

PUBLIC NOTICE REQUIREMENTS

**Section 501 — Purpose:**

As required and provided by the Act, the City is required to provide notice of all public hearings and public meetings for adoption or modification of this Ordinance and when a Concept Plan Application, Preliminary Subdivision Application, and Final Subdivision Application is considered by the DRC, Commission, Council or Mayor.

**Section 502 — Notice required for Public Hearings and Public Meetings to consider the Adoption or any Modifications of this Ordinance and Notice of Final Action:**

1. Public Hearings. The Zoning Administrator, or authorized designee, for public hearings before the Commission and Council shall provide notice of the public hearing to consider the adoption or any modification of this Ordinance as follows:
  - a. Notice of the date, time, and place of each public hearing, at least ten (10) calendar days before the public hearing, which notice shall be:
    - i. Mailed to each "affected entity," as defined by Section 10-9a-103(1) of the Act.<sup>1</sup>
    - ii. Posted in at least three (3) public locations within the City, or posted on the official website of Roy City.
    - iii. Published in a newspaper of general circulation within the City.
  - b. Notify each Applicant of the date, time, and place of each public hearing, at least ten (10) calendar days before the public hearing.<sup>2</sup>
  - c. Provide to each Applicant a copy of each staff report regarding the Application at least three (3) business days before the public hearing.
2. Public Meetings. The Zoning Administrator, or authorized designee, for public meetings before the Commission and Council shall provide notice of the public meeting to consider the adoption or any modification of this Ordinance as follows:
  - a. Notice of the date, time, and place of the public meeting, at least twenty-four (24) hours before the meeting, which notice shall be:
    - i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
  - b. Notify each Applicant of the date, time, and place of each public meeting at least twenty-four (24) hours before the meeting.
  - c. Provide to each Applicant a copy of each staff report regarding the Application at least three (3) business days before the meeting.
3. Notice of Final Action. The City Recorder shall notify the Applicant of any final action taken by the Council for any Application related to the adoption or any modification of this Ordinance.

**Section 503 — Notice required for Public Hearings and Public Meetings to consider a Preliminary Subdivision Application and Notice of Final Action:**

1. Public Hearings. The Zoning Administrator, or authorized designee, for public hearings by the Commission shall provide notice of the public hearing to consider a Preliminary Subdivision Application as follows:
  - a. Notice of the date, time, and place of each public hearing, at least ten (10) calendar days before the public hearing, which notice shall be:

- i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
    - ii. Mailed to each "affected entity" defined by Section 10-9a-103(1) of the Act.<sup>1</sup>
    - iii. Mailed to each property owner of record for each land parcel located within three-hundred (300) feet of the boundary of the Subject Property; or
    - iv. Posted on the Subject Property, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.
  - b. Notify each Applicant of the date, time, and place of each public hearing, at least three (3) calendar days before the public hearing.<sup>2</sup>
  - c. Provide to each Applicant a copy of each staff report regarding the Preliminary Subdivision Application at least three (3) business days before the public hearing.
2. Public Meetings. The Zoning Administrator, or authorized designee, for public meetings before the Commission and Council, shall provide notice of the public meeting to consider a Preliminary Subdivision Application as follows:
- a. Notice of the date, time, and place of the public meeting, at least twenty-four (24) hours before the meeting, which notice shall be:
    - i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
  - b. Notify each Applicant of the date, time, and place of each public meeting at least twenty-four (24) hours before the meeting.
  - c. Provide to each Applicant a copy of each staff report regarding the Preliminary Subdivision Application at least three (3) business days before the meeting.
3. Notice of Final Action. The City Recorder for Preliminary Subdivision Applications shall notify the Applicant of any final action taken by the Council for any Preliminary Subdivision Application.

**Section 504 — Notice required for Public Meetings to consider a Final Subdivision Application and Notice of Final Action:**

- 1. Public Meetings. The Zoning Administrator, or authorized designee, for public meetings before the Mayor shall provide notice of the public meeting to consider a Final Subdivision Application as follows:
  - a. Notice of the date, time, and place of the public meeting, at least twenty-four (24) hours before the meeting, which notice shall be:
    - i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
  - b. Notify each Applicant of the date, time, and place of each public meeting at least twenty-four (24) hours before the meeting.
  - c. Provide to each Applicant a copy of each staff report regarding the Final Subdivision Application at least three (3) business days before the meeting.
- 2. Notice of Final Action. The City Recorder for Final Subdivision Applications shall notify the Applicant of any final action taken by the Mayor for any Final Subdivision Application.

**Section 505 — Notice required for Public Hearings and Public Meetings to consider an Amendment to a Final Subdivision Plat and Notice of Final Action:**

- 1. Public Hearings. The Zoning Administrator, or authorized designee, for public hearings by the Commission and Council shall provide notice of the public hearing to consider a Final Plat Amendment Application as follows:
  - a. Notice of the date, time, and place of each public hearing, at least ten (10) calendar days before the public hearing, which notice shall be:
    - i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
    - ii. Mailed to each property owner of record for each land parcel located within three-hundred (300) feet of the boundary of the Subject Property; or

- iii. Posted on the Subject Property, in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.
- b. Notify each Applicant of the date, time, and place of each public hearing, at least three (3) calendar days before the public hearing.<sup>2</sup>

Provide to each Applicant a copy of each staff report regarding the Plat Amendment Application at least three (3) business days before the public hearing.

- 2. Public Meetings. The Zoning Administrator, or authorized designee, for public meetings before the Commission and Council, shall provide notice of the public meeting to consider a Final Plat Amendment Application as follows:
  - a. Notice of the date, time, and place of the public meeting, at least twenty-four (24) hours before the meeting, which notice shall be:
    - i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
  - b. Notify each Applicant of the date, time, and place of each public meeting at least twenty-four (24) hours before the meeting.
  - c. Provide to each Applicant a copy of each staff report regarding the Plat Amendment Application at least three (3) business days before the meeting.
- 3. Notice of Final Action. The City Recorder shall notify the Applicant of any final action taken by the Council for any Final Plat Amendment Application.

**Section 506 — Required Hearing and Notice for an Application to Vacate, Alter, or Amend a Public Street or Right-of-Way:**

- 1. Public Hearings. The Zoning Administrator, or designee, for the public hearing by the Council shall provide notice of the public hearing to consider an Application to Vacate, Alter, or Amend a Public Street or Right-of-Way as follows:
  - a. Notice of the date, time, and place of each public hearing, at least ten (10) calendar days before the public hearing, which notice shall be:
    - i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
    - ii. Mailed to each property owner of record for each land parcel located within three-hundred (300) feet of the boundary of the Subject Property; or
    - iii. Posted on the Subject Property in a visible location, with a sign of sufficient size, durability, and print quality that is reasonably calculated to give notice to passers-by.
    - iv. Mailed to each "affected entity" defined by Section 10-9a-103 (1) of the Act.<sup>1</sup>
  - b. Publishing notice once a week for four (4) consecutive weeks before the hearing in a newspaper of general circulation in the City.
  - c. Notify each Applicant of the date, time, and place of each public hearing, at least three (3) calendar days before the public hearing.<sup>2</sup>
  - d. Provide to each Applicant a copy of each staff report regarding the Application to Vacate, Alter, or Amend a Public Street or Right-of-Way at least three (3) business days before the public hearing.
- 2. Public Meetings. The Zoning Administrator, or authorized designee, for public meetings before the Commission and Council, shall provide notice of the public meeting to consider an Application to Vacate, Alter, or Amend a Public Street or Right-of-Way as follows:
  - a. Notice of the date, time, and place of the public meeting, at least twenty-four (24) hours before the meeting, which notice shall be:
    - i. Posted in at least three (3) public locations within the City; or posted on the official website of Roy City.
  - b. Notify each Applicant of the date, time, and place of each public meeting at least twenty-four (24) hours before the meeting.

- c. Provide to each Applicant a copy of each staff report regarding the Application to Vacate, Alter, or Amend a Public Street or Right-of-Way Plat at least three (3) business days before the meeting.
3. Notice of Final Action. The City Recorder shall notify the Applicant of any final action taken by the Council for any Application to Vacate, Alter, or Amend a Public Street or Right-of-Way.

#### Section 507 — Notice Challenge:

If notice given under authority of this Section, or authority of the Act, is not challenged, as provided by the Act, within thirty (30) calendar days after the hearing(s) or meeting(s), or action, for which notice is given, the notice is considered adequate and proper.

#### Footnotes

1. "Affected entity" means a county, municipality, independent special district under Title 17A, Chapter 2, Independent Special Districts, local district under Title 17B, Chapter 2, Local Districts, school district, interlocal cooperation entity established under Title 11, Chapter 13, Interlocal Cooperation Act, specified public utility, a property owner, a property owners association, or the Utah Department of Transportation, if:
  - a. the entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
  - b. the entity has filed with the municipality a copy of the entity's general or long-range plan; or
  - c. the entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under this chapter.
2. If the Zoning Administrator, or authorized designee, fails to comply with the requirements of Section 502 (1) (b) or (c) or both, an Applicant may waive the failure so that the Application may stay on the public hearing agenda and be considered as if the requirements had been met.