

WHITE CITY

ORDINANCE NO. 2026-O-02

DATE: July 2, 2026

AN ORDINANCE AMENDING TITLE 1 GENERAL PROVISIONS

WHEREAS, White City is authorized to enact ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by this chapter, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city; and

WHEREAS, the City Council (“Council”) of White City desires to update its code of ordinances to make technical changes after its conversion to a city, make changes required by the conversion, and update code language to accurately reflect terms, definitions, procedures, and organization of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WHITE CITY, UTAH AS FOLLOWS:

Section I. Enactment. White City Code, Title 1 – GENERAL PROVISIONS, which is published as a code in book form, is amended in accordance with this ordinance, copies of which have been filed for use and examination in the Office of the City Recorder as shown in Attachment A.

Section II. Effective Date. This Ordinance shall take effect immediately upon the date of its first publication.

[Execution on Following Page]

ADOPTED AND APPROVED at a duly called meeting of the White City Council on this 2nd day of July 2026.

WHITE CITY



By: Allan Perry, Mayor

APPROVED:


CITY ATTORNEY

ATTEST:

Rori L. Andreason

Rori Andreason, City Recorder

Voting:

Mayor Perry voting	<u>Aye</u>
Council Member Shelton voting	<u>Aye</u>
Council Member Price voting	<u>Aye</u>
Council Member Mahoney voting	<u>Aye</u>
Council Member Huish voting	<u>Aye</u>

(Complete as Applicable)

Date ordinance summary was published on the Utah Public Notice Website per Utah Code §10-3-711: August 14, 2026

Effective date of ordinance: August 14, 2026

Attachment A

Preface

In 2018, codification and administration of the Municipal Code began in-house under the direction of the Greater Salt Lake Municipal Services District and with the assistance of Municipal Code Corporation. This Municipal Code shall be cited as the White City Code or “WCC” as an acronym.

WCC is fully current, but we are in the process of reviewing various hard copy ordinances to perfect the existing legislative histories of each section.

This Municipal Code maintains a structure by subject matter using a decimal numbering system identifying the Title, Chapter, and Section (for example: 1.01.010).

- The first number in the sequence (Title **1**.01.010) designates the **Title** level
- The second series of numbers (Title 1.**01**.010) designates the **Chapter** level
- The last series (Title 1.01.**010**) designates the **Section** level

This complete set of numbers is designed to aid in searching the Municipal Code and to assist in subsequent codification as new ordinances are added to the Municipal Code. Vacant titles, chapters, or sections may be designed for future use and may be marked “Reserved” to ease internal expansion.

To outline, give structure, and more granularly reference the legislation herein, the following list order or pattern of ascending alphanumeric characters is used: **A, 1, a, (1), (A), (a)**. Drafting future legislation with this list order reconciles it with the online code’s list order. To forego the naming of each list item and to more granularly reference legislation that employs alphanumeric characters, use “Part” (always capitalized) followed by the desired alphanumeric reference(s), comma separated. For example, “Part B,7,d”, specifically references item “d”, of item “7”, of item “B”—whereas “Part B” refers more generally to any or all of Part B’s descendants. References herein revealing “**Utah Code**” implies a reference to the Utah State Code.

The legislative history beneath a legislation’s content identifies the specific legal sources, and may be provided to substantiate the online code.

The Municipal Code is supplemented from time to time with amendments and additions made by White City. The specific legal sources that comprise this Municipal Code have been adapted during the codification process from the original formatting of the official hard copy. In the event of discrepancies between the online Municipal Code and the official hard copy, the official hard copy governs. Municipal Code Corporation, provides a searchable database of the Municipal Code for easy reference and convenience.

NOTICE: THE MUNICIPAL CODE MAY NOT REFLECT ALL OR THE MOST CURRENT VERSION OF LEGISLATION ADOPTED BY THE CITY COUNCIL THAT HAS YET TO BE UPDATED ONLINE. IN THE EVENT OF CONFLICT BETWEEN THE MUNICIPAL CODE AND A WRITTEN ORDINANCE, THE ORDINANCE TYPICALLY GOVERNS. ALSO, THE MUNICIPAL CODE MAY NOT REFLECT RULES OR OTHER REGULATIONS PROMULGATED UNDER THE AUTHORITY OF THE CODE, INCLUDING TECHNICAL SPECIFICATIONS. FOR MORE INFORMATION CONTACT THE CITY.

Chapter 1.01 CODE ADOPTION

1.01.010 Adoption

Pursuant to the provisions of Utah Code § 17-53-208, the county legislative body of White City adopted the "Salt Lake County Code of Ordinances, 1986," as compiled, edited and published by Book Publishing Company, Seattle, Washington.

Pursuant to Utah Code Ann. § 10-3-701 the City Council of White City hereby adopts the code as it existed on February 5, 2017.

1.01.020 Title--Citation--Reference

This code shall be known as the "White City Code" and it shall be sufficient to refer to the code as the "White City Code" in any prosecution for the violation of any provision therein or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any portion thereof as an addition to, amendment to, correction or repeal of the "White City Code." Whenever a reference is made to this code as the "White City Code" or to any portion thereof, the reference shall apply to all amendments, corrections and additions made before, as of or after the effective date of the ordinance codified in this chapter.

1.01.030 Ordinance Amendments--Change In Form Of County Government

The adoption of these amendments and the change in form of government shall not affect any right, duty, penalty, action, or proceeding commenced under or by virtue of the ordinances repealed or amended.

1.01.040 Effective Date Of This Code

This code shall be effective on the following dates.

- A. As White City Township Planning District under Salt Lake County on September 26, 2006; H.B. 363 (1997).
- B. As an incorporated Metro-Township after May 12, 2015; S.B. 199 (2015)
- C. As an incorporated City on May 1, 2024; H.B. 35 (2024).

Chapter 1.04 GENERAL PROVISIONS

1.04.010 Definitions And Rules Of Construction

- A. In the construction of the revised ordinances set out in this code, and all ordinances amendatory thereof, the following definitions shall be observed, unless such construction would be inconsistent with the manifest intent of the county council, or repugnant to the context of the ordinance.

- 1. "Absent" means for the purposes of the city emergency plan, not physically present and not able to be communicated with via any means for twelve hours.
- 2. "Board of health" means the Salt Lake County board of health.

3. "Business" means any activity, operation, enterprise or calling referred to in this code for which a license is required.
4. "Central services" include those services and activities provided by the Greater Salt Lake Municipal Services District or other property designated entity to support all city government activity including activities related to purchasing, contracting, real estate, claims, management information and data processing, facility management, fleet, accounting, auditing, legal, and general countywide administration.
5. "City" means White City.
6. "City council" or "council" means the City Council of White City, Utah.
7. "County" means Salt Lake County and may also be construed to mean the portions of Salt Lake County, Utah, outside the limits of the incorporated cities or towns therein.
8. "Attorney," "city attorney" means the appointed attorney of White City, Utah.
9. "City mayor" or "mayor" means the elected executive officer and mayor of White City, Utah.
10. "City recorder" or "recorder" means the appointed recorder of White City, Utah.
11. "Law enforcement" means the agency designated by the city to provide law enforcement services to White City, Utah.
12. "City treasurer" or "treasurer" means the appointed treasurer of White City, Utah.
13. "Citywide" policy, procedure or regulation means those lawful policies required to be approved by the council and implemented by the mayor or officers of the city that address matters of administration and management that impact all subdivisions of city government including, but not limited to, matters related to contracting, purchasing, personnel administration, central services, budgeting, debt financing, relations between offices, and other matters authorized by law for city legislative bodies.
14. "Disaster" means a situation causing or threatening to cause widespread damage, social disruption, or injury or loss of life or property resulting from attack, internal disturbance, natural phenomenon, or technological hazard and includes earthquakes, storms, tornadoes, flood, landslide, avalanche, fire, drought or epidemic.
15. "Fire department" means the agency designated by the city to provide firefighting and medical services to White City, Utah.
16. "Governing body" means the city council for legislative matters and the mayor for executive matters.
17. "Health department" means the Salt Lake County health department or designated local health department..
18. "Highway" or "public highway" means any road, street, lane, court, place, viaduct, tunnel, culvert, bridge, alley or other public way situated within the city, laid out or erected as such by the public, or dedicated, abandoned or open to the public, or made such in any action for the partition of real property, or such other public property so designated by any ordinance or statute, and includes the entire area within the right-of-way.

19. "Interim successors" means the replacement for an unavailable or absent elected official as a result of a unavailability or unwillingness to serve.
20. "Knowingly" imports only a knowledge that facts exist that bring the act or omission within the provisions of this code. It does not require any knowledge of the unlawfulness of such act or omission.
21. "Law" means and denotes applicable federal law, the Constitution and statutes of the state of Utah, the ordinances of White City and, when appropriate, any and all rules and regulations which may be promulgated thereunder.
22. "License" includes any certificate or license that Emigration Canyon may issue.
23. "License official" means the director of the White City planning and development services division or designee.
24. "Local emergency" means the proclamation invoking special powers and the emergency operation plan as a result of a disaster or emergency, except the Mayor may not exercise powers to respond to a pandemic or an epidemic.
25. "Maliciously" or "malice" means a wish to vex, annoy or injure another person, or an intent to do a wrongful act, established either by proof or by presumption of law.
26. "Owner," applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant or less of the whole or of any part of the building or land.
27. "May" means an action that is authorized or permissive.
28. "May not" means an action that is not authorized and is prohibited.
29. "Offense" means any act, action, or conduct prohibited by this Code or the failure to perform any acts required by this Code.
30. "Order" means any White City order including a stop work order, notice of non-compliance, clean-up order, abatement action, revocation or suspension of a license or permit, assessment of charges or costs, notice of zoning violation, seizure of any animal property, Code enforcement order relating to the occupancy of any structure or building, any written disciplinary action, the assessment of any costs or non-criminal penalty, or any other action seeking the cessation of any business or operation.
31. "Owner," applied to a building or land, means and includes any part owner, joint owner, tenant in common, joint tenant or less of the whole or of any part of the building or land.
32. "Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, bodies public, business trust, organization, or the manager, lessee, agent officer or employee of any of them, or any individual, partnership, association, corporation, or group of individuals, however styled or designated, and any other entity that is recognized by law as the subject of rights or duties, or who represents or is the agent of such person.
33. "Personal property" means and includes money, goods, chattels, things in action and evidences of debt.
34. "Property" means and includes real and personal property.

35. "Real property" means and includes lands, tenements and hereditaments.
36. "State" means the state of Utah.
37. "Tenant" or "occupant," applied to a building or land, mean and include any person who occupies the whole or any part of such building, either alone or with others.
38. "Willfully," when applied to the intent with which an act is done or omitted, means and implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law or to injure another or to acquire any advantage.
39. "Written" means and includes printed, typewritten, mimeographed, multigraphed, photocopied, printed or otherwise processed by computer or other electronic means, or otherwise reproduced in permanent visible form.
40. "Year" means a calendar year unless specified otherwise.

B. Rules of Construction.

1. Mere language changes are not intended to reflect changes in the substance or meaning of the ordinances.
2. The singular number includes the plural.
3. Words used in the present tense include the past and future tenses and vice versa, unless manifestly inapplicable.
4. Words used in the masculine gender comprehend the feminine and neuter.
5. The term "may" is permissive; the terms "must" and "shall" are each mandatory.

1.04.020 Interpretation Of Language

All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

1.04.030 Computation Of Time

Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, if Saturday, Sunday or a holiday, in which case the last day shall be the next following business day. When the period of time is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded.

1.04.040 Liability Of Employers And Agents To Penalty For Violation Of Ordinances

When the provisions of an ordinance prohibit the commission or omission of any act, the person doing the prohibited act or omitting the directed act and the employer, if the act or omission is done within the course and scope of employment, and all other persons aiding or abetting therein, shall be guilty of the offense described and subject to the penalty prescribed for the offense.

1.04.050 Severability

The City Council of White City, Utah, hereby declares that the council would have passed these revised ordinances and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, void, or unlawful.

Chapter 1.06 CITY HOLIDAYS AND OFFICE HOURS

1.06.010 Office Hours

- A. All offices, departments, and agencies of the city shall keep their offices open for the transaction of public business between the hours of nine a.m. to five p.m., Monday through Friday. In addition to regular office hours, for those offices and agencies in which the normal transaction of public business requires other hours of operation, services shall be provided on such days and such hours as the public business necessitates.
- B. All full-time city employees shall work forty hours per week. Work schedules in offices, departments, and agencies shall be established pursuant to city personnel policies.

1.06.020 Holidays

- A. The following days are legal holidays during which City offices are closed:

The First day of January	New Year's Day
The Third Monday of January	Martin Luther King Day
The Third Monday and February	Presidents' Day
The Last Monday in May	Memorial Day
The Fourth Day of July	Independence Day
The Twenty-fourth Day of July	Pioneer Day
The First Monday of September	Labor Day
The Eleventh Day of November	Veterans Day
The Fourth Thursday of November	Thanksgiving Day
The Fourth Friday of November	Day After Thanksgiving
The Twenty Fifth Day of December	Christmas Day

- B. In the event that a holiday falls on a Saturday, it shall be observed on the preceding Friday. In the event that the holiday falls on a Sunday, it shall be observed on the following Monday.
- C. Where the public business requires, some county offices may be required to remain open for business on legal holidays.

1.06.030 Legal Delays

Any act which is authorized or required to be performed on a Saturday, Sunday, or holiday, when

the city offices are closed, may be performed on the next business day. No liability or loss of rights of any kind may result from that delay.

Chapter 1.12 GENERAL PENALTY

1.12.010 Penalty For Violation Of Code Provisions

Any person found to have violated any provision or provisions of an ordinance included in these revised ordinances, or in ordinances hereafter enacted, shall be deemed guilty of a misdemeanor or a civil violation of city code, and punished as provided by city code or state criminal code for Class B misdemeanors. The city has sole discretion in deciding whether to file a civil or criminal case for the violation of any of its ordinances.

1.12.020 Liability Of Employers And Agents To Penalty For Violation Of Ordinances

When the provisions of an ordinance prohibit the commission or omission of any act, the person doing the prohibited act or omitting the directed act and the employer, if the act or omission is done within the course and scope of employment, and all other persons aiding or abetting therein, shall be guilty of the offense described and subject to the penalty prescribed for the offense.

1.12.030 No Liability On Municipality

None of the provisions of this Code shall create any civil liability on the municipality, its officers, or employees whether or not the Code imposes mandatory or directional duties and whether or not the municipality, its officer or employees perform or do not perform such duties.

1.12.040 Presumption Of Liability For Certain Violations

The occupant and owner of any premises upon which a violation of any provision of this code or of any White City ordinance and the owner of any object or material placed or remaining anywhere in violation of any provision of this code or of any White City ordinance shall be presumed to be responsible for the violation so evidenced and subject to the penalty provided therefore.

1.12.050 Penalties Not To Excuse Abatement of Prohibited Conditions

The application of any penalty under this chapter shall not constitute the condoning or legalizing of any prohibited condition or prevent the abatement or enforced removal of such condition by any lawful means available to Emigration Canyon including Title 12, Code Enforcement.

Chapter 1.16 ADMINISTRATIVE HEARING

1.16.010 Short Title

This chapter shall be known as the "White City Administrative Procedures Ordinance."

1.16.020 Purpose

The city council finds that the enforcement of the White City ordinances, policies, regulations, and applicable state statutes is an important public function vital to the protection of the public's health, safety, welfare, and quality of life. The city council further finds that providing a hearing to city employees, citizens, and city agencies relating to the enforcement of ordinances, policies, regulations, and applicable state statutes through an administrative procedures process conducted by independent, law-trained administrative judges comports with basic due process, simplifies and expedites hearings benefitting the city and citizens, minimizes the impact on the judicial system, and provides flexibility in both the hearing process and in determining remedies and responsibilities.

1.16.030 Scope

The provisions of this chapter may be applied to any violations of the White City ordinances, policies, regulations, and applicable state statutes which occur within unincorporated White City or relate to such activities subject to White City operations and jurisdiction. No judicial review shall be available to any citizen or city agency if the provisions of this chapter are not followed. Failure to timely request and participate in an administrative review under this chapter shall bar any action in the state or federal courts by an aggrieved citizen, city employee, or city agency.

1.16.040 Other Remedies And Criminal Prosecution

The city shall have sole discretion in deciding whether to pursue civil remedies or seek administrative enforcement for the violation of any of its ordinances, policies, regulations, and applicable state statutes. This chapter shall not limit the powers of the attorney of White City in pursuing criminal charges for the violation of any city ordinances or state statutes, in addition to any civil action the city may take unless prohibited by state statute.

1.16.050 Definitions Applicable To Title Generally

In this chapter the following words and phrases are defined as follows:

- A. "City Enforcement Action" or "Action" means any action by the city seeking compliance with any ordinance, policy, regulation, applicable state statutes, and includes a notice of violation, administrative citation, departmental determination, board findings/order, stop work order, notice of non-compliance, clean-up order, abatement action, revocation/suspension of a license or permit, assessment of charges or costs, order relating to the occupancy or use of any structure, zoning violation, seizure of any animal or property, and any other action by a city agency seeking the cessation of any business or operation or the assessment of any costs or non-criminal penalty. This term shall not include any criminal prosecution.
- B. "Administrative Law Judge" means a person appointed by the mayor or his designee to preside over administrative hearings. An administrative law judge must be an attorney licensed to practice law in the State of Utah and must not be an employee of the city.
- C. "Administrative Hearing" means a hearing held pursuant to the procedures established by this chapter.
- D. "City" means the City of White City, Utah.
- E. "City Council" means the City Council of White City.

- F. "Director" means the mayor or his designee and includes the division administrator, assistant division administrator, or director of an agency.
- G. "Enforcement Official" means any person authorized by the city to enforce violations of the White City Code of Ordinances, policies, regulations, or applicable state codes including, but not limited to, zoning officers, police officers, building inspection officials, animal control officers, and health department officials.
- H. "Mayor" means the Mayor of White City or the Mayor's designee.
- I. "Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, officer, or employee of any of them, or any other entity that is recognized by law as the subject of rights or duties, or who represents or is the agent of such person.
- J. "Property Owner" means the record owner of real property as shown on the records of the Salt Lake County Recorder.
- K. "Responsible Person" or "Responsible Party" means the person(s) determined by the city who is responsible for causing or maintaining a violation of the White City Code of Ordinances, policies, regulations, or applicable state codes. The term "responsible person" shall include, but is not limited to, a property owner, agent, tenant, lessee, occupant, business owner, business manager or employee, architect, builder, contractor, or other person who individually or together with another person is responsible for the violation of any provision of the White City Code of Ordinances, policies, regulations, or applicable state codes.

1.16.060 Service Of Notice Requirements

- A. Whenever a notice is required to be given under this chapter it shall be in the form of a notice approved by the director and the notice shall be served by one of the following methods:
 - 1. Personal service;
 - 2. Regular mail, postage prepaid, to the last known address of a responsible person;
 - 3. Posting the notice conspicuously on or in front of the property that is the subject of the action.
 - 4. Publication in a newspaper of general circulation if service has not been accomplished after reasonable efforts to comply Subsections 1 through 3; or
 - 5. As directed by the administrative judge.
- B. Failure of a responsible person to actually receive notice shall not affect the validity of any action taken hereunder if notice has been served in the manner set forth above.
- C. Service by regular mail in the manner set forth above shall be deemed served on the fourth day after the date of mailing.
- D. The failure of a person, other than a responsible person, to be served notice in accordance

with this section shall not affect the validity of any proceeding taken hereunder.

1.16.070 Direction To Adopt Rules

The mayor shall establish rules for administrative hearings; appoint the hearing officer from the pool of approved administrative law judges, or, in the case of a conflict, appoint an outside hearing officer; provide for the notification of the involved parties; and establish guidelines and operating procedures for administrative hearings, including the type of pre-hearing discovery that may be allowed.

1.16.080 Subpoenas

The administrative law judge is empowered to issue subpoenas for the production of documents and things and to compel the appearance of witnesses in the pending action. It shall be unlawful for any person to willfully refuse or fail to obey a subpoena issued for an administrative hearing. A violation of this section shall be a class B misdemeanor.

1.16.090 Request For Administrative Hearing

- A. A responsible person served with a "city enforcement action" and any city agency shall have the right to request an administrative hearing.
- B. A party who has been adversely affected by an action by a city agency may also request an administrative hearing. Adverse effect may arise from:
 - 1. Any decision affecting the employment status, compensation, or treatment of an employee of the city;
 - 2. Denial, revocation, or termination of any license issued by the city;
 - 3. Any decision relating to the zoning or permitted use of real property located within the unincorporated limits of the city;
 - 4. Any decision relating to the award or failure to award a bid or proposal but which action must be brought within the time limitations and grounds set forth in the city ordinances and policies governing procurement;
 - 5. Any notice of violation, animal seizure, assessment of costs, or other action taken by animal services; or
 - 6. Such other violation, assessment, or action as designated by city ordinance, policy, regulation, or state law.
- C. The request for an administrative hearing shall be made in writing and delivered to the White City mayor's office.
- D. The written request for hearing must be received by the mayor within fifteen calendar days of the date the "city enforcement action" is served upon the responsible party. Failure to request an administrative hearing within fifteen calendar days from the date of service shall constitute a waiver of the right to an administrative hearing and of the right to an appeal of the "city enforcement action" to any state or federal court or agency.
- E. Within fifteen days of the issuance of a "city enforcement action," the city may request an administrative hearing for the purposed of compelling a responsible person to comply with the action.
- F. If a responsible person fails to request a hearing after being issued a "city enforcement

action" the corrective action detailed within the action shall be considered the final administrative order and the person shall be deemed to have waived any appeal of that order.

1.16.100 Notification Of Administrative Hearing

- A. As soon as practicable after receiving the written notice of the request for an administrative hearing, the mayor shall appoint an administrative law judge who shall schedule a date, time, and place for the administrative hearing.
- B. Written notice of the date, time, and place of the administrative hearing shall be served on the responsible person as soon as practicable prior to its date.
- C. The notice shall be served by any of the methods of service set forth in Section 1.16.060 of this chapter.

1.16.110 Powers Of Administrative Law Judge

- A. An administrative law judge shall have authority to set the date, time, and place for holding an administrative hearing.
- B. An administrative law judge may issue a scheduling order to guide the conduct of the case, to set the limits of any pre-hearing discovery, to provide for the identification of witnesses and their expected testimony, to list and exchange proposed exhibits, to approve stipulations regarding facts, applicable law, foundation to exhibits, and to govern such other matters related to hearing of the matter as deemed appropriate.
- C. The administrative law judge holding a hearing shall arrange for the recording of any hearing.

1.16.120 Rules Of Discovery And Evidence For Administrative Hearings

- A. The administrative law judge shall determine the scope of any pre-hearing discovery.
- B. The formal rules of evidence and of civil procedure adopted by the courts shall not be applied in any administrative hearings; however, the administrative law judge shall determine the admissibility and weight to be accorded any evidence.
- C. The administrative law judge shall issue a written ruling within forty-five days after the conclusion of the hearing.

1.16.130 Appeal

- A. Any responsible person or city agency adversely affected by a final administrative order issued pursuant to a hearing may file a petition for review in the Third Judicial District Court of the State of Utah in accordance with the Utah Rules of Civil Procedure.
- B. A petition for review shall be barred unless it is filed within thirty days after the administrative order is final, unless a statute provides otherwise.
- C. The record of the administrative hearing including minutes, findings, orders and, if available, a true and correct transcript of the proceeding shall be transmitted to the reviewing court by the party filing the appeal and the costs of producing the record, including any transcripts,

shall be borne by the party filing the appeal. If the proceeding was tape recorded, a transcript of such tape recording shall be deemed a true and correct transcript for purposes of this subsection.

- D. The filing of a petition does not stay execution of an administrative order. Before filing a petition, a responsible person may request the administrative law judge to stay an administrative order. Upon receipt of a request to stay, the administrative law judge may order the administrative order to be stayed pending district court review if the administrative law judge finds such stay to be in the best interest of the city.