

**Questions  
Continued**

**What happens when  
a complaint is made?**

When an alleged zoning violation is reported, the County Planner performs a preliminary inspection to determine if a violation exists. If a violation exists, the case is processed with priority given to the most severe violations. If no zoning violation exists then the complaint is classified as an "Unfounded Complaint" and the file is closed. However, the complaint is still logged into our data system and kept on record.

**Does the Planning & Zoning Division  
release the complaining party's name?**

No! Complaints may be anonymous, but for those who choose to leave his or her name, information provided by the complainants shall become public record.

**If you receive a violation, what happens?**

Upon receipt of an Alleged Notice of Violation, you should contact the County Planner who signed and sent you the notice at (435) 864-1405, to discuss the alleged violation and what options are available for bringing the property into compliance with the zoning ordinance.

**Questions  
Continued**

**What are your rights ?**

If there is a disagreement with the County Planner, the property owner will be informed of his or her administrative, legislative, and civil alternatives.

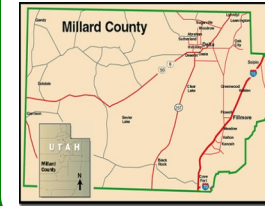
**What are the fines?**

Any violation of the terms and provisions of the Millard County Zoning Ordinance shall be deemed a class C misdemeanor, and subject to penalty as provided in section 10-23-9 of the Millard County Code and the Uniform Bail Schedule prescribed by the Administration Office of the Courts.

The Land Use Authority to hear appeals of violations is the LUHO (Land Use Hearing Officer) as appointed by the BOCC (Board of County Commissioners). If the case goes to District Court, criminal penalties may apply if found guilty according to Utah State Laws.

**Note: It is important to note that once an alleged violation is heard by the LUHO or District Judge, the case is closed.**

**However, new charges may be brought against the property owners, (with the new violation dates), as many times as necessary until the property is brought into compliance.**



**Millard County  
Planning &  
Zoning**

**71 South 200 West  
PO Box 854  
Delta, UT 84624  
Phone: 435-864-1400  
Fax: 435-864-1404**

[www.millardcounty.org](http://www.millardcounty.org)

***Guide For Millard County  
Zoning Violation Processing  
And Procedures Brochure***

***This brochures outlines the procedures  
used by the County's Zoning Department  
when a complaint is received and the most  
common questions asked.***

NOTE: This helpful hints brochure was prepared to assist property owners in understanding the procedures used after receiving a formal complaint. The language used in this pamphlet is not the Official terminology of Millard County Ordinances. For more specific information on the subjects covered in this publication please call the number above and ask to speak with the County Planner.

## Required

1. Complaints may be received via:
  - a. Completing a violation
  - b. Submitting a letter or personal note.
  - c. By telephone.
  - d. Red Tag, issued by a Building Inspector.

## 2. Required information needed when a violation complaint is submitted:

- a. What the specific complaint is about e.g., unpermitted activity, unlawful dwelling, junk, illegal structure, wrong zone, junk, trash, etc.
- b. Specific location of the property.
  - Exact description
  - Site Address
  - Assessor 's Parcel Number
- c. All other available details regarding the violation, the property in question and the ownership.

## Procedures

### 3. Procedures to be followed:

- a. All complaints are held by the County Planner and inspected based upon the severity of the complaint.
- b. An inspection of the property is conducted to verify the presence of a violation and photos are taken if a violation exists.
- c. After confirmation of a violation, the planner will prepare a case file comprised of the violation activity and summary of the inspection that was conducted.

d. A violation notice is prepared and mailed to the property owner which will contain the following:

- Date violation notice is processed.
- A statement of facts constituting each alleged violation.
- Violations are identified.
- List of the sections of the Millard County Zoning Ordinance being violated.
- The compliance date for correction of the violation.
- Who can be contacted for assistance and follow up.

e. At the conclusion of the period to abate the violations, a re-inspection will be conducted to determine compliance. If the property is in compliance, a letter indicating such will be directed to the property owner and the case will be closed.

Otherwise, a Cease and Desist Order will be served on the property owner by personal service or by certified mail.

f. At the conclusion of the period to abate the violation ( s ), a second re-inspection will be conducted to determine compliance. If the property is in compliance, a letter indicating such will be directed to the property owner and the case will be closed.

Otherwise the case will be turned over to the Millard County Attorney 's Office for prosecution.



## Most Common Questions Asked

## What constitutes a violation?

Any use of land that conflicts with the Millard County Zoning Ordinance in which “ p romoting health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the county, including, among other things, the lessening of congestion in the streets or roads, or reducing the waste of excessive amounts of roads, securing safety from fire or other dangers, providing adequate light and air, land classification and land development and utilization, protecting the tax base, securing economy in governmental expenditures and fostering the county's agricultural and other industries and the protection of development ” is not served.

### How do you report a violation?

For areas located in the unincorporated areas of Millard County including State and federal lands, zoning violation complaints can be made at

**Millard County Offices**

**71 South 200 West**

**P.O. Box 854**

**Delta, Utah 84624**

**or by contacting us at**

**( 435 ) 864-1400 by phone or ( 435 ) 864-1404 by fax,  
or by email [sdekker@co.millard.ut.us](mailto:sdekker@co.millard.ut.us)**