

**Ordinance 02-57**

**AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-1-12(E)(2)  
REGARDING OWNER ASSOCIATION NOTIFICATION**

WHEREAS, the City finds it appropriate to register and provide for notice to owner associations ("HOA") of applications for development activity; and

WHEREAS, while the City wishes to facilitate HOA notice, the City does not find it appropriate to pre-condition issuance of building permits on HOA approval; and

WHEREAS, this amendment increases the quality of the notice to HOAs and reduces the opportunity for deceit in the notice process.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

**SECTION I. AMENDMENT.** Section 15-1-12 of the Land Management Code in the Park City Municipal Code is amended as redlined below:

**15-1 -12. NOTICE.**

(E) **OWNERS ASSOCIATION REGISTRATION AND NOTIFICATION.**

(1) **REGISTRATION.** Owners associations desiring notice of requests for Building Permits within their boundaries must file written registration annually with the Park City Building Department and pay an annual fee of fifty dollars (\$50.00).

The registration must consist of the name(s), addresses including post office box numbers, and telephone numbers of at least three (3) authorized representatives of the Owners association and a notarized statement certifying that these individuals are the authorized representatives of said association.

Associations not registered with the City will not be included in the published list of Owners associations and do not receive notice of Building Permit requests prior to their issuance.

Any change(s) in the above information must be forwarded in writing to the Building Department within ten (10) days of the change.

(2) **NOTICE.** Prior to, or at the time of, Application for a permit for any Development, the Applicant must file with the City evidence of notification to the appropriate registered Owners association(s).

Acceptable evidence of notification shall be the following:

~~(a) a signed return receipt from a certified letter posted to the proper association representative; and/or~~

~~(ba) the properly executed notice form, as approved by the City; or~~

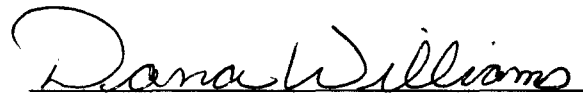
(b) a signed return receipt from a certified letter posted to the registered association representative, with a copy of the notice form approved by the City.

(3) **CITY NOT PARTY TO DISPUTES.** The City is not the arbiter of disputes between an Applicant and an Owners association.

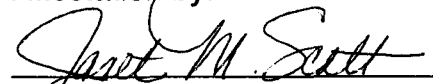
**SECTION II. EFFECTIVE DATE.** This ordinance shall become effective upon publication.

PASSED AND ADOPTED this 19<sup>th</sup> day of December, 2002.

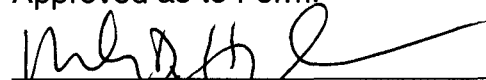
Park City Municipal Corporation

  
Dana Williams, Mayor

Attestation by:

  
Janet M. Scott, City Recorder

Approved as to Form:

  
Mark D. Harrington, City Attorney

