

VIRGIN TOWN  
ORDINANCE NO. 2026-XX

AN ORDINANCE AMENDING TITLE 16, CHAPTER 36 OF THE VIRGIN MUNICIPAL CODE TO  
ADD SECTION 36.06 ESTABLISHING APPLICABILITY OF THE OPEN SPACE DISTRICT AND  
TO RENUMBER SUBSEQUENT SECTIONS THEREOF.

RECITALS

**WHEREAS**, Virgin Town (“the Town”) is a Utah municipal corporation and political subdivision of the State of Utah, organized and existing under the provisions of Utah Code Annotated Title 10; and

**WHEREAS**, pursuant to Utah Code Annotated 10-20-101 et seq., the Town Council of Virgin Town is authorized to enact land use regulations and zoning ordinances to protect public health, safety, and welfare and to promote orderly growth and development within the Town; and

**WHEREAS**, Title 16, Chapter 36 of the Virgin Municipal Code establishes the Open Space District, which includes lands administered by the Bureau of Land Management, the State of Utah, and other federal and state agencies within Town boundaries; and

**WHEREAS**, the Town Council finds it appropriate to clarify that the regulatory provisions of Chapter 36 do not apply to lands under the jurisdiction of federal or state agencies, and that the inclusion of such lands in the Open Space District is for planning and mapping purposes only; and

**WHEREAS**, the Town Council finds that adding an applicability section and renumbering the subsequent sections of Chapter 36 accordingly is in the best interests of the health, safety, and welfare of the residents of Virgin Town.

**NOW THEREFORE**, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF  
VIRGIN, UTAH AS FOLLOWS:

**SECTION 1. RENUMBERING.** Sections 36.06 through 36.12 of Title 16, Chapter 36 of the Virgin Municipal Code are hereby renumbered as Sections 36.08 through 36.16, respectively, to accommodate the addition of new Section 36.06 as set forth in Section 2 of this Ordinance.

**SECTION 2. ADDITION OF NEW SECTION 36.06 APPLICABILITY.** Title 16, Chapter 36 of the Virgin Municipal Code is hereby amended by adding new Section 36.06 to read as follows:

**36.06 APPLICABILITY.**

The use standards, conditional use requirements, and prohibited use provisions of this Chapter shall not apply to lands administered by the Bureau of Land Management, the State of Utah, or any other federal, state, or governmental agency, which are subject to the jurisdiction of such agencies under applicable federal and state law. The inclusion of such land within the Open Space District is for planning and mapping purposes only and shall not be construed as an assertion of regulatory authority over such lands by the Town of Virgin.

**SECTION 3. AMENDMENT – SECTION 36.04 LOCATION.** Section 36.04 of Title 16, Chapter 36 of the Virgin Municipal Code is hereby amended to add the following sentence at the end:

The inclusion of such lands in this District is for planning and mapping purposes only, subject to Section 36.06.

**SECTION 4. REPEALER.** All Virgin Town ordinances, resolutions, or parts thereof which are in conflict herewith are hereby repealed.

**SECTION 5. SEVERABILITY.** 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 Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect immediately upon adoption and posting as required by law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE OF UTAH, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2026.

Council Person:

Valerie Wenz	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
April McKeon	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Paul Luwe	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
James Kietzman	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

Jean Krause            AYE        \_\_\_\_\_    NAE        \_\_\_\_\_    ABSTAIN        \_\_\_\_\_    ABSENT        \_\_\_\_\_  
Mayor

VIRGIN TOWN  
a Utah municipal corporation

ATTEST:

\_\_\_\_\_  
Jean Krause, Mayor

\_\_\_\_\_  
Krystal Percival, Town Clerk/Recorder

RECORDED this \_\_\_\_\_ day of \_\_\_\_\_ 2026

PUBLISHED or POSTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Clerk/Recorder of Virgin, Utah, hereby certifies that the foregoing Ordinance was duly passed and published or posted via Class A Notice at:

- 1) Utah Public Notice website
- 2) Virgin Town website, [www.virgin.utah.gov](http://www.virgin.utah.gov)
- 3) Virgin Town Hall

\_\_\_\_\_  
Krystal Percival, Town Clerk/Recorder  
Virgin Town, Utah