



435 North Main Street
La Verkin, Utah 84745
(435) 635-2581 (435) 635-2104 Fax
www.laverkin.org

La Verkin City Council Meeting Agenda

Wednesday, February 21, 2024, 6:00 p.m.

GYM, 111 S. Main, La Verkin, Utah

A. Meeting Called to Order: Invocation by Invitation; Pledge of Allegiance

B. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Meeting Minutes: February 7, 2024, regular meeting
4. Checks and Invoices: \$47,134.92

C. Business:

1. Discussion and possible action to ratify Mayor Wilson's signature on an agreement with Fay Reber for legal services.
2. Discussion and possible action to approve Ordinance No. 2024-02; an ordinance amending the La Verkin 2018 General Plan to re-designate approximately 40 acres from Planned Community Development and Open Space to Commercial.
3. Discussion and possible action to approve Ordinance No. 2024-03; an ordinance amending Title 10, Chapter 6 of the La Verkin City Code to add an article which establishes a Luxury Resort Zone.
4. Discussion and possible action to approve Ordinance No. 2024-04; an ordinance amending the zoning map of and for the City of La Verkin, to rezone approximately 40 acres in the northeast portion of the city (referred to as the topside) from Planned Community Development (PCD)/Open Space Multiple Use (OSMU, OSMU-C) to Luxury Resort (LR).
5. Discussion and possible action to approve Ordinance No. 2024-05; an ordinance amending Title 9 Chapter 1 Section 15 of the La Verkin City Code pertaining to issuance of a building permit in areas where geological hazards exist.
6. Discussion and possible action to approve Ordinance No. 2024-06; an ordinance amending Title 9 Chapter 1 of the La Verkin City Code dealing with building related codes.
7. Discussion and possible action to approve Ordinance No. 2024-07; an ordinance approving and adopting monthly sewer service fees established by Ash Creek Special Service District.
8. Discussion and possible action to approve Resolution R-2024-04; a resolution approving and adopting the La Verkin City employee salary scale.

D. Mayor & Council Reports:

Mayor Wilson:

Blair Gubler: Washington County Solid Waste, Homeland Security/CERT

Wise: Planning Commission/Zoning, Beautification/Trails Committee, Economic Development/Tourism

Micah Gubler: Public Safety, Recreation/City Festivals

Hirschi: Fire District, Ash Creek Special Service District, DTEC

Prince: Southwest Mosquito Abatement, Historical Preservation

E. Citizen Comment & Request for Future Agenda Items: No action may be taken on a matter raised under this agenda item. This item is reserved for the citizens of La Verkin who have items not listed on this agenda. There is a time limit of 20 minutes with each individual taking no more than 3 minutes.

F. Adjourn:

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Christy Ballard, City Recorder, (435) 635-2581, at least 48 hours in advance.

Certificate of Posting

The undersigned City Recorder does hereby certify that the agenda was sent to each member of the governing body, sent to the Spectrum newspaper, posted on the State website at, posted on the La Verkin City website at www.laverkin.org and at the city office buildings 111 S. Main and 435 N. Main on February 16, 2024, Christy Ballard, City Recorder

City of La Verkin

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La Verkin City Council Meeting Minutes Wednesday, February 7, 2024, 6:00 pm. Gym, 111 S. Main, La Verkin, Utah

Present: Mayor Kelly Wilson; Council Members: Patricia Wise, Blair Gubler, Richard Hirschi, Micah Gubler, and Darren Prince; Staff: Derek Imlay, Kyle Gubler, Chief Nick Nuccitelli, Kayla Gothard-Jenkins Bagley, Fay Reber, Maridee Johnson, Steve Drummond, Taunya Rangel, and Christy Ballard; Public: Joe Phillips-Sunrise Engineering.

A. Called to Order –Maridee Johnson gave the invocation/thought and Pledge of Allegiance at 6:00 pm.

B. Presentation:

1. Chief Nick Nuccitelli

Chief Nuccitelli went over the 2023 stats for the animal shelter. He thanked Steve Drummond and Taunya Rangel, our animal control officers, for their fantastic job with the animal shelter. He also thanked the many volunteers for their time and care for the animals. The Chief gave Steve, Taunya, and the volunteers present a certificate and gift card for the time and work they give La Verkin City.

C. Appointments:

1. Appointments to Boards and Commissions

Planning Commission: Matt Juluson's reappointment for a 5-year term and Richard Howard and John Valenti's reappointment for a 1-year term as alternates. Board of Adjustment: Reappointment 5-year term for Laura Justice, Board of Appeals: Eldon Pierce as a new 4-year term, and 4-year reappointments for Stephen Lisonbee and Brian Stewart. Water Board: Kris Gubler as a new 4-year term.

The motion was made by Councilman Micah Gubler to approve the appointments as listed, second by Councilwoman Patricia Wise. Blair Gubler-yes, Wise-yes, Micah Gubler-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

2. Zoning Administrator

Mayor Wilson appointed Derek Imlay as the zoning administrator.

The motion was made by Councilwoman Patricia Wise to appoint Derek Imlay as the first official Zoning Administrator, second by Councilman Blair Gubler. Prince-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

D. Consent Agenda: (Items on the consent agenda may not require discussion. These items will be a single motion unless removed at the request of the Mayor or City Council.)

1. Declarations of conflict of interest
2. Agenda
3. Meeting Minutes: January 17, 2024, work and regular meeting
4. Checks & Invoices: \$210,578.61

The motion was made by Councilwoman Patricia Wise to approve the consent agenda as written, including the minutes of the January 17, 2024, work and regular meeting and Checks and Invoices in the amount of \$210,578.61, second by Councilman Blair Gubler. Roll Call Vote: Prince-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

E. Public Hearing:

1. Community Impact Fund Board (CIB) grant funding for the La Verkin City Secondary Water Preliminary Engineering Report, Impact Fee Facilities Plan, and Impact Fee Analysis.

Joe Phillips with Sunrise Engineering explained that in 2010, Sunrise Engineering completed a secondary water master and impact facilities plan for La Verkin. Since then, the city has made specific improvements recommended in that master

plan, including the Chance Hardy filter station, which helps clean the secondary water before it enters the city's irrigation system. The city has also relocated many backyard lines into the main public rights of way.

We recognize and have become aware of other deficiencies in the system over the last fourteen years. Some of those concerns include additional backyard lines that need to be moved into main rights of way, pressure challenges in the secondary water system, and recently, the question has come up about whether the allocation of secondary water shares has exceeded the city's water rights.

The staff has talked for several years about updating the secondary water master plan. It is recommended to update that plan every five years to stay current with conditions in the community.

At the same time, Washington County Water Conservancy District (WCWCD) has recognized its interest in helping communities maximize the value of their water resources.

Mayor Wilson approached Zach Renstrom, the general manager for the WCWCD, and the District is willing to participate in looking at some of the water resources specific to the secondary water system in La Verkin.

Sunrise Engineering, La Verkin City, and the WCWCD met together to come up with a plan to update the secondary water master plan, provide an impact fee facilities plan, and conduct an impact fee analysis. This will enable the city to charge/update impact fees going forward. It will also allow the WCWCD to evaluate ways where they can provide reused water to La Verkin City, for use in the secondary water system, be a partner in the community and consider potential ways the Virgin River water could be diverted to Quail Creek in exchange for other water coming into the city's secondary water system.

The plan is to approach the Community Impact Board (CIB) for funding for a planning project to prepare a Secondary Water Preliminary Engineering Report, Impact Fee Facilities Plan, and Impact Fee Analysis. The plan will be approached in partnership between the two entities. La Verkin City will be the manager of the funding and will apply to the CIB. WCWCD will host the project and be the owner of the project. Sunrise Engineering, as the engineers would be working under a contract with WCWCD. The District and City would have memorandums of understanding to govern how the funds exchange hands.

The outcome is that the city would get the Secondary Water Master Plan, Impact Fee Facilities Plan, and Impact Fee Analysis. These plans will look at all the infrastructure, identify deficiencies, and look at the financing and cash flow of the system. The District would look at how they could transmit reuse and other water to La Verkin for storage and put that water to beneficial use. That would improve the city's system by getting cleaner water for the irrigation system.

Both parties would benefit from this project.

The cost of the studies is \$92,800. CIB would fund 50%, and the WCWCD and La Verkin City would split the remaining balance close to 50/50. This would give the city a total of about \$23,000.

This public hearing aims to meet an application requirement for CIB.

The public hearing was opened at 6:17 pm

No comments were made.

The public hearing was closed at 6:17 pm.

Councilman Prince asked if the money would come from the General Fund.

Kyle explained the money would likely come from the General Fund because the Irrigation Fund has been negative for the last couple of years. Hopefully, this project will fix that issue.

Councilwoman Wise asked about the WCWCD's role in this project and, if more water shares were sold to individuals than were available, how would the study address individuals?

Joe answered the District will have availability to reuse water, and they wondered how they can apply that to La Verkin City. They are interested in being a good community partner. Finally, there is an opportunity for the Virgin River water that La Verkin City currently uses in the irrigation system to be captured by the District at Quail Creek and replaced with better, less sedimented water for the city's irrigation system. If we could build a storage system somewhere, that would give the city better pressure and consistency.

The intent is for there to be water sharing across boundaries.

The water share situation is unknown. That is why we want to look at it in the studies. He feels some things could be improved in this area, but it is hard to know for sure without numbers.

The big question related to the shares is how the city allocates them. When he began his career, they figured demand on a single-family house as one-acre foot per year; now, it's down to ½ acre-foot per year. The way we use water has changed over the years, so the allocation of irrigation needs to change as well.

Joe went over the application process and explained if approved, it would come back to the city council for approval.

The study would take about eight months to complete.

The city should know by July if CIB approved the application.

F. Business:

1. Discussion and direction regarding the proposed Washington County Habitat Conservation Plan amendment to the environmental mitigation impact fee ordinance.

Kayla explained Washington County is seeking feedback from city councils concerning amendments to their impact fee ordinance for the Habitat Conservation Fund. They are also proposing each municipality adopt a uniform ordinance for the impact fee. This is because there has been some inconsistency with how each municipality has handled the impact fees. After talking with Christy, it sounds like they are proposing what La Verkin City has been doing. The city would be tasked with collecting the fee, and the county would be tasked with the majority of the compliance obligations.

2. Discussion and possible action to approve Resolution R-2024-03; a resolution approving an Interlocal Agreement with Washington County to fund the design of a portion of the Zion Corridor Trail in La Verkin City.

Mayor Wilson explained the county has agreed to fund it and has already signed the agreement, so the city only needs to approve this resolution.

Councilwoman Wise explained that the city council tentatively approved the agreement with Interstate Rock Products in December, pending approval from the county. This Interlocal Agreement is that approval.

The motion was made by Councilwoman Patricia Wise to approve Resolution R-2024-03; a resolution approving an Interlocal Agreement with Washington County to fund the design of a portion of the Zion Corridor Trail in La Verkin City, second by Councilman Micah Gubler. Roll Call Vote: Blair Gubler-yes, Wise-yes, Micah Gubler-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

3. Discussion and possible action to approve Work Release 2024-01 with Sunrise Engineering for on-call city planner services.

Mayor Wilson explained Sunrise Engineering has an employee, Brad Robbins, a former city planner. He has helped the city with some items, so the city asked Sunrise if they would let him be an on-call city planner for La Verkin.

This will be at a reduced rate from the standard Sunrise Engineering fee.

The motion was made by Councilman Micah Gubler to approve Work Release 2024-01 with Sunrise Engineering for on-call city planner services, second by Councilman Richard Hirschi. Roll Call Vote: Prince-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion carried unanimously.

4. Discussion and possible action to approve, and authorize Kyle Gubler to sign, the contract with Gencomm for audio/visual equipment and installation in the council chamber remodel project.

Kyle reported this was agreed to after the presentation at the last meeting. He will be signing the document because it is an electronic signature that was sent to his email.

This is a separate contract from the remodel. The dollar amount is \$124,772.00.

Per City Code, we do not need to get additional bids because Gencomm has been awarded the state contract. That means they will be the lowest, comparable bid.

Councilwoman Wise pointed out the contract has ongoing maintenance costs listed in several places. She wondered how long that period lasted.

Kyle replied that is referring to the equipment warranty and staff training. There was not a period discussed to the training and the warranty is the manufacturer's warranty.

The motion was made by Councilwoman Patricia Wise to authorize Kyle Gubler to sign the contract with Gencomm for audio/visual equipment and installation in the council chamber remodel project, second by Councilman Richard Hirschi. Roll Call Vote: Blair Gubler-yes, Wise-yes, Micah Gubler-yes, Hirschi-yes, Prince-yes. The motion carried unanimously.

G. Mayor & Council Reports:

Mayor Wilson wants to reschedule the budget retreat from March 2nd to March 23rd. Chief Nuccitelli and Councilman Micah Gubler may need to attend via Zoom.

Prince-His first Mosquito Abatement meeting is this week.

Hirschi-The Fire District has six fire stations, five are full time. The money situation has been resolved. The fire chief position still has not been filled. There were twelve candidates, but the Board is waiting to decide.

Micah Gubler-Nothing new to report.

Wise-She reported on the January 24th Planning Commission meeting.

House Bill 88-Landowners Limited Liability, passed the Senate and is waiting for the Governor's signature. This amended the existing document to include any climbing activity. This may benefit La Verkin moving forward.

The Zion Regional Collaborative held the winter workshop. During that workshop, it was announced that the new commission, the Utah State Outdoor Adventure Commission, awarded funds for the Guacamole Mesa NEPA study that the ZRC applied for. This is a popular biking/camping area, but those uses are currently illegal. Infrastructure must be installed before it can be officially opened, and that cannot be approved until a NEPA study is completed. The ZRC was awarded \$187,000. La Verkin may be the convenor of the funds as one of the four cities involved in the ZRC.

Blair Gubler-The Solid Waste Committee meets next week. He has found someone interested in handling the CERT program.

Mayor Wilson-Thanked Kayla Gothard for her services and introduced the new city attorney, Fay Reber. Jenkins Bagley will continue to be our conflict council if needed.

H. Citizen Comment & Request for Future Agenda Items:

No comments were made.

I. Adjourn:

The motion was made by Councilman Blair Gubler to adjourn, second by Councilman Richard Hirschi. Prince-yes, Hirschi-yes, Micah Gubler-yes, Wise-yes, Blair Gubler-yes. The motion was carried unanimously at 6:51 pm.

Date Approved

Mayor Kelly B. Wilson

ATTEST:

Christy Ballard
City Recorder

La Verkin City

Invoice Register: 2/3/2024 to 2/14/2024 - All Invoices

2/15/2024

Invoice No.	Vendor	Check No.	Ledger Date	Due Date	Amount	Account No.	Account Name	Description
RFD 100041190.	*Kennett, Macy	51998	2/7/2024	2/7/2024	\$69.97	512330	Turn on Fee/Renter Deposit	Deposit Refund: 100041190 - *K
PR020924-258	AFLAC		2/14/2024	2/14/2024	\$87.48		Health Savings Account	AFLAC EE
1109253	ALSCO	51999	2/7/2024	2/7/2024	\$73.11	102224		
					2.17	104160.270	Bldg B&G OPERATION AND M	Equipment repairs and Fuel
					5.12	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					4.39	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					3.66	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					23.40	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					16.08	516340.250	O&M EQUIPMENT OPERATI	Equipment repairs and Fuel
					4.39	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					2.19	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					3.66	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					4.39	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
					3.66	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
020624	BUCK'S ACE HARDWARE	52003	2/6/2024	2/6/2024	\$54.96		Comm COMMUNITY DEVELOP	Staff meeting supplies
PO# 5173					54.96	104620.610		
352771	BUCK'S ACE HARDWARE	52003	2/7/2024	2/7/2024	\$99.97		Rec EVENTS, FAIRS, & FESTI	Light bulbs and batteries
					99.97	104540.610		
					\$154.93			
10590	Citi Cards		2/6/2024	2/6/2024	\$29.21		Council EQUIPMENT OPERATI	Name plates
					29.21	104111.250		
1144931	Citi Cards		2/8/2024	2/8/2024	\$47.50		Admin OFFICE EXPENSE, SUP	Maxlight seal stamp
					47.50	104140.240		
1234665	Citi Cards		2/8/2024	2/8/2024	\$106.74		Rec EVENTS, FAIRS, & FESTI	Dodge Ball Set
PO# 5175					106.74	104540.610		
4549001	Citi Cards		2/6/2024	2/6/2024	\$218.73		Admin OFFICE EXPENSE, SUP	Chairs for Attorney's Office
PO# 5171					218.73	104140.240		
4593835	Citi Cards		2/6/2024	2/6/2024	\$928.68		Admin OFFICE EXPENSE, SUP	5 port splitter, usb clone support
					475.00	104140.240	Admin COMPUTER EQUIPME	5 port splitter, usb clone support
					453.68	104140.315		
6172743	Citi Cards		2/6/2024	2/6/2024	\$107.52		Comm COMMUNITY DEVELOP	Photo Book for Foyer - 2023 Yea
PO# 5172					107.52	104620.610		
					\$1,438.38			
02062024	Davis Food & Drug #4/Farmers Market	52005	2/6/2024	2/6/2024	\$58.85		Rec EVENTS, FAIRS, & FESTI	Misc cleaning supplies
					58.85	104540.610		
15	DIXIE DIRT WORX	51996	2/7/2024	2/7/2024	\$12,469.25		Parks RAP Tax	111 S Main street - North parking
					12,469.25	104510.480		
PR020924-6099	Health Equity		2/14/2024	2/14/2024	\$2,461.34		Health Savings Account	PEHP Health Equity
					2,461.34	102224		
RFD 100041386.	LaVerkin White Mountain LLC		2/13/2024	2/13/2024	\$38.58		Turn on Fee/Renter Deposit	Deposit Refund: 100041386 - La
					38.58	512330		
PR020924-147	LEGAL SHIELD		2/14/2024	2/14/2024	\$63.82		Misc Payable	LegalShield
					63.82	102225		
1483	NATURES MAID CLEANING	52014	2/3/2024	2/3/2024	\$200.00		Bldg EQUIPMENT OPERATING	435 N Main cleaning
					100.00	104160.250	Bldg B&G OPERATION AND M	435 N Main cleaning
					100.00	104160.270		
Refund: 1000415	Port Haven LLC		2/13/2024	2/13/2024	\$15.22		Accounts Receivable	Refund: 100041506 - Port Have
					15.22	511311		

La Verkin City
Invoice Register: 2/3/2024 to 2/14/2024 - All Invoices

2/15/2024

Invoice No.	Vendor	Check No.	Ledger Date	Due Date	Amount	Account No.	Account Name	Description
RFD 100041506.	Port Haven LLC		2/8/2024	2/8/2024	\$200.00	512330	Turn on Fee/Renter Deposit	Deposit Refund: 100041506 - Po
	Vendor Total:				\$215.22			
6804008	SCHOLZEN PRODUCTS CO INC	52016	2/5/2024	2/5/2024	\$147.36	104510.250	Parks EQUIPMENT OPERATIN	grip joint coupling, stiffener
6804775	SCHOLZEN PRODUCTS CO INC	52016	2/7/2024	2/7/2024	\$47.90	104160.270	Bldg B&G OPERATION AND M	Equipment repairs and Fuel
					1.43	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					3.35	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					2.87	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					2.40	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					15.33	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					10.54	516340.250	O&M EQUIPMENT OPERATIN	Equipment repairs and Fuel
					2.87	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					1.44	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					2.40	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					2.87	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
					2.40	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
6804891	SCHOLZEN PRODUCTS CO INC	52016	2/8/2024	2/8/2024	\$21.54	104160.270	Bldg B&G OPERATION AND M	supplies for Max's truck
					0.64	104240.250	Inspect EQUIPMENT OPERATI	Equipment repairs and Fuel
					1.51	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					1.29	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					1.08	104410.250	Streets EQUIPMENT OPERATI	Equipment repairs and Fuel
					6.89	104410.745	Streets STREET IMPROVEME	Equipment repairs and Fuel
					4.74	516340.250	O&M EQUIPMENT OPERATIN	Equipment repairs and Fuel
					1.29	516340.450	O&M SYSTEMS MAINTENANC	Equipment repairs and Fuel
					0.65	536310.250	Irrigation EQUIPMENT OPERA	Equipment repairs and Fuel
					1.08	536310.450	Irrigation WATER MAIN REPAIR	Equipment repairs and Fuel
					1.29	556350.250	Drainage EQUIPMENT OPERA	Equipment repairs and Fuel
					1.08	556350.440	Drainage NEW SERVICES	Equipment repairs and Fuel
	Vendor Total:				\$216.80			
RFD 100041695.	Sunset Pools		2/14/2024	2/14/2024	\$850.07	512330	Turn on Fee/Renter Deposit	Deposit Refund: 100041695 - Su
nwp0124	TDS BAJA Broadband	52019	2/4/2024	2/4/2024	\$49.99	104510.280	Parks UTILITIES	Riverwood Park
PR020924-501	UTAH RETIREMENT SYSTEMS		2/14/2024	2/14/2024	\$12,615.45			
					897.90	102223	Retirement Payable	401k
					10,348.55	102223	Retirement Payable	Retirement
					100.00	102223	Retirement Payable	401K Loan
					700.00	102223	Retirement Payable	457
					569.00	102223	Retirement Payable	Roth IRA
PR020924-449	Utah State Tax Commission		2/14/2024	2/14/2024	\$2,328.37			
					2,328.37	102222	State Withholding	State Income Tax
0383273	ZIONS FIRST NATIONAL BANK CC		2/8/2024	2/8/2024	\$240.00	516660.230	Admin TRAVEL & TRAINING	Water operator testing exam- S
2379442	ZIONS FIRST NATIONAL BANK CC		2/7/2024	2/7/2024	\$351.20	516340.250	O&M EQUIPMENT OPERATIN	carseat covers
91912947	ZIONS FIRST NATIONAL BANK CC		2/7/2024	2/7/2024	\$111.77	104240.230	Inspect TRAVEL & TRAINING	2021 International residential co
	Vendor Total:				\$702.97			
PR020924-234	ZIONS FIRST NATIONAL BANK.		2/14/2024	2/14/2024	\$13,040.34	102221	FICA & FWT Withholding	Social Security Tax
					6,982.96			

La Verkin City
Invoice Register: 2/3/2024 to 2/14/2024 - All Invoices

2/15/2024

Invoice No.	Vendor	Check No.	Ledger	Due Date	Amount	Account No.	Account Name.	Description
					1,633.12	102221	FICA & FWT Withholding	Medicare Tax
					4,424.26	102221	FICA & FWT Withholding	Federal Income Tax
				Total:	\$47,134.92			
					13,040.34	102221	GL Account Summary	
					2,328.37	102222	FICA & FWT Withholding	
					12,615.45	102223	State Withholding	
					2,548.82	102224	Retirement Payable	
					63.82	102225	Health Savings Account	
					29.21	104111.250	Misc Payable	
					741.23	104140.240	Council EQUIPMENT OPERATI	
					453.68	104140.315	Admin OFFICE EXPENSE, SUP	
					100.00	104160.250	Admin COMPUTER EQUIPME	
					104.24	104160.270	Bldg EQUIPMENT OPERATING	
					111.77	104240.230	Bldg B&G OPERATION AND M	
					9.98	104240.250	Inspect TRAVEL & TRAINING	
					15.69	104410.250	Inspect EQUIPMENT OPERATI	
					45.62	104410.745	Streets EQUIPMENT OPERATI	
					147.36	104510.250	Streets STREET IMPROVEME	
					49.99	104510.280	Parks EQUIPMENT OPERATI	
					12,469.25	104510.480	Parks UTILITIES	
					265.56	104540.610	Parks RAP Tax	
					162.48	104620.610	Rec EVENTS, FAIRS, & FESTI	
					45,302.86		Comm COMMUNITY DEVELOP	
							Total	
					15.22	511311	Accounts Receivable	
					1,158.62	512330	Turn on Fee/Renter Deposit	
					382.56	516340.250	O&M EQUIPMENT OPERATI	
					8.55	516340.450	O&M SYSTEMS MAINTENANC	
					240.00	516660.230	Admin TRAVEL & TRAINING	
					1,804.95		Total	
					4.28	536310.250	Irrigation EQUIPMENT OPERA	
					7.14	536310.450	Irrigation WATER MAIN REPAIR	
					11.42		Total	
					8.55	556350.250	Drainage EQUIPMENT OPERA	
					7.14	556350.440	Drainage NEW SERVICES	
					15.69		Total	
					\$47,134.92		GL Account Summary Total	



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Patricia Wise

Kyle Gubler

Kelly B. Wilson

City Administrator

Mayor

Council Members

February 1, 2024

Mayor Kelly Wilson
City of LaVerkin
435 North Main Street
LaVerkin, Utah 84745

Re: Agreement for Legal Services

Mayor Wilson:

In lieu of drafting a comprehensive legal services agreement outlining all the various duties and responsibilities of each party to this agreement, this letter shall serve as the basic agreement of the parties regarding my retention as legal counsel for the City of LaVerkin.

We have agreed that I will provide legal services to the City of LaVerkin on the following basis:

1. I will work a minimum of 21 hours a week, 7 hours a day on Tuesday, Wednesday and Thursday, between the hours of 8 a.m. and 5 p.m., on site at the LaVerkin City office building, unless otherwise agreed by the parties.
2. I will attend all regular City Council meetings and Planning Commission meetings, all staff meetings, and all other meetings as requested by the Mayor or City Administrator.
3. I will meet with the City Administrator, staff and other parties as may be necessary or requested to ensure that all legal work, as well as all other work of the City, is completed in a timely and professional manner.
4. I will at all times during meetings or other interaction with city staff, the city council and the general public conduct myself in a professional manner as a representative of the City of LaVerkin.
5. For my services, I shall receive compensation in the amount of \$11,000 per month, to be paid on a monthly basis.
6. Either party may elect to terminate this agreement at any time and for any reason by giving of sixty (60) days written notice to the other party of the election to terminate.

The foregoing represents the basic agreement and understanding of the parties, subject to additional modification and refinement as may be mutually agreed by the parties.

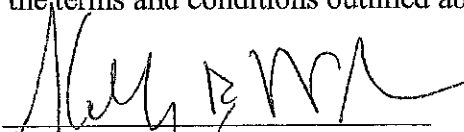
Mayor Kelly Wilson
February 1, 2024
Page 2.

I appreciate the opportunity to work with the City of LaVerkin and look forward to working with you, the city council and the LaVerkin City staff. I hope that you, members of the city council or staff members will feel free to stop by my office, email me, or call me at any time if you have any questions or concerns about a particular matter.

Thanks.


Fay E. Reber

On behalf of the City of LaVerkin, I agree to the terms and conditions outlined above.


Kelly Wilson
Mayor, City of LaVerkin



435 North Main Street
La Verkin, Utah 84745
(435) 635-2581 (435) 635-2104 Fax

Blair Gubler
Micah Gubler
Darren Prince
Richard Hirschi
Patricia Wise

Kyle Gubler
City Administrator

Kelly B. Wilson
Mayor

Council Members

ORDINANCE NO. 20 __ - __

**AN ORDINANCE AMENDING THE LA VERKIN 2018 GENERAL PLAN
TO RE-DESIGNATE APPROXIMATELY 40 ACRES FROM PLANNED
COMMUNITY DEVELOPMENT AND OPEN SPACE TO COMMERCIAL**

RECITALS

WHEREAS, Utah Code § 10-9a-101 et seq. allows cities to regulate land use within their boundaries;

WHEREAS, the City Council has recognized a need to expand the area designated as Commercial within the City, given the City's proximity to Zion National Park; and

WHEREAS, a duly-noticed public hearing was held by the Planning Commission on this proposed Ordinance on _____, 2024; and

WHEREAS, upon recommendation of City Staff, and having heard, considered, and discussed any input received at said public hearing, the Planning Commission recommended the proposed Ordinance to the City Council; and

WHEREAS, having reviewed and carefully considered the proposed Ordinance, the City Council approves this Ordinance and deems it to be in the best interests of the City and its residents, guests, and businesses to amend the City Code as provided herein.

ORDINANCE

**NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL
OF LA VERKIN, UTAH:**

SECTION I: AMENDMENT OF LA VERKIN 2018 GENERAL PLAN.

The property described and depicted on **Exhibit A**, located within La Verkin City, Washington County, State of Utah, which was previously designated as Planned Community Development and Open Space, is hereby re-designated as Commercial.

SECTION II: REPEAL OF CONFLICTING PROVISIONS.

All ordinances and resolutions, or parts or provisions thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent that they conflict herewith.

SECTION III: SEVERABILITY.

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION IV: EFFECTIVE DATE.

In the opinion of the City Council of La Verkin City, it is necessary for the preservation of the peace, welfare, health, and safety of the inhabitants of La Verkin City that this Ordinance take effect as soon as possible. This Ordinance, therefore, shall take effect immediately upon its passage and first publication as provided by law.

ORDINANCE NO. 20__-__

PASSED AND ADOPTED by the City Council of La Verkin City this ____ day of _____ 2024.

KELLY WILSON, Mayor

ATTEST:

CHRISTY BALLARD, City Recorder

The foregoing Ordinance was presented at a regular meeting of the La Verkin City Council held at the La Verkin City Office Building on the ____ day of _____, 2024. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

Patricia Wise AYE__ NAE__ ABSTAIN__ ABSENT__
Micah Gubler AYE__ NAE__ ABSTAIN__ ABSENT__
Blair Gubler AYE__ NAE__ ABSTAIN__ ABSENT__
Darren Prince AYE__ NAE__ ABSTAIN__ ABSENT__
Richard M. Hirshi AYE__ NAE__ ABSTAIN__ ABSENT__

CHRISTY BALLARD, City Recorder

EXHIBIT A

Exhibit "A"

All of Lot 4, Section 19, Township 41 South, Range 12 West, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at the Southeast Corner of Section 24, Township 41 South, Range 13 West, Salt Lake Base & Meridian, and running;

thence North 00°14'34" East 1,258.93 feet along the section line to the northwest corner of said Lot 4;

thence North 89°48'51" East 1,372.12 feet along the northerly line to the northeast corner of said Lot 4;

thence South 00°13'20" West 1,333.00 feet along the easterly line to the southeast corner of said Lot 4, said point being on the section line;

thence South 89°51'47" West 1,372.58 feet along the section line to the southwest corner of said Lot 4;

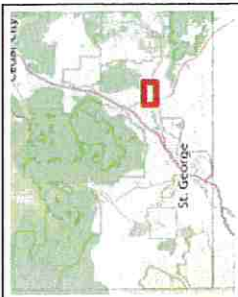
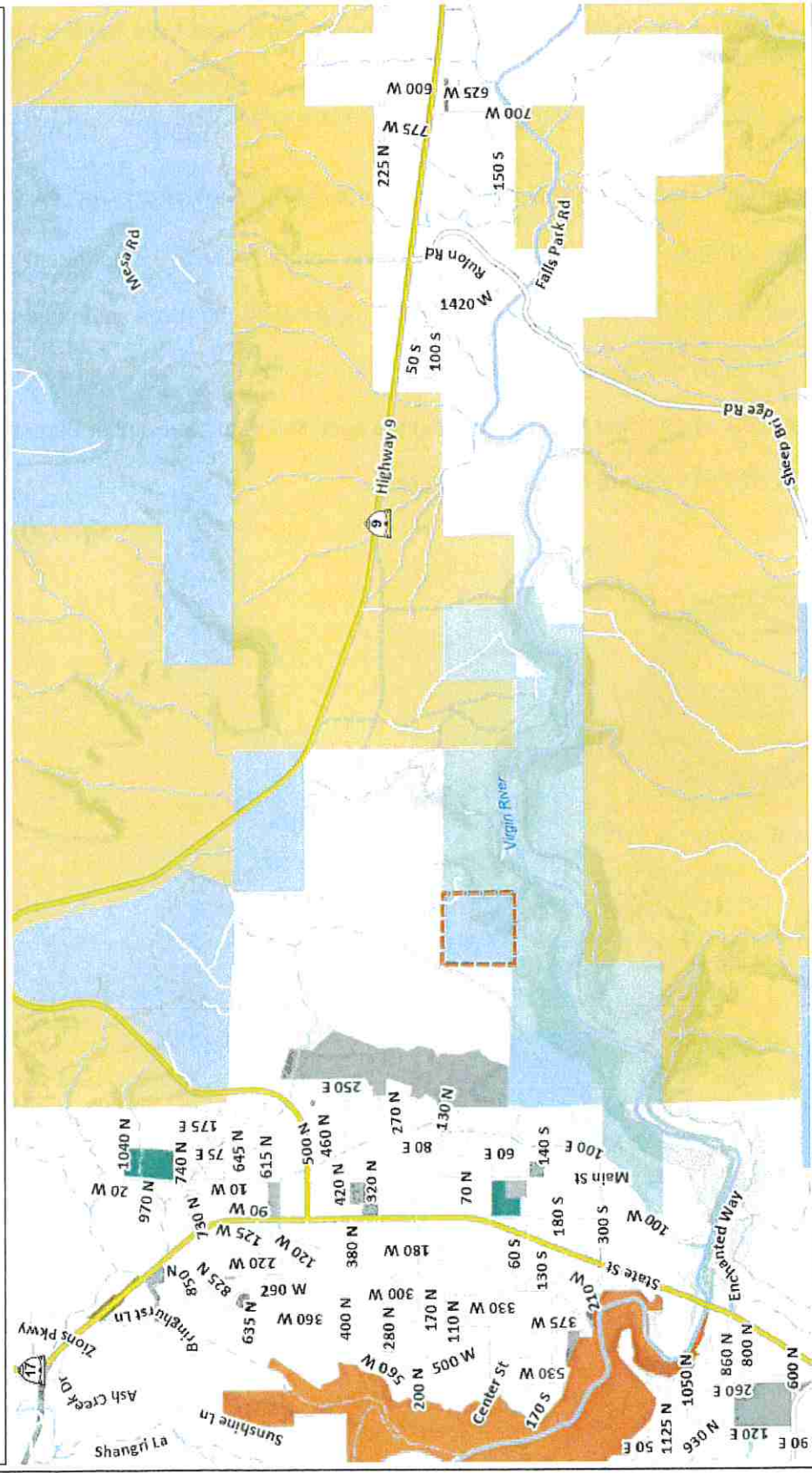
thence North 00°14'10" East 72.91 feet along the section line to the Point of Beginning.

Containing 1,828,514 square feet or 41.98 acres.



September 6, 2023

LaVerkin Topside (Between La Verkin City and Virgin)



Legend

	U.S. Forest Service Wilderness
	Bureau of Land Management
	National Park Service
	Shwila Reservation
	Utah Division of Wildlife Resources
	Utah Division of Transportation
	State Park
	State of Utah
	Washington County
	Municipally Owned
	School District
	Privately Owned
	Water
	Water Conservancy District
	State Assessed Oil and Gas
	Mining Claim

Notes

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.



WGS_1984_Web_Mercator_Auxiliary_Sphere



435 North Main Street
La Verkin, Utah 84745
(435) 635-2581 (435) 635-2104 Fax

Blair Gubler
Micah Gubler
Darren Prince
Richard Hirschi
Patricia Wise

Kyle Gubler
City Administrator

Kelly B. Wilson
Mayor

Council Members

ORDINANCE 20__ - __

AN ORDINANCE AMENDING TITLE 10, CHAPTER 6 OF THE LA VERKIN CITY CODE
TO ADD AN ARTICLE WHICH ESTABLISHES A LUXURY RESORT ZONE

RECITALS

WHEREAS, Utah Code § 10-9a-101 *et seq.* allows for municipalities to regulate land use within their boundaries; and

WHEREAS, the City Council has recognized a need for a zone in which luxury resort development activities may occur, given the City's proximity to Zion National Park; and

WHEREAS, a duly-noticed public hearing was held by the Planning Commission on this proposed Ordinance on _____, 2024; and

WHEREAS, upon recommendation of City Staff, and having heard, considered, and discussed any input received at said public hearing, the Planning Commission recommended this proposed Ordinance to the City Council; and

WHEREAS, the City desires to establish a luxury resort zone to allow for uses and development associated with luxury resort development proposals within the City; and

WHEREAS, having reviewed and carefully considered the proposed Ordinance, the City Council approves this Ordinance and deems it to be in the best interests of the City and its residents, guests, and businesses to amend the City Code as provided herein.

ORDINANCE

NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF LA VERKIN,
UTAH:

SECTION I: AMENDMENT OF THE LA VERKIN CITY CODE TO ADD AN ARTICLE TO CHAPTER 6 OF
TITLE 10 WHICH CONTAINS THE FOLLOWING PROVISIONS:

ARTICLE G3. LUXURY RESORT ZONE (LR Zone)

SECTION:

10-6G3-1: Zone Change Approval Process

10-6G3-2: Short Title

10-6G3-3: Purpose

10-6G3-4: Permitted Uses

10-6G3-5: Prohibited Uses

10-6G3-6: Definitions

10-6G3-7: Development Agreement Requirements

- 10-6G3-8: Height Regulations
- 10-6G3-9: Area, Width and Yard Requirements
- 10-6G3-10: Miscellaneous Regulations
- 10-6G3-11: Fencing Requirement
- 10-6G3-12: Screening Requirement
- 10-6G3-13: Easement Required
- 10-6G-14: Landscaping Requirements

10-6G3-1: ZONE CHANGE APPROVAL PROCESS:

- A. Application. To apply for a zone change to the LR Zone, an application containing the information set forth in 10-6G3-1(B) must be submitted to the city staff. All applicants are encouraged to meet with the city staff prior to submitting an application for LR Zone approval to discuss the development concept, the review and approval process, and submission requirements.
- B. Information Required. An applicant must submit ten (10) copies of an application which contains the following information to the city staff:
 - i. Written Statement. A written statement providing the following information:
 - (1) Proposed name of the development;
 - (2) Location and legal description of property to be developed;
 - (3) Name and address of the owners of the property to be developed;
 - (4) A copy of the current title policy on the property;
 - (5) Name, address, and qualifications of the design team;
 - (6) Type and number of permitted uses;
 - (7) A description of any buildings that will be associated with each permitted use;
 - (8) Tentative operation and maintenance data (landscaping, etc.);
 - (9) Existing and proposed utilities;
 - (10) Existing and proposed public and private streets;
 - (11) Anticipated timeline for completion of the development; and
 - (12) Density per acre.
 - ii. Schematic Drawings. Schematic drawings must be provided. Schematic drawings must be drawn to a minimum scale of one hundred feet per inch (1" = 100') and must include information concerning the following:
 - (1) Existing natural features, such as watercourses, rock outcroppings, wetlands, wood areas and greenways;
 - (2) Location of existing utilities and drainageways;
 - (3) Location and names of all prior platted streets, parks and utility rights of way;
 - (4) General location of existing and/or proposed buildings and structures and their uses, parking, open space and ownership pattern; and
 - (5) A traffic flow map showing circulation patterns within and adjacent to the proposed development, including trails, sidewalks, streets, parking lots, loading areas, etc. A traffic study, performed by a registered professional, may also be required.

- C. Application Conference. Upon receiving a complete application, the city staff shall schedule an application conference with the applicant to review the application. At the application conference, the city staff shall also provide written comments to the applicant concerning the application.
- D. Recommendation of Planning Commission. After reviewing the comments made by the city staff, the planning commission may recommend approval, approval with modifications, or may recommend denial of the application to the city council.
- E. City Council Decision. Following a public hearing, and after receiving and reviewing the recommendation of the planning commission, the city council may approve, approve with modifications, or deny the application for zone change for the proposed luxury resort development.

10-6G3-2: SHORT TITLE:

This Luxury Resort Zone shall be referred to herein as the "LR Zone".

10-6G3-3: PURPOSE:

To provide appropriate areas where luxury resort development may be established, maintained and protected.

10-6G3-4: PERMITTED USES:

The following shall be permitted uses within the LR Zone:

Art galleries.

Food: includes restaurants, confectionary shop, bakeries, ice cream parlors, cafes, juice bars, internet cafes, coffee shops, delis, buffets, grocery stores, catering, patio and outdoor eateries. (No drive throughs are permitted.)

Health and beauty: includes spas, nutrition stores, and saunas.

Luxury hotels: includes hotels that satisfy the definition provided in 10-6G3-6.

Outdoor activity center.

Retail stores and shops: gift shop, leather goods shop, flower shop, bicycle shop, games and game supplies (except gambling devices), trophies and awards, movie sales and rentals, book sales, video device rental and sales, electronics, party supplies, antiques, coins, florists, jewelry, stained glass, variety stores, gifts, crafts sales and supplies, hobby shops, sunglasses, balloons, novelties and toys, not to include pawnbrokers.

Studio: includes art or music studio.

10-6G3-5: PROHIBITED USES:

See subsection 10-1-3B of this title.

10-6G3-6 DEFINITIONS:

DEVELOPMENT AGREEMENT: A binding contract between the city and an applicant wherein the detailed terms and conditions upon which a luxury resort development will proceed are agreed upon. The development agreement shall specify any vested rights granted to the applicant or its successors or assigns.

LUXURY HOTEL: A hotel facility whose standards of operation and physical characteristics would provide substantially equal to or higher than the standard of operation and physical characteristics of a so-called four (4) star hotel or equivalent rating (based on the criteria employed by primary national hospitality industry rating services, including, but not limited to, Forbes Travel Guide, the Automobile Association of America, and Conde Naste Traveler).

MONUMENT SIGN: A low-profile sign, with an area that does not exceed 48 square feet and a height of less than six feet, that is used to display a building address and name, identify the building tenants, or to mark the building entrance.

UNDER-CANOPY SIGN: An under-canopy sign means a sign suspended over a sidewalk or pedestrian way by attachment to the underside of a canopy, marquee, awning, or similar structure, perpendicular to the wall.

10-6G3-7: DEVELOPMENT AGREEMENT REQUIREMENTS

- A. Development Agreement. Prior to the issuance of any building permit, a development agreement must be submitted for review and approval by the city council.
- i. Information Required. A development agreement entered into pursuant to this article must:
- (1) Specify the duration of the development agreement;
 - (2) Specify the permitted uses of the property;
 - (3) Specify the permitted density of use or development;
 - (4) Specify the maximum height, dimensions, building materials, and design of the proposed buildings or structures;
 - (5) Set forth the provisions for the reservation or dedication of lands for public purposes, including, without limitation: parks, roadways, trails, and utility easements, as applicable;
 - (6) Set forth the provisions for the reservation or dedication of lands for public purposes, including, without limitation: parks, roadways, trails, and utility easements, as applicable;
 - (7) Provide that construction shall be commenced within a specified timeframe and that the project or any phase thereof shall be completed within a specified timeframe;
 - (8) Include a provision which allows the parties to amend the expected timeframe for completion of the project or any phase thereof (if the city reasonably determines that such a provision is necessary);
 - (9) Provide for periodic review of the status of performance under the development agreement;
 - (10) Include a site plan that satisfies the requirements set forth in this article, as an exhibit that is incorporated by reference into the development agreement;
 - (11) Contain other exhibits or attachments that are incorporated into the development agreement by reference, including, but not limited to: (a) traffic, soil or any other studies deemed necessary by city staff; (b) a title report which shows that ownership of the property is vested in the developer or an owner who has contracted with the developer to transfer title to the property upon the approval of the development by the city; (c) any other document, study or requirement the city staff deems reasonably necessary for the particular development.
- ii. The city council may approve, approve with modifications, or deny the development agreement.
- iii. After receiving approval from the city council, the city and the applicant must execute the development agreement. The development agreement must be recorded in the office of the county recorder within ten (10) days after it is fully executed.
- iv. The city council may waive any of the above-listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.
- B. Site Plan. A site plan must be submitted by the applicant and reviewed by the zoning administrator. After the zoning administrator has reviewed the site plan, said site plan must be submitted for approval by the city council as an exhibit to the development agreement. Six (6) copies of the site plan, drawn to a scale of twenty feet per inch (20' = 1"), or such other scale as the zoning administrator deems appropriate, must be provided. The site plan must contain the following information:

i. Information Required.

- (1) The applicant's name, address, telephone number and interest in the property;
- (2) The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;
- (3) The street address, tax parcel number and legal description of the subject property;
- (4) The zoning classification, zoning district boundaries and present use of the subject property;
- (5) A vicinity map with north arrow, scale and date, indicating the zoning classifications and current uses of properties within one hundred feet (100') of the subject property;
- (6) The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project;
- (7) A signature panel for the zoning administrator to sign to certify that a review of the site plan has been completed by the zoning administrator;
- (8) The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, watercourses, waterways or lakes, wetlands, and other existing physical features in or adjoining the project;
- (9) Topographic survey, showing the elevation of streets, alleys, buildings, structures, watercourses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings;
- (10) Significant topographical or physical features of the site, including existing trees;
- (11) The elevation of the curb (if existing or proposed) in front of each lot;
- (12) Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access;
- (13) The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of city owned utilities, such information shall be provided to the applicant by the department of public utilities;
- (14) The location, dimensions and character of construction of proposed streets, alleys, loading areas including numbers of parking and loading spaces, outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Additional area may also be required to indicate connections or proposed connections to major utilities;
- (15) The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type if applicable, major elevations and the total square footage of the floor area by proposed use;
- (16) The location, height, type and material of all fences and walls;
- (17) The location, character, size, height and orientation of proposed signs, to be erected in accordance with chapter 11 and any limitations set forth in this article, and elevations of buildings showing signs to be placed on exterior walls;

- (18) The proposed nature and manner of grading of the site, in accordance with soils engineering studies to prevent soil erosion and excessive runoff;
- (19) The location of dumpsters or other outdoor trash receptacles;
- (20) The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;
- (21) A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off street parking, open space, parks and other reservations;
- (22) A tabulation of the total number of hotel units or commercial spaces in the project and the overall project density in hotel units or commercial spaces per gross acre;
- (23) The proposed and required off street parking and loading areas, including parking and access for the handicapped, as specified in the most current version of the International Building Code, and in accordance with any other specifications provided in this article:
- (24) Landscaping plans which comply with Title 8, Chapter 8;
- (25) A proposed architectural plan which provides the colors, textures, and design elements to be used within the project, each of which must be in harmony with the natural environment;
- (26) Studies required to analyze the impact of the project, as determined by the zoning administrator, including, but not limited to, a traffic impact study, studies relating to noise, drainage, or any other study the zoning administrator determines is required to adequately analyze the impact of the project;
- (27) If the project will require placement of a temporary office or construction trailer on the site, the site plan must address any parking, fencing, lighting, and signage that will be required for said temporary office or construction trailer. The site plan must also specify the duration of time for which the temporary office or construction trailer will be present on the site.

- ii. Waiver Of Requirements. The zoning administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development.

- C. Zoning Administrator Review. The zoning administrator shall review the site plan, and may provide written comments to the applicant. The authority of the zoning administrator through the review process to require modification of a proposed site plan shall include the following elements in order to achieve the objectives set forth below:

- i. Traffic And Parking.

- (1) Minimizing dangerous traffic movements.
- (2) Promoting the smooth and efficient flow of traffic in accordance with standards in the Institute of Traffic Engineers' "Transportation And Traffic Engineering Handbook", and other local sources of authority as adopted by ordinance.
- (3) Optimizing the efficient use of parking facilities through provisions for adequate interior circulation, parking stalls and travel aisles.

- ii. Site Layout.

- (1) Promoting compatibility with adjacent and nearby properties.
- (2) Preserving and protecting valuable natural features and amenities to the greatest extent practical.
- (3) Promoting the efficient provision of public services.

iii. Environmental Protection.

- (1) Preserving existing healthy and long lived trees wherever economically feasible.
- (2) Designing drainage facilities to promote the use and preservation of natural watercourse and patterns of drainage.
- (3) Minimizing alterations to existing topography.
- (4) Protecting important views and vistas as identified in adopted plans.

iv. Landscaping.

- (1) Promoting the use of plant material compatible with the climate of the region and microclimate conditions on the site.
- (2) Ensuring that plant material can be maintained for long term health and continued growth.
- (3) Maximizing water and energy conservation through the appropriate use of plant materials.
- (4) Ensuring that the arrangement of required landscaping produces the optimal visual effect.

v. Signage.

- (1) Ensuring that the location, size and orientation of signage do not impair the visibility of or distract motorists.
- (2) Ensuring that the location, size and orientation of signage minimize obstructions and hazards to pedestrians.

10-6G3-8: HEIGHT REGULATIONS:

Maximum building height shall not exceed two stories or forty (40) feet. Accessory buildings shall not exceed eighteen (18) feet in height.

10-6G3-9: AREA, WIDTH AND YARD REQUIREMENTS:

District	Maximum Building Coverage Per Parcel	Hotel Unit Density	Setback in Feet		
			Front	Side	Rear
Luxury Resort Zone (LR Zone)	The total square footage of buildings on any given parcel shall not exceed 75% of the total parcel area	Maximum hotel unit density shall not exceed four hotel units per acre	25 Ft.	10 Ft.	10 Ft.

10-G3-10: MISCELLANEOUS REQUIREMENTS:

A. Parking Requirements. Parking requirements shall be as follows:

- a. Any luxury hotel must have a paved driveway leading into the designated parking lot for the luxury hotel that originates from a paved portion of a street owned by the city. Points of vehicular ingress and egress, as well as the location of the designated parking lot for any luxury hotel, shall be determined by the city.

- b. For the following uses, one parking space shall be required for every 250 square feet of building square footage: any permitted use which is categorized as health and beauty, an art gallery, an outdoor activity center, or a retail store and shop.
 - c. For the following uses, one parking space shall be required for every 100 square feet of restaurant floor area: any permitted use which is categorized as food.
 - d. Each luxury hotel must have a minimum of one parking space dedicated to each hotel unit, and at least three parking spaces to accommodate staff parking. One additional parking space shall be required for every three hotel units to accommodate additional guests.
 - e. Any parking for electric bicycles must be approved by the zoning administrator. Proposed parking for electric bicycles must be shown on the site plan.
- B. Loading Areas. Loading areas must be provided at a ratio of one per every 15,000 square feet of building square footage, or as determined by the city. Each loading area must be 10 feet by 40 feet. One 10 foot by 20 foot loading area shall be required for each luxury hotel.
- C. Minimum Hotel Unit Size. The minimum hotel unit size is 270 square feet.
- D. Storage Areas. Up to 250 square feet of enclosed storage is allowed per hotel unit or for any retail store or shops. This storage is in addition to room closets, coat closets, water heater closets, etc. No outdoor storage is permitted.
- E. Trash Enclosures. One trash dumpster bin (with a four yard minimum) located in an enclosure shall be provided for each permitted use. Additional trash enclosures may be required as determined by the city.
- F. Specific Signage Requirements and Limitations. All signage must comply with chapter 11 of this title, to the extent that this article does not conflict with chapter 11. To the extent that any provisions of this article conflict with chapter 11, the provisions contained in this article shall govern. All proposed signage must be submitted to and approved by the city prior to installation. Only the following types of signs may be approved within the LR Zone: building signs, under-canopy signs, monument signs, and temporary signs. Further, all signage must comply with the following requirements, as applicable:
- 1. Design of Sign. The design of each sign, regardless of the type, must be harmonious with the theme, materials, colors, and elements of the building that it is intended to correspond with.
 - 2. Building Signs. Building signs are permitted so long as a ratio of 1.25 square feet of sign area for each linear foot of building space frontage is maintained. This ratio shall be calculated by taking into account only the side of the building which provides frontage.
 - 3. Under-Canopy Signs. Under-canopy signs may be used for hotel unit identification. An under-canopy sign may not exceed a size of eight square feet and must be consistent with the design theme of the building.
 - 4. Monument Signs. One monument sign is allowed for each building which provides any of the following permitted uses: a retail stores or shop, a luxury hotel, or a restaurant. Monument signs must be located adjacent to a public street and must be spaced at least 300 feet apart. All monument signs must comply with § 10-7-6.
 - 5. Temporary Signs. All temporary signs must be approved by the city prior to installation. Temporary signs must be consistent with the design standards of the approved signage plan.
- G. Lighting. All lighting must conform to and be provided, installed, maintained, and regulated in accordance with applicable provisions of the city code, including, but not limited to, Title 4, Chapter 7, et seq.

10-6G3-11: FENCING REQUIREMENT:

All fencing must conform to the design of the luxury resort development and must be approved by the city prior to installation.

10-6G3-12: SCREENING REQUIREMENT:

As a condition of any use granted under this article, an eight foot (8') masonry or concrete wall shall be required when abutting a residential zone for proper visual and sound screening; provided that where a masonry or concrete wall of at least six feet (6') already exists, no new wall shall be required.

10-6G3-13: EASEMENT REQUIRED:

All lots shall have easements on side and rear property lines of a minimum of seven and one-half feet (7½') and on a street side property line of ten feet (10') minimum, to be used for utilities and drainage.

10-6G3-14: LANDSCAPING REQUIREMENTS:

A landscaping plan must be submitted and approved by the city prior to issuance of a building permit for any structure in the LR Zone. All landscaping plans must comply with Title 8, Chapter 8.

SECTION II: REPEAL OF CONFLICTING PROVISIONS.

All ordinances or resolutions, or parts or provisions thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent that they conflict herewith.

SECTION III: SEVERABILITY.

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by a valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION IV: EFFECTIVE DATE.

In the opinion of the City Council of La Verkin City, it is necessary for the preservation of the peace, welfare, health, and safety of the inhabitants of La Verkin City that this Ordinance take effect as soon as possible. This Ordinance, therefore, shall take effect immediately upon its passage and first publication as provided by law.

ORDINANCE NO. 20____, ____

PASSED AND ADOPTED by the City Council of La Verkin City this _____, 20____.

KELLY WILSON, Mayor

ATTEST:

CHRISTY BALLARD, City Recorder

The foregoing Ordinance was presented at a regular meeting of the La Verkin City Council held at the La Verkin City Office Building on the ____ day of _____, 2024. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

Patricia Wise	AYE	NAE	ABSTAIN	ABSENT
Micah Gubler	AYE	NAE	ABSTAIN	ABSENT
Blair Gubler	AYE	NAE	ABSTAIN	ABSENT
Darren Prince	AYE	NAE	ABSTAIN	ABSENT
Richard M. Hirshi	AYE	NAE	ABSTAIN	ABSENT

CHRISTY BALLARD, City Recorder

**AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH,
AMENDING THE LAVERKIN CITY ZONING MAP TO REZONE CERTAIN
PROPERTY IN THE NORTHEAST PORTION OF THE CITY (REFERRED TO
AS THE TOPSIDE) FROM (PCD) PLANNED COMMUNITY DEVELOPMENT /
OMSU, OSMU-C OPEN SPACE MULTIPLE USE TO LUXURY RESORT (LR);
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the LaVerkin City Zoning Map was duly adopted January 17, 2007;
and

WHEREAS, Section 10-2-9 of the LaVerkin City Code provides the legal basis
and procedural requirements for a change in any zoning district or districts within the
LaVerkin City limits; and

WHEREAS, an application for a re-zone has been submitted to the Planning
Commission and City Council for a certain parcel of property (hereinafter referred to as
"the Property") currently zoned as *(PCD) Planned Community Development /
OSMU, OSMU-C Open Space Multiple Use*, and owned by (SITLA) Utah School and
Institutional Trust Lands Administration and located in the North East quadrant of the
City (referred to as the Topside), said property being more particularly described in
Exhibit A attached hereto and incorporated herein as if fully set forth.

WHEREAS, said application requests that such parcel be re-zoned as Luxury
Resort (LR); and

WHEREAS, a public hearing was duly advertised and held on the ____ day of
____, 202__, for the purpose of receiving public input; and

WHEREAS, upon consideration of said public input and further discussion of the
members of the Planning Commission, the Planning Commission recommended that the
City Council approve the requested zone changes as herein set forth; and

WHEREAS, the City Council, having considered the matter, deems the proposed
re-zone to be in the best interests of the City and its residents, guests, and businesses.

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

1. ZONE CHANGE APPROVED. The proposed re-zone of the Property
described in Exhibit A from *(PCD) Planned Community Development / (OSMU, OSMU-
C) Open Space Multiple Use*, to Luxury Resort (LR), shall be, and is hereby, approved.

2. ZONING MAP AMENDED. The LaVerkin City Zoning Map shall be, and is hereby, amended to reflect the zone change approved by this Ordinance, and that said map, as amended, shall be the official zoning map of the City of LaVerkin.

3. REPEAL OF CONFLICTING PROVISIONS. All ordinances or resolutions, or parts or provisions thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent that they are in conflict with the provisions hereof.

BE IT FURTHER ORDAINED that the subject matter of this Ordinance shall be deemed to be of an urgent nature or in the nature of an emergency and shall take effect immediately after passage and publication as provided by law.

PASSED AND ADOPTED by the City Council of LaVerkin, Utah this ____ day of _____, 2024.

KELLY B WILSON, Mayor

ATTEST:

CHRISTY BALLARD, City Recorder

Exhibit A

Legal Subdivision: All of Lot 4, Section 19, Township 41 South, Range 12 West, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at the Southeast Corner of Section 24, Township 41 South, Range 13 West, Salt Lake Base & Meridian, and running.

thence North 00°14'34" East 1,258.93 feet along the section line to the northwest corner of said

Lot 4;

thence North 89°48'51" East 1,372.12 feet along the northerly line to the northeast corner of said

Lot 4;

thence South 00°13'20" West 1,333.00 feet along the easterly line to the southeast corner of said

Lot 4, said point being on the section line;

thence South 89°51'47" West 1,372.58 feet along the section line to the southwest corner of said

Lot 4;

thence North 00°14'10" East 72.91 feet along the section line to the Point of Beginning.

Containing 1,828,514 square feet or 41.98 acres.(see attached map)

1

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, AMENDING TITLE 9 CHAPTER 1 SECTION 15 OF THE LAVERKIN CITY CODE PERTAINING TO ISSUANCE OF A BUILDING PERMIT IN AREAS WHERE GEOLOGICAL HAZARDS EXIST.

WHEREAS the City Council of LaVerkin, Utah acknowledges the existence of areas within the City that are characterized by the presence of subsurface water, groundwater, unstable soils and other geological hazards which carry an increased risk of damage to, diminution in value of, and the likelihood of additional costs and expenses for maintenance, repair and replacement of homes, structures or other improvements constructed or maintained in these areas; and

WHEREAS said City Council desires to eliminate or minimize for both the property owner and the City the increased risks of damage to and/or additional costs associated with maintenance, repair and replacement of homes, structures or other improvements constructed or maintained in these areas; and

WHEREAS said City Council deems it necessary and desirable for the preservation and protection of the health, safety and welfare of the residents of LaVerkin that Title 9 Chapter 1 Section 15 of the LaVerkin City Code be amended,

BE IT HEREBY ORDAINED by the City Council of LaVerkin, Utah that Section 9-1-15. D. be enacted to read as follows:

D. In addition to any other requirement in this Chapter, issuance of a building permit for any structure or improvement in any area characterized by the presence of subsurface water, groundwater, unstable soils or other identifiable geological hazard shall be subject to the following:

1. Any person or entity desiring to obtain a building permit in any area characterized by the presence of subsurface water, groundwater, unstable soils or other identifiable geological hazard, shall, as a condition of obtaining a building permit for any structure or improvement in these areas:
 - a. obtain a geotechnical report from a qualified engineer, stating that such structure or improvement can be safely constructed and inhabited, or used for its intended purpose,
 - b. be responsible for strictly following all recommendations contained in said geotechnical report, and
 - c. be required to sign an acknowledgment, waiver, and release in substantially the following form:

When Recorded Return to:
LaVerkin City
435 North Main Street
LaVerkin, Utah 84745

Parcel ID#: H-_____

Acknowledgement, Waiver, and Release

In consideration of the agreement by LaVerkin City to issue the undersigned property owner a building permit for the construction of a structure or other improvement upon the real property described below, the undersigned acknowledges, covenants and agrees as follows:

- 1. I am aware that subsurface water, high groundwater, unstable soil conditions, or other geological hazards have been found to exist in areas of LaVerkin City, which may include the property described below.*
- 2. I acknowledge that I have obtained from a competent engineer a geotechnical report which analyzes subsurface water, groundwater, soil conditions and seismic conditions on my property described below.*
- 3. I acknowledge that it is my responsibility to cause the construction of my structure or improvement to be completed in strict compliance with the recommendations of any such geotechnical report, I agree to strictly comply with the recommendations of such geotechnical report, and I understand and agree that the inspections performed by LaVerkin City will not include inspection for compliance with such geotechnical report.*
- 4. In view of the foregoing, I agree on behalf of myself, my heirs, successors, and assigns to waive any and all claims as against LaVerkin City, and, further, do hereby release LaVerkin City from any and all liability for damages to, diminution in value of, and payment of all costs and expenses for maintenance, repair or replacement of any home, structure or improvement which is in any way attributable or related to subsurface water, groundwater, unstable soil conditions and/or any other geological hazards upon or under the property described below, or by reason of my own or my agent's or contractor's violation of any applicable laws, ordinances, or City standards.*

The covenants and agreements contained herein shall run with the land and shall be binding upon the heirs, successors, and assigns of the undersigned.

THE REAL PROPERTY AFFECTED BY THIS AGREEMENT IS DESCRIBED AS:

(Insert Legal Description)

Address: _____

Subdivision: _____ Phase: _____ Lot: _____

Dated this _____ day of _____, 20____.

Property Owner Signature

STATE OF UTAH

COUNTY OF WASHINGTON

On the ____ day of _____, 20____, personally appeared before me _____, the signer(s) of the foregoing instrument, who did say that he/she/they is/are the owner(s) of the above-described property and that he/she/they has/have signed the foregoing instrument for the reasons stated therein.

Notary Public

My commission expires: _____

2. Property owners applying for a building permit to: (1) construct an accessory building on a developed lot or (2) remodel an existing building shall not be required to obtain a geotechnical report or enter into the above agreement, except as may be required by the City Building Official on a case-by-case basis.

3. The issuance of a building permit by the City is not, and should not in any way be interpreted or construed as, a guarantee, representation, warranty, or assurance of any kind: (1) as to the lack of geological hazards on the property; (2) as to the reliability or soundness of any geotechnical report obtained by the owner; or (3) that any structure or other improvement constructed on the property in accordance with any such geotechnical report will be free from damages, diminution in value, and/or increased costs and expenses for maintenance, repair and replacement because of subsurface water, groundwater, unstable soils or other geological hazards.

4. The City shall not be responsible or liable for mitigation of any damage to, diminution in value of, and payment of any costs and expenses for maintenance, repair or replacement of any structure or other improvement constructed or maintained on property resulting from the presence of subsurface water, groundwater, unstable soil, or any other geological hazard.

BE IT FURTHER ORDAINED that this Ordinance shall take effect at the earliest possible date allowed by law after publication and posting and shall supersede all other ordinances in conflict with the terms and conditions contained herein.

APPROVED AND ADOPTED on this _____ day of _____, 2024.

CITY OF LAVERKIN

Kelly B. Wilson, Mayor

Attest:

Christy Ballard, City Recorder

The foregoing Ordinance was presented at a regular meeting of the LaVerkin City Council held in the LaVerkin City Council Chambers, located at 111 South Main Street, LaVerkin, Utah, on the _____ day of _____, 2024, whereupon, a motion to adopt said Ordinance was made by _____ and seconded by _____.

A roll call vote was then taken with the following results:

NAME	VOTE
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Christy Ballard, Recorder

ORDINANCE NO. 2024-

AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9, OF THE LaVERKIN CITY CODE, DEALING WITH BUILDING RELATED CODES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Utah has adopted more-recent building-related codes, for constructions and installations (occurring within this state) than are currently adopted by the City of LaVerkin; and

WHEREAS, some of those codes are updates to codes currently adopted by the City; and

WHEREAS, some of those codes include codes that (although not presently adopted by the City in any current or previous edition) are—in the opinion of the City’s building officials—meritorious and would be useful in order to promote and encourage safe, updated, quality and/or efficient constructions and installations within the City of LaVerkin; and

WHEREAS, the building officials of the City have recommended that the International Existing Building Code and International Swimming Pool and Spa Code be adopted, and that the City Council officially adopt and include the updated Building Valuation Tables promulgated by the International Code Council; and

WHEREAS, the City Council deems it to be in the best interests of the City and its residents, guests and businesses to amend the City Code to adopt such updates and/or new codes, and renumber the last four sections of Chapter 1 of Title 9,

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

SECTION I: AMENDMENT OF THE CODE OF THE LaVERKIN CITY CODE, BY AMENDING THE PROVISIONS OF CHAPTER 1 OF TITLE 9 THEREOF:

Chapter 1 of Title 9 of *The LaVerkin City Code* is hereby amended to read as follows:

Chapter 1 BUILDING RELATED CODES

9-1-1: INTERPRETATION:

Any reference in this code to "the applicable building related code" or "the applicable building related codes" shall mean and include the applicable code or codes identified and adopted in this chapter, as well as any subsequent amendments or revisions which shall automatically be adopted and included in this chapter.

9-1-2: BUILDING CODE ADOPTED:

- A. International Building Code: The 2021 edition of the international building code (IBC), including appendices chapters C and J and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council and as adopted and amended by the state, with the exception of appendix B entitled "Board Of Appeals", as published by the International Code Council and as adopted and amended by the state, is hereby adopted as the code for LaVerkin City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the city and providing for the issuance of permits and collection of fees therefor. Such international building code shall be on file in the LaVerkin City office for use and examination by the public.
- B. Revisions: The following sections of the IBC are hereby revised:
 - 1. Section 101.1 Insert: city of LaVerkin.
 - 2. Table R301.2(1) Insert: Ground snow load - 21 lbs., roof snow load - 15 lbs., wind speed (mph) - 115, seismic design category - soils/engineering; weathering - moderate, frost line depth - 12 inches; termite - moderate to heavy, decay - none/slight, design temperature dry bulb 2.5% - 102°, wet bulb 2.5% - 70°, flood hazards - a) August 19, 1987 and b) January 7, 1998.
- C. Building Valuation Tables: The February 2023 building valuation data and tables included therein, as promulgated by the International Code Council, is hereby adopted by the city for the determination of square-foot construction costs used in the calculation of the building permit fees—to ensure that building construction values are up-to-date and reflective of the current building environment, and to provide fairness in the assessment of building permit fees under the code or codes in this chapter. *Provided that*, in calculating values within the jurisdictional boundaries of LaVerkin, the city shall apply a factor of 100% against the values in said tables.

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9-1-3: RESIDENTIAL CODE ADOPTED:

- A. The International Residential Code: The 2021 edition of the international residential code (IRC) including appendix chapters D, E, G, L, M, R, AE and AQ and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council and as adopted and amended by the state, is hereby adopted as the code of LaVerkin City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three (3) stories in height in the city and providing for the issuance of permits and collection of fees therefor. Such international residential code shall be in book form on file in the LaVerkin City office for use and examination by the public.
- B. Revisions: The following sections of the IRC are hereby revised:
1. Section R101.1 Insert: city of LaVerkin.
 2. Table R.301.2(1) Insert: Ground snow load - 21 lbs., roof snow load - 15 lbs., wind speed (mph) - 115, seismic design category D - soils/engineering; weathering - moderate, frost line depth - 12 inches; termite - moderate to heavy, decay - none/slight, design temperature dry bulb 2.5% - 102°, wet bulb 2.5% - 70°, flood hazards - a) August 19, 1987 and b) January 7, 1998.

9-1-4: ELECTRICAL CODE ADOPTED:

The city hereby adopts the 2020 version of the national electrical code (NEC) and each and all of the regulations, provisions, penalties, conditions and terms as published by the National Fire Protection Association as adopted and amended by the state, as the electrical code of LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the city and providing for the issuance of permits and collection of fees therefor. Such national electrical code shall be in book form, on file in the LaVerkin City office for use and examination by the public.

9-1-5: PLUMBING CODE ADOPTED:

- A. International Plumbing Code: The city hereby adopts the 2021 version of the international plumbing code (IPC) as adopted and amended by the state, including appendix chapters B, D, E, and F and each and all of the regulations, provisions, penalties, conditions and terms, published by the International Code Council, as the plumbing code of LaVerkin City for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the city and providing for the issuance of permits and collection of fees therefor. Such international plumbing code shall be in book form, on file for use and examination by the public in the LaVerkin City office.

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- B. Revisions: The international plumbing code, section 101.1 is hereby revised to insert city of LaVerkin.

9-1-6: FUEL GAS CODE ADOPTED:

- A. International Fuel Gas Code: The city hereby adopts the 2021 version of the international fuel gas code (IFGC) as amended and adopted by the state, and each and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council, as the fuel gas code for LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of fuel gas systems in the city and providing for the issuance of permits and collection of fees therefor. Such international fuel gas code shall be in book form on file for use and examination by the public in the LaVerkin City office.
- B. Revisions: The international fuel gas code, section 101.1 is hereby revised to insert city of LaVerkin.

9-1-7: MECHANICAL CODE ADOPTED:

- A. International Mechanical Code: The city hereby adopts the 2021 version of the international mechanical code (IMC) as amended and adopted by the state, including appendix A and each and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council, as the mechanical code for LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the city and providing for the issuance of permits and collection of fees therefor. Such international mechanical code shall be in book form on file for use and examination by the public in the LaVerkin City office.
- B. Revisions: The international mechanical code, section 101.1 is hereby revised to insert city of LaVerkin.

9-1-8: FIRE CODE ADOPTED:

- A. International Fire Code: The city hereby adopts the state fire code, as adopted by the state of Utah, in chapter 5 of title 15A, Utah Code Annotated (1953, as amended, and effective July 1, 2013) including, but not limited to, the 2021 edition of the international fire code, as amended and adopted by the state in said chapter, and each and all of the regulations, provisions, penalties, conditions and terms, and appendices A through D thereto, as published by the International Code Council, as the fire code for LaVerkin City, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or

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property in the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as provided; and providing for the issuance of permits and collection of fees therefor. Such fire code shall be in book form on file in the LaVerkin City office for use and examination by the public.

- B. Revisions: The international fire code, section 101.1 is hereby revised to insert city of LaVerkin.
- C. Geographic Limits: The geographic limits referred to in certain sections of the international fire code are hereby established as follows:
 - 1. Section 3204.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): Hurricane fire department.
 - 2. Section 3404.2.9.5.1 (geographic limits in which the storage of class I and class II liquids in aboveground tanks outside of buildings is prohibited): Hurricane fire department.
 - 3. Section 3406.2.4.4 (geographic limits in which the storage of class I and class II liquids in aboveground tanks is prohibited): Hurricane fire department.
 - 4. Section 3804.2.4.4 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Hurricane fire department.

9-1-9: WILDLAND-URBAN INTERFACE CODE ADOPTED:

- A. International Wildland-Urban Interface Code: The city hereby adopts the 2020 edition of the international wildland-urban interface code, but (unless otherwise specified herein) not including the appendices thereto, as published by the International Code Council, as the wildland-urban interface code for LaVerkin City, regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures, and prevention of structure fires from spreading to wildland fuels within and surrounding the jurisdictional boundaries of LaVerkin City; and providing for the issuance of permits and collection of fees therefor.
- B. Revisions: The following sections are hereby revised:
 - 1. Section 101.1. Insert "LaVerkin City".
 - 2. Section 103.1. Insert "LaVerkin City".
 - 3. Section 109.4.7. Insert "LaVerkin City".
 - 4. Delete section 114.4.

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- C. Specific Boundaries Of Areas: Specific boundaries of natural or manmade features of wildland-urban interface areas shall be as shown on the wildland-urban interface area as depicted on any wildland-urban interface map or maps adopted pursuant to chapter 3 of said code.

9-1-10: ENERGY CONSERVATION CODE ADOPTED:

- A. International Energy Conservation Code: The city hereby adopts the 2018 version of the international energy conservation code (IECC) as amended and adopted by the state, including appendix A and each and all of the regulations, provisions, penalties, conditions and terms as published by the International Code Council, as the energy code for LaVerkin City for regulating the design, construction, quality of materials, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of energy systems in the city and providing for the issuance of permits and collection of fees therefor. Such international energy code shall be in book form on file for use and examination by the public in the LaVerkin City office.
- B. Revisions: The international energy code, section 101.1 is hereby revised to insert city of LaVerkin.

9-1-11: ABATEMENT OF DANGEROUS BUILDINGS CODE ADOPTED:

Uniform Code for the Abatement of Dangerous Buildings: The city hereby adopts the 1997 edition of the uniform code for the abatement of dangerous buildings ("UCADB"), as published by the International Code Council and as adopted and amended by the state, as a code for LaVerkin City for regulating building alteration, remodeling, maintenance, repair, removal, seismic evaluation, and rehabilitation of buildings and structures that fail to meet minimum maintenance standards and become or are deemed or declared by the city building inspector to be unsafe, unsightly, unstable, dangerous, dilapidated, deleterious and/or hazardous. Provided, that any reference therein to the uniform building code (UBC) or any provision thereof, shall refer instead to the international building code (IBC) or international residential code (IRC), and any similar or substantially similar provision therein, as applicable.

9-1-12: EXISTING BUILDING CODE ADOPTED:

International Existing Building Code: The city hereby adopts the 2021 edition of the international existing building code ("IEBC") as a code for LaVerkin City for regulating and providing flexibility with regards to the repair, alteration, change of occupancy, addition to and relocation of existing buildings, to meet minimum acceptable levels to safeguard the public health, safety and welfare.

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9-1-13: SWIMMING POOL AND SPA CODE ADOPTED:

International Swimming Pool and Spa Code: The city hereby adopts the 2021 edition of the international swimming pool and spa code ("ISPSC") as a code for LaVerkin City for regulating and controlling the design, construction, installation, alteration, quality of materials, location, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools, and spas, to meet minimum acceptable levels to provide a reasonable level of safety and protection of health, property and public welfare.

9-1-14: BUILDING OFFICIAL:

- A. Created: There is hereby created the position of building official who shall also be known as the city building inspector.
- B. Powers:
1. The building inspector shall have the power to order all work stopped on construction, alteration or repairs of buildings in the city when such work is being done in violation of any provisions of any ordinance relating thereto, or in violation of the subdivision or zoning titles of the city. Work shall not be resumed after the issuance of such order, except on the written permission of the inspector; provided, that if the stop order is an oral one, it shall be followed by a written stop order within one hour. Such written stop order may be served by any peace officer or other authorized person.
 2. The building inspector shall have the power to enter into any building or the premises where the work of altering, repairing or constructing any building or structure is going on, for the purpose of making inspections at any reasonable hour, pursuant to any of the provisions of this title and title 4 of this code.
- C. Duties: The building inspector shall, in addition to all other duties imposed on him by the city:
1. Enforce the provisions of the applicable building-related codes.
 2. Inspect all buildings, structures, ditches, signs, fences and objects to determine their safety and effect on the persons who are within the city.
 3. Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must:

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- a. Be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure;
 - b. Use construction materials and utility equipment that are resistant to flood damage; and
 - c. Use construction methods and practices that will minimize flood damage.
4. Review subdivision proposals and other proposed new developments to assure that:
 - a. All such proposals are consistent with the need to minimize flood damage;
 - b. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage is provided so as to reduce exposure to flood hazards.
 5. Require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters and require on site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

9-1-15: BUILDING PERMIT REQUIRED:

- A. Application And Plans: A building permit shall be submitted to the city on written application accompanied by plans and specifications in duplicate, which must state the specific nature of the construction or alterations to be made. The plan must be verified by the person who will perform or be in charge of the construction or alteration.
- B. Variations Of Plan Prohibited: No material variation from the approved plan shall be allowed unless such variations shall first have been approved in writing by the building inspector.
- C. Approval Of Plan: The application and plans shall be reviewed by the building inspector to determine whether the proposed construction or alteration conforms to the building codes and ordinances of the city. The building inspector shall make the plan available for return within ten (10) days with the statement "approved" if the plans do conform or "disapproved" if the plans do not conform. If the plans are disapproved, the reasons therefor shall be attached to the plans. Upon approval of the plans and receipt of the applicable fee therefor the city shall issue a permit to the applicant, together with one set of the approved plan. One set of the plans shall be retained by the building inspector. The building inspector may revoke at any time a

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permit which has been issued for any building constructed or being constructed or which would be or would result, if construction continued, in violation of any ordinance of the city.

9-1-16: FEE SCHEDULE:

- A. The city shall collect a fee for the application of a permit in the amount as established by resolution of the city council.
- B. Fees charged for the building permit shall cover the first inspection and one reinspection. When those inspections result in a failure of the builder to completely correct problems specified by the building inspector and a third or subsequent inspection is required, such builder shall be required to pay a reinspection fee as established by resolution, prior to scheduling the third or subsequent inspections.

9-1-17: PENALTY; EXCEPTION:

- A. It shall be a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any homeowner and a class B misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any person who receives payment or anything of value to construct or alter any building or structure, except a fence, without first securing the permit required by this chapter.
- B. This section shall not apply where the retail cost of the materials used in the construction or alteration is less than one thousand dollars (\$1,000.00), except that it shall apply in all cases where the construction or alteration results in an enlarged structure or affects the walls of the building or structure.

SECTION II: REPEAL OF CONFLICTING PROVISIONS.

All ordinances or resolutions, or parts or provisions thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent that they conflict herewith.

SECTION III: SEVERABILITY.

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

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SECTION IV: EFFECTIVE DATE.

In the opinion of the City Council of LaVerkin City, it is necessary for the preservation of the peace, welfare, health, and safety of the inhabitants of LaVerkin City that this Ordinance take effect as soon as possible. This Ordinance, therefore, shall take effect immediately upon its passage and first publication as provided by law.

PASSED AND ADOPTED by the City Council of LaVerkin City this ____ day of _____, 2024.

ATTEST:

KELLY WILSON, Mayor

CHRISTY BALLARD, City Recorder

Ordinance No. _____

AN ORDINANCE OF THE CITY COUNCIL OF LAVERKIN, UTAH, APPROVING
AND ADOPTING MONTHLY SEWER SERVICE FEES ESTABLISHED BY ASH CREEK
SPECIAL SERVICE DISTRICT

WHEREAS Ash Creek Special Service District (hereafter “Ash Creek”) was organized for the purpose of providing wastewater collection and treatment facilities and services for property within the corporate limits of Hurricane, LaVerkin and Toquerville, Utah, as well as other property in the unincorporated area of Washington County, Utah; and

WHEREAS Hurricane, LaVerkin and Toquerville have previously agreed to be responsible for billing and collection of monthly sewer fees, as established by Ash Creek, for each of their respective communities; and

WHEREAS Ash Creek has approved and adopted a schedule of monthly fees pursuant to a Resolution dated June 6, 2022 and duly adopted after notice and public hearing; and

WHEREAS the LaVerkin City Council desires to formally adopt and incorporate said monthly fee schedule into its ordinances; and

WHEREAS said City Council deems it necessary and desirable for the preservation and protection of the health, safety and welfare of the residents of LaVerkin, Utah,

BE IT HEREBY ORDAINED by the City Council of LaVerkin, Utah, that the schedule of monthly sewer fees attached hereto as Exhibit A and incorporated herein as if fully set forth shall, and is hereby, approved and adopted.

BE IT FURTHER ORDAINED that the provisions of this Ordinance shall supersede any other ordinance in conflict herewith and shall be incorporated into the LaVerkin City Code.

BE IT FURTHER ORDAINED that this Ordinance shall be deemed to be of an urgent nature or in the nature of an emergency and shall take effect immediately upon publication and posting as required by law.

PASSED AND APPROVED by the LaVerkin City Council on this _____ day of February, 2024.

Kelly Wilson, Mayor

Attest:

Christy Ballard, Recorder

Those voting in favor of this Ordinance:

Those voting in opposition to this Ordinance:

Christy Ballard, Recorder

Exhibit A

SCHEDULE II

Monthly Rate Schedule

Effective July 1, 2022

<u>User Category</u>	<u>Monthly Rate</u>
<u>I. Permanent Residential:</u> all residential dwelling units intended or used primarily for permanent, continuous or non-seasonal occupancy, per unit (including single family homes, mobile homes, permanent trailers, permanent RVs, condominiums, townhomes, apartments, etc.)	\$35.00
<u>II. Transitory Residential:</u> all residential dwelling units intended or used primarily for transitory, overnight or seasonal occupancy, per unit (including RV parks, overnight RV rentals and camp units, etc.)	18.00
<u>III. Non-residential:</u> commercial and institutional, (including schools, churches, motels, etc.)	
Up to first 12,000 gallons of water used*	42.00
For each additional 1000 gallons of water used above 12,000 gallons*	3.19

*For commercial, schools, churches, etc., monthly water usage shall be based on the average monthly water use during the months of December, January and February of each year. For motels, monthly water usage shall be based on the average monthly water use during the months of May, June and July of each year.

Note: All fees shall be subject to an automatic increase of 5% (five-percent) per annum beginning on January 1, 2024 and each January 1 thereafter until otherwise determined by resolution of the District Administrative Control Board.

Resolution No. _____

A RESOLUTION OF THE CITY COUNCIL OF LAVERKIN, UTAH APPROVING
AND ADOPTING LAVERKIN CITY EMPLOYEE SALARY SCALE

WHEREAS said City Council has authority under the laws of the state of Utah to establish and make periodic adjustments to salaries and the rate of compensation for employees of the City of LaVerkin;

WHEREAS said City Council deems it necessary and desirable to adopt an Employee Salary Scale for the calendar year 2024 and thereafter until amended;

WHEREAS said City Council deems it necessary and desirable for the orderly and efficient operation of the affairs of the City of LaVerkin,

BE IT HEREBY RESOLVED by the City Council of LaVerkin, Utah that the LaVerkin City Employee Salary Scale attached hereto as Exhibit A and incorporated herein as if fully set forth be, and is hereby, approved and adopted.

BE IT FURTHER RESOLVED that said City Employee Salary Scale shall become effective for the calendar year 2024 and shall remain in effect until amended by Resolution of said City Council.

APPROVED AND ADOPTED on this _____ day of _____, 2024.

CITY OF LAVERKIN

Kelly B. Wilson, Mayor

Attest:

Christy Ballard, City Recorder

The foregoing Resolution was presented at a regular meeting of the LaVerkin City Council held in the LaVerkin City Council Chambers, located at 111 South Main Street, LaVerkin, Utah, on the _____ day of _____, 2024, whereupon, a motion to adopt said Ordinance was made by _____ and seconded by _____.

A roll call vote was then taken with the following results:

NAME	VOTE

Christy Ballard, Recorder

Exhibit A

La Verkin City - Employee Salary Scale

Position	Range Prior to 2017		Hourly	Range from 2017 to Current		Hourly
City Administrator	\$ 55,000.00	\$ 85,000.00		\$ 60,000.00	\$ 125,000.00	Exempt
City Attorney	\$ 60,000.00	\$ 110,000.00		\$ 60,000.00	\$ 125,000.00	Exempt
Director of Operations	\$ 40,000.00	\$ 70,000.00		\$ 50,000.00	\$ 110,000.00	Exempt
Director of Public Safety	\$ 40,000.00	\$ 70,000.00		\$ 50,000.00	\$ 110,000.00	Exempt
Director of Administration	\$ 40,000.00	\$ 65,000.00		\$ 40,000.00	\$ 80,000.00	Exempt
Recorder	\$ 36,000.00	\$ 55,000.00		\$ 36,000.00	\$ 65,000.00	\$17.31 to \$31.25
Treasurer	\$ 36,000.00	\$ 55,000.00		\$ 36,000.00	\$ 65,000.00	\$17.31 to \$31.26
Utility Billing / Secretary	\$ 24,000.00	\$ 35,000.00		\$ 26,000.00	\$ 60,000.00	\$12.50 to \$28.85
Public Work Employee	\$ 25,000.00	\$ 45,000.00		\$ 26,000.00	\$ 60,000.00	\$12.50 to \$28.85
Public Safety Employee	\$ 30,000.00	\$ 45,000.00		\$ 30,000.00	\$ 65,000.00	\$14.43 to \$31.26
Part Time Help	\$9 - \$12 per hour			\$10 - \$20 per hour		
Crossing Guard	\$9 - \$12 per hour			\$10 - \$20 per hour		
Position	Proposed Range - 2024		Hourly			Hourly
City Administrator	\$ 80,000.00	\$ 190,000.00	Exempt			
City Attorney	\$ 80,000.00	\$ 190,000.00	Exempt			
Director of Operations	\$ 70,000.00	\$ 150,000.00	Exempt			
Director of Public Safety	\$ 70,000.00	\$ 150,000.00	Exempt			
Recreation Director	\$ 36,000.00	\$ 95,000.00	Exempt			
Recorder	\$ 40,000.00	\$ 95,000.00	\$19.23 to \$45.68			
Treasurer	\$ 40,000.00	\$ 95,000.00	\$19.23 to \$45.69			
Utility Billing / Secretary	\$ 35,000.00	\$ 90,000.00	\$16.83 to \$43.27			
Public Work Employee	\$ 40,000.00	\$ 95,000.00	\$19.23 to \$45.68			
Public Safety Employee	\$ 40,000.00	\$ 95,000.00	\$19.23 to \$45.69			
Part Time Help	\$15 - \$35 Per Hour					
Crossing Guard	\$15 - \$35 Per Hour					

