



TOWN COUNCIL MEETING - HEARING NOTICE

1777 N Meadowlark Dr, Apple Valley
Wednesday, May 22, 2024 at 6:00 PM

HEARING NOTICE

Public Notice is given that the Town Council of Apple Valley, Washington County, Utah will hold Public Hearings on **Wednesday, May 22, 2024 at 6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Public Hearing will be held on the following topics:

1. Amend Title 5.04.200 Exceptions To The Business License Fee, Ordinance-O-2024-20.
2. Amend Title 5.09.060 Special Events Fees and 5.09.100 Violation Fees, Ordinance-O-2024-21.

Interested persons are encouraged to attend public hearings to present their views or present their views in writing at least 48 hours prior to the meeting by emailing clerk@applevalleyut.gov.

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Town Clerk and Recorder for the Town of Apple Valley, hereby certify that this Hearing Notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the 8th day of May, 2024.

Dated this 8th day of May, 2024

Jenna Vizcardo, Town Clerk and Recorder

Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

**APPLE VALLEY
ORDINANCE O-2024-20**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1:**AMENDMENT** “5.04.200 Exceptions To The Business License Fee” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.04.200 Exceptions To The Business License Fee

No business license fee shall be imposed under this section upon the following persons or businesses:

- A. Any person engaged in business for solely religious, charitable, eleemosynary, or other types of strictly non-profit purposes who is tax exempt in such activities under the laws of the United States and the State of Utah, nor shall any business license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the State of Utah; nor shall any business license fee be imposed on any non-profit corporation duly incorporated according to the provisions of the Utah Non-Profit Corporation and Cooperative Association Act;
- B. Any insurance company or agent, for so long as state law exempts them;
- C. Any contractor holding a valid license issued by the local jurisdiction in which the licensee has its principal place of business, and by the state under Utah Code 58-55 Part 3. Such contractor must be able to present his state contractor license and valid business license to any authority or client upon request. It shall be unlawful for any person to conduct business within the town as a contractor without holding a valid state contractor license qualifying the licensee for the type of work to be done or without holding a valid business license in the entity where the principal business office is located.
- D. Any alarm company holding a valid business license issued by the local jurisdiction in which the licensee has its principal place of business;
- E. ~~An owner of a building containing two or fewer rental dwellings;~~ Any tow truck motor carrier holding a valid business license to perform tow truck service issued by the local jurisdiction in which the licensee has its principal place of business unless the tow truck business is also physically located in the town.
- F. Any sales or merchandise damaged by smoke or fire or of bankrupt concerns, where such stocks have been acquired from merchants of the town theretofore, regularly licensed and engaged in business; provided, however, no such stocks or merchandise shall be augmented by other goods;

- G. Any person who sells his/her own property which was not acquired for resale, barter, or exchange and who does conduct such sales or act as a participant by furnishing goods in such a sale more than twice during any calendar year;
- H. Any person selling surplus household goods or furnishings at a private residence in the garage or yard, if such garage sale is held no more frequently than three (3) days in any one calendar quarter at the same residence.
- I. Any person engaged in agriculture.
- J. Any person engaged in a business in conjunction with an event sponsored by Apple Valley, where a booth or space is rented from the town. In such case, the business license fee shall be considered included in the booth or space rental fee.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-21**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “5.09.060 Fees” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.09.060 Fees

A. Application and Cost Recovery Fees: Along with the application for a special event permit, the applicant shall pay any applicable special event application fees and Town cost recovery fees.

B. Town Cost Recovery Fees: Extra Town services will be provided for special events as determined by the Town to be needed to protect the health, safety and welfare of the public and shall be paid by the applicant.

1. Town costs may include, but are not limited to, violation fees, dust control, drone fees, police, fire, park maintenance, power, water, road closures, and cleanup of Town facilities before, during, or after the event, and other costs to Town directly attributable to the special event.

2. Before Town approval is granted to hold the event, the applicant shall pay the deposit and estimated Town fees as determined by the Town based on the application, the applicant's past event history with the Town, and experience with similar events.

3. Drone License Fee = \$250/day. Drone operators must abide by all state laws. Note - HB217//2017 and 76-6-2-206(2)(a). Drone violation fee = \$1,000 per violation. Event license holder is responsible for all drone violations from both staff and event attendees.

4. Non-Asphalt Road Access Fee = \$250/day. Event license applicant is responsible for keeping the road damp and dust free. Dust violation fee = \$1,000/day.

C. Invoice: The Town may mail or deliver to the permit holder an invoice for the cost of Town services provided and any costs incurred by the Town in restoring the site. If the amount exceeds the Town cost recovery fees paid in advance, the applicant shall pay the unpaid portion of the invoice within thirty (30) days of the date that the invoice was mailed or delivered. If the amount is less than the Town cost recovery fees paid prior to issuance of the permit, then the remaining amount shall be returned to the applicant.

SECTION 2: AMENDMENT “5.09.100 Violation” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.09.100 Violation

A violation of this chapter shall be subject to civil penalties as described in Apple Valley Municipal Code section 16.02.010 through 16.02.080 and/or a class B misdemeanor.

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

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Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley