



To: Mayor and Town Council Members

From: Mark C. Meyers, Town Manager

Date: September 3, 2026

Subject: Ordinance Recodification/Renumbering

Background

Mayor Krause and I have been working with CivicPlus to get our municipal and zoning codes updated and codified. There are two years of ordinances that have not yet been codified and added to our online codes. During this process, a potential numbering issue was identified. To address and correct this, staff is recommending an ordinance that authorizes CivicPlus to make any such corrections on the Town's behalf during the codification process.

Attached is an ordinance drafted by Town Attorney Heath Snow for discussion at the September 9, 2026, council work meeting.

Recommendation

Staff recommends the Town Council consider adopting the draft ordinance authorizing CivicPlus to make any necessary corrections to municipal and zoning code numbering as part of the codification process.

VIRGIN TOWN
ORDINANCE NO. 2026-XX



AN ORDINANCE DELEGATING LIMITED AUTHORITY TO MAKE NONSUBSTANTIVE, CLERICAL, AND EDITORIAL CORRECTIONS IN THE COURSE OF CODIFYING THE VIRGIN MUNICIPAL CODE.

RECITALS

WHEREAS Virgin Town (“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.

WHEREAS pursuant to Utah Code Ann. § 10-3-707, a municipality is authorized to revise, codify, compile, and publish its ordinances and to make such changes, alterations, modifications, additions, and substitutions as necessary to present a complete and simplified code with errors, inconsistencies, repetitions, and ambiguities eliminated.

WHEREAS Utah Code Ann. §§ 10-3-707 through 10-3-711 further authorize municipalities to arrange, adopt, publish, and maintain a codification of their ordinances.

WHEREAS the Town Council finds that the efficient compilation, supplementation, maintenance, and publication of the Virgin Municipal Code (“VMC”) necessarily involves technical, clerical, organizational, and editorial changes that do not alter the substantive meaning, intent, or legal effect of the ordinances adopted by the Town Council.

WHEREAS the Town Council desires to expressly authorize the Town’s codifier to make such non-substantive corrections in the course of codifying and maintaining the VMC, while reserving to the Town Council all legislative authority to make substantive changes to Town ordinances.

ORDINANCE

NOW THEREFORE, BE IT ORDAINED by the Town Council of Virgin Town, Utah, as follows:

1. Adoption of Title 1, New Chapter 3. Chapter 3 (Codification of Virgin Municipal Code) of Title 1 (General Code Provisions) of the VMC is hereby adopted and enacted as follows:

1.03 - Codification of Virgin Municipal Code.

1.03.01 – Codification Authorized.

Pursuant to Utah Code Ann. § 10-3-707, the Town’s codifier is delegated authority to compile or arrange for the compilation of ordinances of a general and permanent

nature as the Virgin Municipal Code and to incorporate subsequently adopted ordinances of a general and permanent nature into the Virgin Municipal Code.

1.03.02 – Authority for Non-Substantive Corrections.

In compiling, supplementing, maintaining, or publishing the Virgin Municipal Code, the Town's codifier, in consultation with the Town Attorney and Town Recorder as necessary, is authorized to make strictly no-substantive technical, clerical, organizational, or editorial corrections, provided that no such correction alters the substantive meaning, legislative intent, or legal effect of an ordinance as adopted by the Town Council. Such authority includes:

- A. correcting typographical, spelling, grammatical, punctuation, scrivener's, and other manifest errors apparent from the ordinance as adopted;*
- B. correcting or conforming internal cross-references and citations, and updating citations or references to provisions of Utah law that have been renumbered, recodified, or otherwise changed, provided the applicable successor provision is clear and the correction does not require a substantive legal determination;*
- C. correcting or standardizing numbering, lettering, capitalization, fonts, margins, indentation, bullet styles, formatting, and other matters of style or presentation to conform to the Virgin Municipal Code or the Town's applicable formatting standards;*
- D. creating or standardizing titles, chapter and section numbers, headings, captions, tables of contents, and other organizational components;*
- E. renumbering, re-lettering, rearranging, or relocating provisions and conforming affected cross-references as necessary to incorporate ordinances into the Virgin Municipal Code;*
- F. removing or conforming ordinance numbers, adoption clauses, signatures, attestations, effective-date provisions, severability clauses, repealer clauses, and other formal or temporary provisions not intended for permanent codification, as authorized by Utah law; and*
- G. making other strictly non-substantive technical, clerical, organizational, or editorial corrections consistent with the authority granted by this Section.*

1.03.03 – Limitations on Delegated Authority.

A. The authority granted by this Ordinance is administrative and editorial only and shall not be construed as a delegation of legislative authority. Neither the Town's codifier nor Town administrative staff may, through codification:

- 1. alter the substantive meaning, legislative intent, or legal scope of an ordinance, including by expanding or narrowing its application;*
- 2. change any fee, fine, penalty, classification, or enforcement mechanism;*
- 3. independently resolve a conflict or substantive ambiguity between ordinances or provisions of the Virgin Municipal Code; or*
- 4. create new law or otherwise make any change requiring the exercise of legislative or legal judgment or discretion..*

B. Any proposed correction for which there is a reasonable question as to whether the correction is substantive, or which would require an action prohibited by Subsection A, shall be referred to the Town Attorney for review and, when appropriate, to the Town Council for formal legislative action.

2. Repealer. All Virgin Town ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

3. 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.

4. Effective Date. This Ordinance shall take effect immediately upon adoption and posting as required by law.

(Signatures to Follow)

PASSED AND ADOPTED by the Town Council of Virgin Town, State of Utah, on the ____ day of _____, 2026 by the following vote:

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 <i>Mayor</i>	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

VIRGIN TOWN
a Utah municipal corporation

Attest:

Jean Krause, Mayor

Krystal Percival, Town Recorder

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Recorder of Virgin Town, Utah, hereby certify 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*
- 3) *Virgin Town Hall*

Krystal Percival, Town Recorder