TOWN OF ALTA

ORDINANCE # 2026-O-17

AN ORDINANCE AMENDING TITLE 10 CHAPTER 5 SECTION 1, SECTION 2 AND SECTION 3 OF THE TOWN OF ALTA MUNICIPAL CODE TO CHANGE THE LAND USE APPEAL AUTHORITY FROM THE TOWN COUNCIL TO AN ADMINISTRATIVE LAW JUDGE

WHEREAS, Utah Code Section 10-20-1101 requires each municipality that adopts a land use ordinance to establish, by ordinance, one or more appeal authorities;

WHEREAS, Sections 10-5-1 and 10-5-2 of the Alta Town Code presently designate the Town Council of the Town of Alta ("Town") as the Town's land use appeal authority, with members of the Town Council serving as members of the appeal authority during their respective terms; and,

WHEREAS, during the 2026 General Session, the Utah Legislature passed S.B. 284, which amended Utah Code Section 10-20-1101 to provide that, beginning July 1, 2026, a city described in Utah Code Subsection 10-20-302(5)(a)(i) may not designate the city's legislative body as an appeal authority; and,

WHEREAS, although the Town of Alta is not mandated under the State Code to change its appeal authority, it is recommended that separating the appeal authority from the legislative body reflects the policy expressed in Utah Code Subsection 10-20-1101(1)(d) and is in the best interest of the Town; and,

WHEREAS, the Town Council finds that designating an administrative law judge as the Town's land use appeal authority will provide impartial and experienced review of land use decisions;

WHEREAS, the Town of Alta already utilizes an Administrative Law Judge for Civil Code Enforcement Hearing pursuant to Title 12;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF ALTA, UTAH THAT:

SECTION I: Amended. Sections 10-5-1 and 10-5-2 of the Alta Town Code are hereby amended to read as follows:

10-5-1: CREATED:

There is hereby created a town appeal authority. An administrative law judge appointed by the Mayor with consent of the town council will serve as the appeal authority

10-5-2: TERMS:

The Administrative Law Judge shall serve a term of ~~five (5)~~ three (3) EM years and may be reappointed.

10-5-3: AUTHORITY:

The appeal authority shall serve as the final arbiter of issues involving the interpretation or application of land use ordinances. The appeal authority shall hear requests for variances.

SECTION II: Effective Date. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Town Council of Alta, Utah, this 14th day of October in the year 2026.

By: TOWN OF ALTA

Elise Morgan, Mayor Pro Tempore

Attest:

Jen Clancy, Town Clerk

Date ordinance summary was published on the Utah Public Notice website: 10/15/26

Effective date of Ordinance: 10/15/26

Vote:

Mayor Bourke	Not present	Councilmember Anctil	yes
Councilmember Heimark	yes	Councilmember Morgan	yes
Councilmember Schilling	yes		