

VIRGIN TOWN

ORDINANCE # 2019-19

AN ORDINANCE AMENDING, CLARIFYING AND RESTATING CHAPTER 1 GENERAL PROVISIONS & INTRODUCTION TO DEFINITIONS OF THE VIRGIN UNIFORM LAND USE ORDINANCES (“VULU”)

RECITALS

WHEREAS, Utah Code provides for the adoption and amendment of Town land use ordinances by the Land Use Authority, which in Virgin is the “Town Council with recommendation by the Planning and Zoning Commission”; and

WHEREAS, the Virgin Land Use Authority finds that Amending, Clarifying and Restating Virgin Town Code (VULU) Chapter 1 General Provisions & Introduction to Definitions, is required to meet the changing needs of the town; and

WHEREAS, the Virgin Land Use Authority finds that, to accommodate the towns desire to Accommodate and promote clarity and continuity throughout VULU.

WHEREAS, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on November 13, 2019, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on _____;

NOW, THEREFORE BE IT ORDAINED by the Land Use Authority of Virgin, Utah that, in order to provide for the health, safety and general welfare of the citizens of Virgin, Utah, the VULU Ordinance is hereby amended to incorporate the following changes:

ORDINANCE

NOW THEREFORE be it ordained by Virgin Town, Washington County, State of Utah, acting by and through the Town Council:

1.6 DEFINITIONS:

Campground: A place designated for the short-term occupancy of multiple groups or individuals, Excluding Dwellings.

Campground Cabin: A small building designed for the short-term occupancy of persons or groups contained within a campground.

Camp or Camping: The act of one or more overnight stays away from an individual’s home, either in the outdoors or in a temporary structure that has no individual permanent address.

Nonconforming Use: A land use that was established when allowed by a zoning ordinance, has been maintained continuously, but which would no longer be allowed due to an ordinance change.

Noncomplying Structure: A building or other artificial structure which complied with a zoning ordinance when it was built, but which would no longer comply due to ordinance changes. A structure can be noncomplying due to such things as setback or height requirements. A noncomplying structure may remain, even after the ordinance change.

1.9. DISTURBANCE OF PUBLIC WORKS

1.9.1. EXCAVATION PERMIT REQUIREMENTS

1.11.1. PERFORMANCE STANDARDS

No land or building in any district shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable fire, explosive, or other hazards; noise or vibration, smoke, dust, odor, or other form of air pollution; heat, cold, dampness, glare, liquid or solid refuse or wastes; or other substance, condition or element in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises. The foregoing is hereinafter referred to as “dangerous and objectionable elements”, no use shall be undertaken or maintained unless it conforms to the regulations of this Chapter in addition to the regulations set forth for the district in which such use is situated.

1.12.1. ENFORCEMENT

The Virgin Town Zoning Administrator is authorized as the officer charged with the enforcement of this ordinance. It shall be the duty of Zoning Administrator to enforce the provisions of this ordinance, and shall enforce all provisions, and the failure of the Zoning Administrator to do so shall not legalize any violations of such provisions

1. Severability. If any section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.
2. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.
3. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor.

ADOPTED AND APPROVED BY THE VIRGIN TOWN COUNCIL ORDINANCE NUMBER
2019-19 will become effective on this ____ day of _____, 2019 based upon the following vote:

Council Member:

Dan Snyder	AYE____	NAE____
LeRoy Thompson	AYE____	NAE____
Kevin Stout	AYE____	NAE____
Jay Lee	AYE____	NAE____
Matthew Spendlove, Mayor	AYE____	NAE____

VIRGIN TOWN
a Utah municipal corporation

Matthew Spendlove, Mayor

ATTEST:

Monica Bowcutt, Town Clerk