

1 VIRGIN TOWN

2 ORDINANCE NO. 2026-XX

3
4 AN ORDINANCE AMENDING AND RESTATING CHAPTER 16.20 OF THE VIRGIN
5 MUNICIPAL CODE TO ESTABLISH A JOINT UTILITY COMMITTEE (JUC), AMENDING
6 SUBSECTION 16.18.12(F)(1) TO DESIGNATE THE COMMUNITY DEVELOPMENT
7 DIRECTOR AS THE ADMINISTRATIVE LAND USE AUTHORITY FOR FINAL PLAT
8 APPROVAL, REPEALING REFERENCES TO THE DEVELOPMENT REVIEW COMMITTEE,
9 AND PROVIDING FOR COORDINATED UTILITY REVIEW OF DEVELOPMENT
10 APPLICATIONS

11
12 RECITALS

13 **WHEREAS**, Virgin Town is a municipal corporation and political subdivision of the
14 State of Utah, organized and existing under the provisions of Utah Code Annotated Title
15 10; and

16 **WHEREAS**, pursuant to Utah Code Annotated 10-20-501, the Town Council of Virgin
17 Town is authorized to designate by ordinance those bodies and officials who act as land
18 use authorities or who conduct technical and administrative review of development
19 applications; and

20 **WHEREAS**, the Town has previously established a Development Review Committee
21 (DRC) to review development applications, which process is now inconsistent with current
22 statutory and administrative procedures; and

23 **WHEREAS**, the Town Council further finds it necessary to amend Subsection
24 16.18.12(F)(1) to designate the Community Development Director as the Town's
25 Administrative Land Use Authority for Final Plat approvals, thereby ensuring consistency
26 with the administrative responsibilities established in Chapter 16.20; and

27 **WHEREAS**, the Town Council finds it necessary and appropriate to replace the DRC
28 with a Joint Utility Committee (JUC) to serve as the Town's coordinating body for the
29 technical review of utility and infrastructure plans associated with land use and
30 development activities; and

31 **WHEREAS**, the JUC is intended to perform technical and administrative
32 coordination only and shall not act as a land use authority, appeal authority, or
33 recommending body under Utah Code Annotated Title 10, Chapter 20; and

34 **WHEREAS**, the Town Council finds that the adoption of this ordinance will promote
35 consistency, efficiency, and accountability in the Town’s development review process and
36 protect the health, safety, and welfare of the community;

37

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

40 **SECTION 1. AMENDMENT AND RESTATEMENT OF CHAPTER 16.20.** Chapter 16.20
41 of the Virgin Municipal Code (VMC) is hereby amended and restated in its entirety to read
42 as follows:

43

44 **16.20 - Joint Utility Committee**

45 **16.20.02 – Purpose**

46 The purpose of the Joint Utility Committee (“JUC”) is to coordinate the technical review of
47 all development projects within Virgin Town that involve public or private utility
48 infrastructure. The JUC facilitates communication and cooperation between the Town and
49 utility providers, ensures that proposed utility designs are compatible and free of conflicts,
50 verifies compliance with the Town standards and specifications, and confirms that
51 adequate utility services are available and properly designed prior to issuance of building
52 permits or recordation of a final plat. The JUC functions solely as a technical coordination
53 body and shall not act as a land-use authority, appeal authority, or recommending body
54 under Utah Code Annotated, Title 10, Chapter 20. The JUC performs administrative and
55 advisory duties only and is not a “public body” as defined in Utah Code Annotated 52-4-
56 103(7).

57 **16.20.04 – Establishment of the Joint Utility Committee**

58 There is hereby established a Joint Utility Committee (JUC) for the Town of Virgin, Utah.
59 The JUC is created to provide an organized forum for the coordination of utility
60 infrastructure associated with new development and redevelopment projects within the
61 Town.

62 A. **ADMINISTRATION.** The JUC shall be administered by the Community Development
63 Director. The Community Development Director may designate another qualified
64 staff member to act in this capacity when necessary.

65 B. **MEMBERSHIP.** The JUC shall consist of Town staff and representatives of utility and
66 service providers as follows:

- 67 1. The Virgin Town Community Development Director.
- 68 2. The Virgin Town Zoning Administrator, or designee.
- 69 3. The Virgin Town Engineer.
- 70 4. The Virgin Town Public Works Director (or Town employee who is tasked with
- 71 the responsibility of overseeing and maintaining of the roads, rights of way,
- 72 water system, properties, and public improvements of the Town).
- 73 5. A representative of the Hurricane Valley Fire District.
- 74 6. A representative of the Ash Creek Special Service District.
- 75 7. Representatives from telecommunications, electric utilities, natural gas, or other
- 76 utility providers operating within the Town, as deemed appropriate by the
- 77 Community Development Director.
- 78 C. PARTICIPATION. Representatives from additional agencies, utility companies, or
- 79 service districts may be invited to participate in JUC review as needed for a
- 80 particular project. Attendance may be in person or virtual, and participation shall be
- 81 coordinated by the Community Development Director.
- 82 D. STATUS. The JUC functions in an administrative and technical capacity only and has
- 83 no decision-making authority. It shall not make formal recommendations to the
- 84 Planning and Zoning Commission, Town Council, or any other public body and is
- 85 not a "public body" as defined in Utah Code Annotated 52-4-103(7).

86

87 **16.20.10 - Meetings and Procedures**

88 The Joint Utility Committee (JUC) shall operate under the general direction of the
89 Community Development Director to ensure timely and coordinated utility review for
90 development projects within the Town.

91 A. METHOD OF COORDINATION. The JUC may conduct coordination through in-
92 person or virtual meetings, electronic plan distribution, or other methods of
93 communication as determined appropriate by the Community Development
94 Director. A formal meeting is not required for every project. When electronic
95 coordination is used, the Community Development Director shall ensure that
96 utility comments and responses are documented in the project file.

97 B. SCHEDULING AND PARTICIPATION.

- 98 1. Meetings of the JUC may be held as needed at the discretion of the
- 99 Community Development Director when in-person or group discussion will
- 100 facilitate coordination.

- 101 2. When a meeting is not held, the Community Development Director may
102 distribute plans and comments electronically to utility representatives and
103 coordinate revisions through digital or written correspondence.
- 104 3. Participation in JUC coordination, whether by meeting or by other means, shall
105 be limited to Town staff, utility representatives, and the applicant or authorized
106 agents, unless otherwise approved by the Community Development Director.
- 107 C. REVIEW MATERIALS: The Community Development Director shall provide to all
108 JUC participants the necessary development plans, utility drawings, and
109 supporting documents submitted by the applicant. Plans may be distributed in
110 digital format through the Town's electronic plan review system or other
111 acceptable means.
- 112 D. DOCUMENTATION. The Community Development Director shall maintain
113 administrative records of utility comments, correspondence, and sign-off sheets as
114 part of each project file. Such documentation shall serve as the official record of
115 JUC coordination.
- 116 E. NATURE OF FUNCTION: The JUC's role is limited to the coordination of technical
117 and utility-related issues and does not extend to approval or denial of land-use
118 applications.

119 **16.20.12 – Functions and Duties**

120 The Joint Utility Committee (JUC) shall serve as the Town's coordinating body for the
121 review of proposed utility infrastructure, subdivision improvement plans, and site plans
122 associated with land use and development projects within the Town. The JUC shall act
123 under the direction of the Community Development Director and perform the following
124 functions and duties:

- 125 A. PLAN REVIEW. Review subdivision improvement plans, site plans, and related
126 utility and infrastructure drawings to ensure compatibility among all service
127 providers, including but not limited to culinary water, sanitary sewer, storm
128 drainage, irrigation, power, natural gas, telecommunications, and fiber.
- 129 B. CONFLICT IDENTIFICATION. Identify and assist in resolving potential conflicts
130 among utility alignments, easements, crossings, trench locations, or other
131 infrastructure elements prior to construction or final plat recordation.
- 132 C. COMPLIANCE VERIFICATION. Verify that proposed subdivision improvement plans
133 and utility designs conform to the Town's adopted engineering standards,
134 specifications, construction details, and any applicable regional or interlocal
135 standards.

- 136 D. COMPOSITE UTILITY PLAN COORDINATION. Facilitate the preparation, circulation,
137 and review of a composite utility plan showing the alignment and location of all
138 utilities, easements, and service connections for each project.
- 139 E. AGENCY COORDINATION. Distribute subdivision improvement plans, site plans,
140 and utility drawings to all relevant service providers and coordinate review
141 comments, required revisions, and responses between the applicant, Town staff,
142 and participating agencies.
- 143 F. SIGN-OFF DOCUMENTATION. Maintain, or cause to be maintained, a JUC Sign-
144 Off Sheet or similar record showing acknowledgment or concurrence from each
145 participating utility provider and reviewing agency. The sign-off sheet may be
146 required prior to the issuance of building permits, commencement of
147 construction, or recordation of a final plat, or other applicable permits as
148 determined by the Town.
- 149 1. Deemed Approval for External Utility Representatives: Where a reviewing
150 agency, utility provider, or service district that is not a Town department or
151 Town employee fails to submit written comments, objections, or a signed
152 concurrence within thirty (30) calendar days of the date the Community
153 Development Director distributes plans and documents for review, that
154 representative shall be deemed to have no objection to the proposed
155 utility and infrastructure plans as distributed. The deemed approval shall be
156 documented in the project file.
- 157
- 158 The thirty (30) day default period shall be superseded by any review period
159 established by the ordinance governing the applicable application type.
160 Where a controlling ordinance establishes a different review period, that
161 period shall govern in lieu of the thirty (30) day default.
- 162
- 163 If the applicant submits revised or supplemental plans following a deemed
164 approval, the applicable review period shall restart from the date the
165 revised materials are distributed to the affected representatives.
- 166 G. TECHNICAL ASSISTANCE. Provide technical input to Town staff, applicants, and
167 utility providers regarding utility placement, sequencing, trench design,
168 construction timing, and standards for shared infrastructure corridors.
- 169 H. ADVISORY NATURE. The JUC performs technical and administrative coordination
170 only. It shall not issue land-use approvals, impose conditions of approval, or make
171 recommendations to the Planning and Zoning Commission, Town Council, or any
172 other land-use authority.

173 16.20.14 – Coordination with Land Use Authorities

174 The Joint Utility Committee (JUC) shall operate in coordination with the Town's
175 established land use authorities to support timely, orderly, and compliant review of
176 subdivision and development applications. The JUC's review shall occur prior to
177 consideration of such applications by the designated land use authorities to ensure that
178 all proposed utility and infrastructure designs are technically feasible and consistent with
179 Town standards.

180 A. PRE-HEARING COORDINATION:

- 181 1. Applications that include or require subdivision improvement plans, site
182 plans, or utility infrastructure drawings shall be routed to the JUC
183 immediately upon determination of completeness under the Town's
184 adopted application process.
- 185 2. The JUC shall review such plans, provide written comments, and coordinate
186 with the applicant and utility providers to resolve identified conflicts before
187 the application is scheduled for review by the applicable land use authority.
- 188 3. The Town shall verify that JUC coordination is substantially complete before
189 the item is placed on a public agenda for review or action.

190 B. IMPROVEMENT PLAN COMPLETION PRIOR TO FINAL PLAT APPROVAL:

- 191 1. The JUC shall complete coordination and review of subdivision
192 improvement plans prior to final plat approval, in accordance with the
193 procedures and sequencing established Town's adopted land use and
194 subdivision review ordinances.
- 195 2. Required utility sign-offs shall be obtained and documented before the
196 final plat approval or authorization for plat recordation, consistent with
197 applicable Town ordinances governing review processes.

198 C. CONCURRENT REVIEW OF SITE PLANS. For projects not requiring a subdivision
199 plat, the JUC shall complete review of utility and improvement plans prior to or
200 concurrent with site plan approval to ensure adequate utility capacity and design
201 compliance.

202 D. ADVISORY ROLE TO LEGISLATIVE AND QUASI-JUDICIAL BODIES. The JUC may
203 provide technical input or clarification to the applicable land use authority upon
204 request, but shall not make recommendations on the approval or denial of land-
205 use applications.

206 E. CONSISTENCY WITH OTHER ORDINANCES. The procedures established in this
207 Chapter shall be interpreted and applied in harmony with the requirements of any
208 other ordinances that establish review or approval processes within the Town.
209 Where this Chapter is silent, or where procedural differences occur, the provisions
210 of the controlling ordinance governing the applicable review process shall prevail.

211 16.20.16 – Records and Administration

244 RECORDED this ____ day of _____, 20__.

245 PUBLISHED OR POSTED this ____ day of _____, 20__.

246 **CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

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

- 250 1) *Utah Public Notice website*
- 251 2) *Virgin Town website, www.virgin.utah.gov*
- 252 3) *Virgin Town Hall*

253

254 _____

255 Krystal Percival, Town Clerk/Recorder

256 Virgin Town, Utah