

Exhibit G – GRAMA Response #25-2270 Summary and Analysis

Filed: November 5, 2025

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Summary of GRAMA Response #25-2270 (Weber County Planning Division)

Date Received: October 31, 2025

Respondent: Iris Hennon, Principal Code Enforcement Officer

Requestor: Christopher Cross

1. **Acknowledgment of Unpermitted Operation:**
Weber County acknowledges that the **LineCo Laydown Yard** operated for **more than 12 months without a Conditional Use Permit (CUP)** in the MV-1 zone.
 2. **County Action and Policy Statement:**
The response states that the County contacted the property owner and tenant after being alerted by the complainant and then “paused enforcement” once the tenant agreed to apply for a CUP.
The letter cites a County “policy” to rectify violations through post-hoc applications instead of active enforcement.
 3. **Protected Records Denial:**
Access to all related enforcement records was denied under **Utah Code § 63G-2-305(10)**, which allows withholding of records if release would interfere with ongoing enforcement.
 4. **Current Status and Contradiction:**
The County confirms that CUP 2025-21 was approved on October 28, 2025 — meaning the enforcement case is no longer active, yet records remain withheld under the same “active case” exemption.
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Analysis and Observations

- **Policy vs. Code Conflict:**
The County’s self-declared “rectify the problem” policy directly conflicts with **Weber County Code § 108-1-7**, which requires timely enforcement of ongoing violations and does not authorize retroactive CUP approval.
- **Protected Record Exemption No Longer Applies:**
Since the CUP was approved and the enforcement action concluded, there is no remaining proceeding to be “interfered with.” Continued withholding is no longer supported by law.
- **Admission of Unequal Enforcement:**
The letter admits the County acted only after a citizen complaint and then paused

enforcement for a large contractor. This reveals a pattern of preferential treatment inconsistent with the County's obligation to apply the Code equally to all operators

Addendum – Misstatement Regarding CUP Timing and Duration

- The County's GRAMA response implies that a construction yard may operate for up to one year before requiring a Conditional Use Permit. This interpretation is **contrary to Weber County Land Use Code §§ 108-4-3 and 108-1-7**, which clearly require that all conditional uses—including contractor or construction yards—obtain a valid CUP **before** commencing operations. The "one-year" provision cited in County practice refers only to the **maximum duration of a temporary CUP once issued**, not a grace period for unpermitted activity. By suggesting otherwise, staff introduced a material error of law that effectively excuses 17 months of unlawful operation and undermines uniform enforcement within the MV-1 zone.
- **Cross-Reference:** See also **Exhibit A – Annotated Staff Report** (demonstrating staff's omission of violation history) and **Exhibit C – Complaint Timeline** (documenting 17 months of unpermitted operation and delayed enforcement).

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Christopher Cross | New World Distillery, Inc.

(Additional GRAMA correspondence and released materials will be appended to Exhibit G as they become available.)