

- f. In addition to the main house, the second structure (small, converted cabin) may be utilized during the day for consultations, office space and possibly massage therapy. This structure shall not be utilized for sleeping.
- 5. The non-transferable business license will be renewed upon passing annual inspection by the Fire Marshal and timely payment of the annual business license fees as long as the stipulations associated with the business are maintained.

Upon The Retreat at Zion providing evidence that all conditions are met except State Licensure, the Town Clerk shall notify the State of Utah and the State of Utah shall issue its license and the Town of Rockville shall concurrently issue the business license, provided the State of Utah is issuing its license, which shall carry with it a concurrently permitted special use to allow The Retreat at Zion the uses of the subject property in the zone, under the effects and applicable Utah law of the Federal Fair Housing Act and under the effects of Utah Administrative Code Rule 501-19 Residential Treatment Programs.

THIS ORDINANCE shall become effective immediately upon signature.

DATED THIS 12th day of July, 2017.

TOWN OF ROCKVILLE

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

ATTEST:

\_\_\_\_\_  
Town Clerk

**ORDINANCE NO. 17-0712-01**

**AN ORDINANCE PROHIBITING OPEN FIRES AND THE USE OF FIREWORKS WITHIN THE TOWN OF ROCKVILLE DURING THE 2017 FIRE SEASON**

WHEREAS, the Rockville Town Council, in conjunction with the Rockville/Springdale Fire Protection District, has a desire to reduce the threat of wild fires within the Town limits which may cause extensive damage within the Town; and

WHEREAS, weather and natural resource conditions have combined to provide a very high level of light fuels (grasses and other light vegetation) in the Rockville area; and

WHEREAS, the National Interagency Fire Center (NIFC) Predictive Unit is forecasting above normal potential for significant fire activity in the western states; and

WHEREAS, regional fire agencies in Southwest Utah have implemented restrictions on fires on public lands due to dry conditions and high fire danger; and

WHEREAS, the Town of Rockville contains a significant amount of Wildland Urban Interface; and

WHEREAS, the Utah Division of Forestry, Fire and State Lands identifies the Town of Rockville as a community at high risk for wildfire; and

WHEREAS, the use of explosive and other fireworks within the Town of Rockville substantially increase the risk of fires and under current conditions is a direct threat to the community at large; and

WHEREAS, the State of Utah has created the Utah Fireworks Act as found in U.C.A. Section 53-7-225 et seq. which allows the discharge of Class C common state approved explosives beginning on July 1 through July 7<sup>th</sup>; beginning on July 21<sup>st</sup> through July 27<sup>th</sup> beginning at 11 a.m. on December 31 and ending at 1 a.m. on the following day; and

WHEREAS, pursuant to the authority of the Fire Marshal and U.C.A. sections 53-7-103 and 104, it is the intent of the Town Council to adopt a valid time, place and manner regulation on the use of fireworks that does not conflict with U.C.A. Sections 53-7-220 through 53-7-225; and

WHEREAS, this ordinance is based on specific and hazardous environmental factors identified by the Rockville/Springdale Fire Protection district as being high risk for catastrophic wildland fire and is effective for only one "fire season" and is not a general permanent regulation in conflict with U.C.A. Sections 53-7-220 through 53-7-225; and

WHEREAS, pursuant to U.C.A. Section 53-7-225, the Town Council has the authority to prohibit the ignition or use of any ignition source within the Wildland Urban Interface due to hazardous environmental factors, which is found throughout the Town of Rockville.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Rockville as follows:

SECTION 1. FIRE SEASON. The Town Council hereby finds and determines that the high risk fire season for the year 2017 shall be from June 1, 2017 through September 15, 2017.

SECTION 2. LOCATION WITHIN ROCKVILLE. All the lands within the town limits of Rockville are included in this ordinance

SECTION 3. FIREWORKS. The use of any and all Class C fireworks shall be prohibited within the Town of Rockville during the entirety of the 2017 high risk fire season. Class C fireworks as defined by Utah Code Ann. (U.C.A.) Section 53-7-202(4)-(6).

SECTION 4. OPEN FIRES. All open fires (to include all fires in open fire pits) are prohibited during the 2017 high risk fire season. "Open fire" does not include the following:

- a) The use of LPG gas/natural gas and charcoal briquettes in contained BBQ grills, covered stoves and devices (i.e. Coleman stoves, Weber, or other BBQ grills; or
- b) A fire in an approved fire pit at a private residence with the following stipulation(s):
  - a. No fires shall be left unattended.

SECTION 5. VIOLATIONS. Violations of this Ordinance shall be deemed a Class B misdemeanor and shall be punishable as provided for in Town Code.

SECTION 6. EFFECTIVE DATE. Severance Clause: Due to immediate fire danger and the Town Council's finding of necessity due to the immediate preservation of the peace, health and safety of the Town, this Ordinance shall become effective immediately upon its approval and passage. If any provision of this Ordinance or the application of any provision of this Ordinance is found invalid, the remainder of this Ordinance shall be given effect without the invalid provision or application.

PASSED AND ADOPTED THIS 12<sup>th</sup> day of July, 2017.

TOWN OF ROCKVILLE

\_\_\_\_\_  
Pam Leach, Mayor

\_\_\_\_\_  
V. Terry Bell, Councilmember

\_\_\_\_\_  
Barry Sochat, Councilmember

\_\_\_\_\_  
Megan Honer-Orton, Councilmember

ATTEST:

\_\_\_\_\_  
Vicki S. Bell, Town Clerk

The foregoing Ordinance 17-0712-01 was posted in the cabinet on the north side of SR-9 near Dennett Lane, the foyer of the Rockville Town Office, and the cabinet on the north side of SR-9 near Bridge Road by \_\_\_\_\_ at approximately \_\_\_\_\_ AM/PM on \_\_\_\_\_.

\_\_\_\_\_

**RESOLUTION 17-0712-01**

**A RESOLUTION FOR APPOINTMENT OF A COUNCILMEMBER TO FILL A VACANCY FOR THE REMAINDER OF A TERM**

WHEREAS, Councilmember Mark Hartless was appointed to fill a vacancy for the remainder of that term ending December 31, 2017; and

WHEREAS, Councilmember Mark Hartless submitted his resignation on June 21, 2017 ; and

WHEREAS, said appointment left a vacancy on the Council for the term January 01, 2014 through December 31, 2017; and

WHEREAS, Utah State Code 20A-1-510(1)(a) states "...if any vacancy occurs in the office of municipal executive or member of a municipal legislative body, the municipal legislative body shall appoint a registered voter in the municipality who meets the qualifications for office established in Section 10-3-301 to fill the unexpired term of the office vacated until the January following the next municipal election."; and

WHEREAS, said vacancy was posted per Utah State Code 20A-1-510 and applications were accepted through the close of the business day March 14, 2016; and

WHEREAS, an application was received prior to the deadline to be presented to the Rockville Town Council for consideration; and

WHEREAS, the Council, in an open meeting, per Utah Code 20-A-1-510(2)(b)(ii), interviewed the person whose name was submitted for consideration and who meets the qualifications for office regarding the person's qualifications,

BE IT THEREFORE RESOLVED by the Rockville Town Council that, upon being administered the Oath of Office, \_\_\_\_\_ be appointed as Councilmember for the Town of Rockville for the remainder of the term ending December 31, 2017.

THIS RESOLUTION shall become effective immediately upon passage and signature.

PASSED THIS 12th day of July, 2017.

TOWN OF ROCKVILLE

\_\_\_\_\_  
Pam Leach, Mayor

ATTEST:

\_\_\_\_\_  
Vicki S. Bell, Town Clerk

**RESOLUTION 17-0712-02**

**A RESOLUTION TO DECLARE SURPLUS PROPERTY  
AND DONATE THE SAME**

WHEREAS, the Rockville Town Council has determined the DR 626 Sprint Trimmer/Mower, No. 112097 has ceased to be useful to the town and is, therefore, considered surplus property; and

WHEREAS, the Council has determined the value of the DR Trimmer/Mower to be less than \$100; and

WHEREAS, the Council has determined it would be in the best interest of the residents of Rockville to donate the DR Trimmer/Mower to the Church of Latter-Day Saints, Springdale Ward, to further their efforts in doing service projects for residents of Rockville and Springdale,

THEREFORE, BE IT RESOLVED by the Rockville Town Council to donate the DR Trimmer/Mower to the Church of Latter-Day Saints, Springdale Ward.

THIS RESOLUTION shall become effective immediately upon passage and signature.

DATED AND PASSED this 12<sup>th</sup> day of July, 2017.

\_\_\_\_\_  
Pam Leach, Mayor

ATTEST:

\_\_\_\_\_  
Vicki S. Bell, Town Clerk