

**BIG WATER TOWN  
ORDINANCE 08-2025**

**AN ORDINANCE AMENDING THE BIG WATER MUNICIPAL ZONING CODE  
TO ENACT SECTION 15.46, ESTABLISHING DEMOLITION STANDARDS  
WITHIN THE TOWN OF BIG WATER, KANE COUNTY, UTAH.**

**WHEREAS**, the Town of Big Water is authorized under Utah Code Annotated §10-9a-101 et seq. to enact land use ordinances and regulations to promote the health, safety, and welfare of the public; and

**WHEREAS**, the Town Council finds that the unregulated demolition of structures may result in hazards to public safety, the creation of nuisances, environmental degradation, and negative impacts to adjacent properties and neighborhoods; and

**WHEREAS**, the adoption of uniform demolition standards will aid in the proper removal of structures, ensure the mitigation of negative impacts, and maintain the visual and physical character of the Town; and

**WHEREAS**, the Planning and Zoning Commission has reviewed the proposed ordinance and recommended its adoption following a duly noticed public meeting held May 5, 2025; and

**NOW THEREFORE**, be it ~~ordained~~ by the Council of the Big Water Town, in the State of Utah, as follows:

**SECTION 1:** ~~ADOPTION~~ “15.46 DEMOLITION STANDARDS” of the Big Water Zoning Code is hereby *added* as follows:

**BEFORE ADOPTION**

15.46 DEMOLITION STANDARDS (Non-existent)

**AFTER ADOPTION**

15.46 DEMOLITION STANDARDS(*Added*)

**SECTION 2:** ~~ADOPTION~~ “15.46.010 PURPOSE” of the Big Water Zoning Code is hereby *added* as follows:

**BEFORE ADOPTION**

15.46.010 PURPOSE (Non-existent)

AFTER ADOPTION

15.46.010 PURPOSE(*Added*)

The purpose of this section is to ensure that all demolition activities within the Town of Big Water are conducted safely, responsibly, and in compliance with applicable state and federal regulations, particularly with regard to the handling and removal of hazardous materials.

**SECTION 3: ADOPTION “15.46.020 DEMOLITION PERMIT REQUIRED” of the Big Water Zoning Code is hereby *added* as follows:**

BEFORE ADOPTION

15.46.020 DEMOLITION PERMIT REQUIRED (Non-existent)

AFTER ADOPTION

15.46.020 DEMOLITION PERMIT REQUIRED(*Added*)

No structure shall be demolished within the Town of Big Water without first obtaining a demolition permit issued by the appropriate town authority. Applications shall include a description of the structure, proposed demolition methods, projected timeline, and any applicable site plans.

**SECTION 4: ADOPTION “15.46.030 NOTIFICATION” of the Big Water Zoning Code is hereby *added* as follows:**

BEFORE ADOPTION

15.46.030 NOTIFICATION (Non-existent)

AFTER ADOPTION

15.46.030 NOTIFICATION(*Added*)

Applicants shall provide the Town with a minimum of ten (10) business days’ written notice prior to commencement of demolition activities.

**SECTION 5:** **ADOPTION** “15.46.040 ASBESTOS REMOVAL COMPLIANCE” of the Big Water Zoning Code is hereby *added* as follows:

BEFORE ADOPTION

15.46.040 ASBESTOS REMOVAL COMPLIANCE (Non-existent)

AFTER ADOPTION

15.46.040 ASBESTOS REMOVAL COMPLIANCE(*Added*)

The Town of Big Water adheres to all State of Utah mandates and federal regulations concerning asbestos identification, removal, and disposal.

(a) Prior to demolition, an asbestos inspection shall be performed by a Utah-certified asbestos inspector. (b) If asbestos-containing materials (ACMs) are identified, removal shall be performed by a licensed abatement contractor in accordance with Utah Department of Environmental Quality (DEQ) and U.S. Environmental Protection Agency (EPA) standards. (c) Documentation of proper asbestos abatement and disposal shall be submitted to the Town before demolition begins.

**SECTION 6:** **ADOPTION** “15.46.050 WASTE DISPOSAL” of the Big Water Zoning Code is hereby *added* as follows:

BEFORE ADOPTION

15.46.050 WASTE DISPOSAL (Non-existent)

AFTER ADOPTION

15.46.050 WASTE DISPOSAL(*Added*)

All demolition debris, including hazardous materials, shall be transported and disposed of at approved facilities in accordance with local, state, and federal law. Open burning of demolition materials is prohibited unless specifically authorized under separate permitting processes.

**SECTION 7:** **ADOPTION** “15.46.060 SITE RESTORATION” of the Big Water Zoning Code is hereby *added* as follows:

## BEFORE ADOPTION

15.46.060 SITE RESTORATION (Non-existent)

## AFTER ADOPTION

15.46.060 SITE RESTORATION(*Added*)

Upon completion of demolition, the property shall be restored to a clean, safe, and stable condition. The Town may require temporary fencing, erosion control measures, or other safety precautions as necessary.

**SECTION 8: ADOPTION “15.46.070 FAILURE TO COMPLETE DEMOLITION OR RESTORATION” of the Big Water Zoning Code is hereby *added* as follows:**

## BEFORE ADOPTION

15.46.070 FAILURE TO COMPLETE DEMOLITION OR RESTORATION (Non-existent)

## AFTER ADOPTION

15.46.070 FAILURE TO COMPLETE DEMOLITION OR RESTORATION(*Added*)

If the property owner or permit holder fails to complete the demolition or site restoration in accordance with this chapter, and the Town is required to undertake or complete the work, all associated costs incurred by the Town shall be billed to the property owner. If such costs are not paid within thirty (30) days of billing, the Town may place a lien on the property for the amount due, including administrative and legal fees, in accordance with applicable law.

PASSED AND ADOPTED BY THE BIG WATER TOWN COUNCIL

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	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Council member Jim Lybarger	_____	_____	_____	_____
Mayor David Schmuker	_____	_____	_____	_____
Council member Levi Banfill	_____	_____	_____	_____
Council member Luke McConville	_____	_____	_____	_____
Council member Jennie Lassen	_____	_____	_____	_____
Presiding Officer	Attest			

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David W. Schmuker, Mayor, Big  
Water Town

Katie Joseph, Clerk, Big Water Town

DRAFT