TOWN COUNCIL MEETING - HEARING NOTICE

1777 N Meadowlark Dr, Apple Valley
Wednesday, June 26, 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, June 26, 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. Adoption of the FY2025 Budget and Amendment of the FY2024 Budget.
2. Amend Title 2.09.050 Mayoral Compensation Schedule, O-22024-24.
3. Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-25.
4. Amend Title 8.06.050 Noxious Weeds And Garbage Failure To Comply, Ordinance-O-2024-26.

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 12th day of June, 2024.

Dated this 12th day of June, 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.

TOWN OF APPLE VALLEY

RESOLUTION NO. R-2024-24

A RESOLUTION ADOPTING FISCAL YEAR 2025 ANNUAL BUDGET AND AMENDING FISCAL YEAR 2024 ANNUAL BUDGET

WHEREAS, the Town of Apple Valley ("Town") is required to adopt an annual budget for the Town's funds pursuant to the Uniform Fiscal Procedures Act for Utah Towns (the "Act"); and

WHEREAS, the Town is authorized to amend the annual budget pursuant to the Act; and,

WHEREAS, the Town Council has complied with the Act's provisions by adopting a tentative budget for the Fiscal Year 2024 Annual Budget on May 22, 2024; and

WHEREAS, the Town Council has presented a proposed amendment to the Fiscal Year 2024 Annual Budget; and

WHEREAS, the Town Council held a public hearing on June 26, 2024 to receive comment on the tentative Fiscal Year 2025 Annual Budget and the proposed amendments to the Fiscal Year 2024 Annual Budget; and

WHEREAS, all interested persons in attendance at the public hearing were given an opportunity to be heard; and

NOW, THEREFORE, at a meeting of the legislative body of the Town of Apple Valley, Utah, duly called, noticed and held on the 26th day of June 2024, and upon motion duly made and seconded:

BE IT RESOLVED AS FOLLOWS:

The Fiscal Year 2024 Annual Budget is hereby amended and the Fiscal Year 2025 Annual Budget is hereby adopted as set forth in the attached exhibit. This resolution shall take effect upon passage and posting as required by law.

RESOLVED this 26th day of June 2024.

[Signature Block on Next Page]

TOWN OF APPLE VALLEY
PRESIDING OFFICER

_____
Michael L. Farrar, Mayor

ATTEST:

_____
Jenna Vizcardo, Town Clerk/Recorder

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

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
REVENUE						
Taxes						
3110 General Property Taxes-Current	105,007	136,103	140,189	145,000	136,661	160,000
3120 Prior Year's Taxes-Delinquent	12,804	5,139	0	0	8,000	0
3130 General Sales and Use Taxes	105,307	179,393	173,713	196,000	196,000	175,000
3140 Energy and Communication Taxes	15,889	25,250	42,108	45,700	45,700	40,000
3150 RAP Tax	10,459	18,739	17,593	18,500	18,500	18,000
3160 Transient Taxes	1,979	11,598	14,756	18,000	18,000	18,000
3170 Fee in Lieu of Personal Property Taxes	8,634	456	0	8,400	8,400	0
3180 Fuel Tax Refund	119	0	938	1,000	1,000	0
3190 Highway/Transit Tax	0	16831	16,237	17,100	17,100	17,100
Total Taxes	***260,197***	***393,508***	***405,534***	***449,700***	***449,361***	***428,100***
Licenses and Permits						
3210 Business Licenses	2,775	7,350	9,191	9,500	9,500	10,500
3221 Building Permits-Fee	34,309	69,238	46,124	55,000	45,000	45,000
3222 Building Permits-Non Surcharge	4,295	9,816	6,644	11,000	6,750	7,750
3223 Building Permit - HCP Valuation	1,732	0	0	----------	----------	0
3224 Building Permits Surcharge	1,178	339	(110.00)	450	450	450
3225 Animal Licenses	970	420	800	800	800	800
3430 Assessment Fee Income	0	0	0	0	0	0
Total Licenses and Permits	***45,258***	***87,163***	***62,649***	***76,750***	***62,500***	***64,500***
Intergovernmental Revenue						
3342 Fire Dept-State Wildland Grant	0	0	0	0	10,000	0
3356 Class C" Road Allotment	80,259	94,066	107,947	137,000	137,000	112,000
3358 Liquor control profits	697	756	1,037	1100	1100	1100
3370 State Grants	0	13237	0	0	0	0
3371 State Highway Grants	0	0	0	0	0	0
3373 CARES Revenue	0	0	0	0	0	0
Total Intergovernmental Revenue	***80,956***	***108,058***	***108,984***	***138,100***	***148,100***	***113,100***

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
Charges for Services						
3230 Special Event Permit	0	3500	2,480	600	4500	1000
3410 Clerical Services	21	225	334	400	400	400
3415 SSD Payroll Services	0	0	0	0	0	0
3416 Other Interdepartmental Charges	4,903	2,010	9039	44,203	44,203	60,000
3420 Fire Department Contracts	300	0	0	0	6000	0
3431 Zoning and Subdivision Fees	33,854	37,218	24,734	20,000	20,000	20,000
3440 Solid Waste	42,442	50,917	52,113	61,000	61,000	61,000
3441 Storm Drainage	37,778	42,921	42,274	49,000	49,000	49,000
3461 GRAMA Requests	0	0	352	500	500	100
3470 Park and Recreation Fees	55	0	175	100	100	100
3481 Sale of Cemetery Lots				310,500	310,500	0
3482 Perpetual Care				129,300	129,300	0
3615 Late Charges/Other Fees	-2,307	1,740	(1,766)	2,500	2,500	1,000
Total Charges for Services	***117,045***	***138,531***	***129,735***	***618,103***	***628,003***	***192,600***
Fines and Forfeitures						
3510 Fines	5,360	10,845	5,168	5,000	5,000	5,000
Total Fines and Forfeitures	***5,360***	***10,845***	***5,168***	***5,000***	***5,000***	***5,000***
Interest						
3610 Interest Earnings	5,493	3,308	25,895	42,200	42,200	42,200
Total Interest	***5,493***	***3,308***	***25,895***	***42,200***	***42,200***	***42,200***
Miscellaneous Revenue						
3640 Sale of Capital Assets	650	0	0	7500	0	0
3670 Debt Proceeds	48,074	0	0	0	0	0
3690 Sundry Revenue	420	1734	20,089	5,000	5,000	5,000
3692 Fire Department Fundraisers	947	1166	1,500	300	6,500	0
3697 Park Department Fundraisers	884	0	0	0	800	0

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
3801.1 Impact Fees - Fire	767	19471	5,908	6,800	6,800	6,800
3801.3 Impact Fees - Roadways	6,682	59,034	18,620	24,600	24,600	24,600
3801.6 Impact Fees - Storm water	2,728	32,945	25,280	31,000	31,000	31,000
3801.7 Impact Fees - Parks, Trails, OS	1,833	16,816	5,075	6,600	6,600	6,600
Total Miscellaneous Revenue	***62,984***	***131,165***	***76,472***	***81,800***	***81,300***	***74,000***
Contributions and Transfers						
3802.2 Contributions - Public Safety	0	0	0	0	0	0
3802.7 Contributions - Parks and Recreation	100	0	0	0	0	0
3802.8 Contributions - Contingency	0	0	0	0	0	0
3890 Fund Balance Appropriation	0	0	0	0	0	0
Total Contributions and Transfers	***100***	***0***	***0***	***0***	***0***	***0***
Total Revenue:	***577,394***	***872,578***	***814,437***	***1,411,653***	***1,416,464***	***919,500***
EXPENDITURES						
General Government						
Council						
4111.110 Council/PC Salaries and Wages	8,311	16,875	15,050	15,000	21,000	13,000
4111.130 Council/PC Employee Benefits	2,610	1,580	1,419	1,000	2,400	1,000
4111.210 Council/PC Travel Reimbursement	453	0	0	0	1,500	1,000
4111.220 Council/PC Training	1,630	60	0	0	1,500	1,000
4111.610 Council Donations and Discretionary Spending	0	0	0	0	500	0
Total Council	***13,004***	***18,515***	***16,469***	***16,000***	***26,900***	***16,000***
Administrative						
4141.110 Admin Salaries and Wages	91,128	91,048	103,186	99,000	99,000	99,000
4141.130 Admin Employee Benefits	7,444	8,191	14,563	17,100	17,100	17,100

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
4141.140 Admin Employee Retirement-GASB 68	4,272	3,214	13,273	7,000	7,000	7,000
4141.210 Admin Dues, Subs & Memberships	1,257	4,846	6,826	5,500	5,500	8,000
4141.220 Admin Public Notices	1,290	1,017	42	100	100	100
4141.230 Admin Training	1,299	420	743	1,500	1,500	1,000
4141.240 Admin Office/Administrative Expense	4,688	17,802	16,773	8,000	8,000	8,000
4141.250 Admin Equipment Expenses	5,924	6,108	17,941	10,000	10,000	10,000
4141.260 Admin Building & Ground Maintenance	1,027	1,999	5,903	4,500	4,500	4,500
4141.270 Admin Utilities	5,987	5,730	7,238	7,600	7,600	7,600
4141.280 Admin Telephone and Internet	16,834	7,601	7,711	8,100	8,100	8,100
4141.290 Admin Postage	1,899	2,976	2,762	3,700	3,700	3,700
4141.320 Admin Engineering/Professional Fees	7,975	29,586	8,133	3,500	3,500	3,500
4141.330 Admin Legal	5,644	58,165	48,307	50,000	50,000	50,000
4141.331 Admin Assessment Legal Fees	0	0	0	0	0	0
4141.340 Admin Accounting & Auditing	12,868	16,824	4,400	29,400	29,400	20,000
4141.350 Building Fees-Inspector/85% Surcharge	20,656	64,548	37,617	30,000	30,000	30,000
4141.390 Admin Bank Service Charges	2,902	3,462	140	200	200	200
4141.410 Admin Insurance	10,129	6,089	15,526	16,000	16,000	16,000
4141.490 Admin Travel Reimbursements	760	438	1402	1,500	1,500	1,500
4141.500 Admin Weed Abatement	387	0	0	1,500	1,500	1,500
4141.550 Admin Cares Act	0	0	0	0	0	0
4141.610 Bad Debt Expense	0	0	2026	250	250	250
4141.740 Admin Capital Outlay	1,060	0	-	0	0	0
4170 Elections	0	2288	0	1,500	1,500	1,500
Total Administrative	***205,429***	***332,602***	***314,512***	***305,950***	***305,950***	***298,550***
Total General Government	***218,433***	***351,117***	***330,981***	***321,950***	***332,850***	***314,550***

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
Public Safety						
Police						
4210.110 Police Salaries & Wages/Contract	1,080	13,200	15,000	15,000	15,000	15,000
4210.130 Police Employee Benefits	83	0	0	0	0	0
4210.230 Police Travel & Mileage	0	0	0	0	0	0
4210.250 Police Expenditures	0	4763	0	0	0	0
4210.470 Police Building Permits	0	0	0	0	0	0
4253.250 Animal Control Supplies	63	63	0	100	100	100
Total Police	***1,225***	***18,026***	***15,000***	***15,100***	***15,100***	***15,100***
Fire						
4220.110 Fire Salaries & Wages	20,400	28,181	35,904	67,200	67,200	67,200
4220.130 Fire Employee Benefits	1,976	4,808	2,965	13,600	13,600	5,600
4220.135 Fire Employee Retirement - GASB 68	0	0	5,920	8,100	8,100	8,100
4220.140 Fire Contract Wages	0	0	684	4,500	4,500	-
4220.145 Fire Contract Benefits	0	0	100	525	525	-
4220.150 Fire Contract Expense	0	0	0	1,500	1,500	-
4220.210 Fire Dues, Subscriptions & Memberships	109	355	569	600	600	1,200
4220.230 Fire Travel, Mileage & Cell	28	57	300	600	600	600
4220.240 Fire Office Expenses	329	765	495	500	500	500
4220.250 Fire Equipment Maintenance & Repairs	705	2514	9,476	11,000	11,000	11,000
4220.260 Fire Rent Expense	0	0	0	-	-	6,000
4220.360 Fire Training	1,248	389	3844	13,100	13,100	2,100
4220.450 Fire Small Equip/Supplies	458	2026	6,159	15,000	15,000	15,000
4220.460 Fire Supplies-Fundraisers	544	514	38	500	500	500
4220.465 Fire Gear	9,383	1,518	4,275	15,000	15,000	15,000
4220.475 Fire Other Grant Expenditures	0	0	0	0	0	0
4220.480 Fire Mitigation MOU Expenditures	0	0	0	15000	15000	15000

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
4220.550 Fire Cares Act	0	0	0	0	0	0
4220.560 Fire Equipment Fuel	2,047	1,251	1,826	4,000	4,000	4,000
4220.610 Fire Principal	0	12351	11,986	0	0	0
4220.620 Fire Interest	0	1115	(779)	0	0	0
4220.740 Fire Capital outlay	305	27500	17,960	0	0	0
Total Fire	***37,532***	***83,344***	***101,722***	***170,725***	***170,725***	***151,800***
Total Public Safety	***38,758***	***101,370***	***116,722***	***185,825***	***185,825***	***166,900***
Highways and Public Improvements						
Highways						
4410.110 Road Wages and Contract Labor	879	0	1,225	15,200	15,200	15,200
4410.130 Road Employee Benefits	67	0	94	1750	1750	200
4410.270 Road Flood Damage	9,008	0	0	2000	2000	0
4410.380 Road Department Services	0	720	12,570	2500	2500	0
4410.450 Road Department Supplies	10,873	2,181	10,287	45,000	45,000	30,000
4410.550 Road Equipment Maintenance	19,999	3,029	1,990	2,500	2,500	0
4410.560 Road Equipment Fuel	2,674	1,590	1,613	5,000	5,000	2,000
4410.740 Road Capital Outlay	48,076	0	0	0	0	0
4410.810 Road Principal	31,000	42,668	54,409	35,000	35,000	36,000
4410.820 Road Interest	32,200	30,686	29,433	28,150	28,150	27,275
4415.110 Public Works Wages and Contract Labor	10,965	0	8,654	30,300	30,300	30,300
4415.130 Public Works Employee Benefits	702	0	731	9400	9400	0
4415.140 Public Works Employee Retirement - GASB 68	0	0	0	8100	8100	0
4415.320 Public Works Engineering/Professional Fees	0	0	107	0	0	0
4415.450 Public Works Supplies	207	3825	3,524	6,000	6,000	6,000

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
4415.550 Public Works Equipment Maintenance	3,753	1,806	2,376	3,000	3,000	3,000
4415.560 Public Works Equipment fuel	742	-25	711	2,000	2,000	2,000
4415.570 Public Works Travel Reimbursement	202	0	562	500	500	500
4415.610 Public Works Storm Drainage	0	0	3,301	5,000	5,000	2,000
4415.710 Public Works Principal	24585	14920	15,479	0	0	0
4415.720 Public Works Interest	6063	1140	581	0	0	0
4415.740 Public Works Capital Outlay	3,700	0	11000	9,000	9,000	0
Total Highways	***205,696***	***102,540***	***158,647***	***210,400***	***210,400***	***154,475***
Sanitation						
4420.220 Solid Waste Postage	0	0	0	0	0	0
4420.460 Solid Waste Service	37,475	54,200	48,954	60,000	60,000	60,000
Total Sanitation	***37,475***	***54,200***	***48,954***	***60,000***	***60,000***	***60,000***
Total Highways and Public Improvements	***243,171***	***156,741***	***207,601***	***270,400***	***270,400***	***214,475***
Parks, Recreation, and Public Property						
Parks						
4540.110 Park/Rec Wages and Contract Labor	0	2785	5,845	5,100	5,100	2,000
4540.130 Park/Rec Employee Benefits	0	3	447	600	600	0
4540.250 Park/Rec Department Expenses	243	128	927	1000	1000	1000
4540.460 Park/Rec Community Events Supplies	760	297	2561	4000	4000	4000
4540.740 Parks Capital Outlay	0	4586	0	0	0	0
4590.250 Cemetery Maintenance				0	0	0
4590.460 Cemetery Supplies and Equipment				0	0	0
4590.470 Cemetery Capital Outlay				0	0	0
Total Parks	***1,003***	***7,799***	***9,780***	***10,700***	***10,700***	***7,000***
Total Parks, Recreation, and Public Property	***1,003***	***7,799***	***9,780***	***10,700***	***10,700***	***7,000***

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
Transfers						
4804 Transfer to Fund Balance	0	0	0	98,978	92,889	147,575
4805 Transfer to Capital Projects	0	0	0	265,000	265,000	0
4807 Transfer to Assigned Balance - Fire Impact Fees	0	0	0	6,800	6,800	6,800
4809 Transfer to Assigned Balance - Roadway Impact Fees	0	0	0	24,600	24,600	24,600
4810 Transfer to Assigned Balance -Storm Water Imp Fees	0	0	0	31,000	31,000	31,000
4811 Transfer to Assigned Balance - Parks & Rec Fees	0	0	0	6,600	6,600	6,600
4812 Transfer to Assigned Balance - Perpetual Care	0	0	0	129,300	129,300	0
4813 Transfer to Assigned Balance - Cemetery Funds	0	0	0	60,500	60,500	0
Total Transfers	***0***	***0***	***0***	***622,778***	***616,689***	***216,575***
Total Expenditures:	***501,364***	***617,026***	***665,084***	***1,411,653***	***1,416,464***	***919,500***
Total Change In Net Position	***76,030***	***255,552***	***149,353***	***0***	***0***	***0***

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget

41 CAPITAL PROJECTS FUND	2021 Actual	2022 Actual	2023 Actual	2024 Proposed	2024 Proposed	
Revenue:						
Intergovernmental Revenue						
3340 Grant Revenues-General	0	0	0	3,320,000	3,320,000	
3341 Grant Revenues-Fire	0	0	0	410,000	410,000	
Total Intergovernmental Revenue	***0***	***0***	***0***	***3,730,000***	***3,730,000***	
Interest						
3610 Interest earnings	0	0	0	-	-	
Total Interest	***0***	***0***	***0***	***-***	***-***	
Miscellaneous Revenue						
3675 Fire Capital Proceeds	0	0	0			
Total Miscellaneous Revenue	***0***	***0***	***0***	***-***	***-***	
Transfers & Contributions						
3810 General Fund Transfer	0	0	0	540,000	540,000	
Total Txfrs & Contributions	***0***	***0***	***0***	***540,000***	***540,000***	
Total Revenue:	***0***	***0***	***0***	***4,270,000***	***4,270,000***	

Town of Apple Valley

Budget Hearing June 26, 2024

10 GENERAL FUND	2021 Actual	2022 Actual	2023 Actual	FY 2024 Original BUDGET	FY 2024 Budget Amendment	FY 2025 Tentative Budget
Expenditures:						
Miscellaneous						
4141.740 Capital Outlay expenses	210	0	27,160	-	-	
4220.740 Fire Capital Outlay	0	0	8,277	450,000	450,000	
4410.740 Road Capital outlay	0	0	0	1,050,000	1,050,000	
4415.740 Public Works Capital Outlay			990	2,520,000	2,520,000	
4590.470 Cemetery Capital Outlay			741	250,000	250,000	
Total Miscellaneous	***210***	***0***	***37,168***	***4,270,000***	***4,270,000***	
Total Expenditures:	***210***	***0***	***37,168***	***4,270,000***	***4,270,000***	
Total Change In Net Position	***-210***	***0***	***(37,168)***	***-***	***-***	

APPLE VALLEY
ORDINANCE O-2024-24

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

SECTION 1: **AMENDMENT** "2.09.050 Mayoral Compensation Schedule" of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

2.09.050 Mayoral Compensation Schedule

Mayoral Compensation Schedule

The Mayor shall be compensated $1.00 ~~850.00~~ per month. This position includes no other benefits.

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 effective 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

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Michael Farrar, Mayor, Apple Valley

APPLE VALLEY
ORDINANCE O-2024-25

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

SECTION 1: **AMENDMENT** "8.08.030 Fireworks Restrictions" of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

8.08.030 Fireworks Restrictions

WHEREAS, the Town Council is concerned about hazardous fire conditions facing this region; and

WHEREAS, the Fire Chief of Apple Valley has determined that hazardous environmental conditions exist; and

WHEREAS, the Town Council is authorized to ban firework use within mountainous, brush-covered, forest-covered or wildland urban interface areas when hazardous environmental conditions exist; and

WHEREAS, the entire Town meets the definition of a mountainous, brush-covered, forest-covered, or wildland urban interface area.

NOW, THEREFORE, IT IS ORDAINED by the Town Council of the Town of Apple Valley that until further notice, the use of fireworks in the Town is prohibited.

Notwithstanding the above, and under direct supervision of the Fire Chief of Apple Valley or a Firefighter of Apple Valley designated by the Fire Chief of Apple Valley, legal safe and sane fireworks may be discharged on July 4th and July 24th of each year, between the hours of 7:00 p.m. ~~1:00 pm~~ to 11:00 p.m. ~~10:00 pm~~, on the Fire Department grounds of Apple Valley, located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Advanced notice of the discharge of fireworks shall be accomplished by contacting the Fire Chief of Apple Valley. The Fire Chief of Apple Valley or his designated representative reserves the right to terminate the discharging of fireworks in whole or to any individual at his/her discretion. If supervision from the Fire Department of Apple Valley is not available, then fireworks shall not be discharged.

Violation of this ordinance shall be punishable as a Class B Misdemeanor and/or Civil Fines.

The public health, safety and welfare requiring the same, this Ordinance shall take effect immediately upon its passage.

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

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Michael Farrar, Mayor, Apple Valley

APPLE VALLEY
ORDINANCE O-2024-26

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

SECTION 1: **AMENDMENT** "8.06.050 Failure To Comply" of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

8.06.050 Failure To Comply

A. Removal By Town: If any owner or occupant of lands described in such notice or decision shall fail or neglect to conform to the requirements thereof relating to the eradication or destruction or removal of such weeds, garbage, refuse, objects or structures, the enforcement officer shall employ all necessary assistance to cause such materials to be removed or destroyed. ~~at the expense of the town.~~
B. Itemized Statement: The enforcement officer shall prepare a~~n itemized~~ statement indicating the number of hours spent ~~of all expenses incurred~~ in the removal and destruction of the materials and shall mail a copy thereof to the owner or occupant, or both, demanding payment within twenty (20) days of the date of mailing. The notice shall be deemed delivered when mailed by registered mail addressed to the property owner's or occupant's last known address.
C. ~~Failure To Pay: In the event the owner or occupant fails to make payment of the amount set forth in the statement to the town treasurer within the twenty (20) days, the enforcement officer either may cause suit to be brought in an appropriate court of law or may refer the matter to the county treasurer as provided in this section.~~Enforcement and Collection under this code will be subject to section 16.02.010 Civil Enforecment Purpose and Authority
D. ~~Collection:~~
~~Lawsuit: In the event collection of expenses of destruction and removal are pursued through the courts, the town shall sue for and receive judgment for all of the expenses of destruction and removal, together with reasonable attorney fees, interest and court costs and shall execute upon such judgment in the manner provided by law.Taxes: In the event that the enforcement officer elects to refer the expenses of destruction or removal to the county treasurer for inclusion in the tax notice of the property owner, he shall make in triplicate an itemized statement of all expenses incurred in the destruction and removal of the same and shall deliver the three (3) copies of the statement to the county treasurer within ten (10) days after the completion of the work of destroying or removing such weeds, refuse, garbage, objects or structures. Thereupon, the costs of the work shall be pursued by the county treasurer in accordance with the provisions of Utah Code § 10-11-4, as amended, and the recalcitrant owner shall have such rights~~

~~and shall be subject to such powers as are thereby granted.~~

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.

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	AYE	NAY	ABSENT	ABSTAIN
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Council Member | Kevin Sair	_____	_____	_____	_____
Council Member | Janet Prentice	_____	_____	_____	_____
Council Member | Annie Spendlove	_____	_____	_____	_____
Council Member | Scott Taylor	_____	_____	_____	_____

Attest

_____
Jenna Vizcardo, Town Clerk, Apple Valley

Presiding Officer

_____
Michael Farrar, Mayor, Apple Valley