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 **For Review**

Chapter 1 – General Provisions & Introduction to Definitions

Section 1.6 –

**Current Wording**

**Proposed Wording**

Professional Staff. – The municipal staff currently including the Mayor, Town Clerk, Town Public Works Manager, Town Zoning Administrator, Town Engineer, and Town Attorney.

**Reasons for proposed changes**

1. This definition should be added as it allows the general public to know who are considered professional staff as well as who is involved when a decision is made at the staff level.
2. Decisions on the staff level are generally considered by those listed above
3. Level 1 decisions made by the Zoning Administrator are also examined by those listed above

**For Review**

Chapter 1 - General Provisions & Introduction to Definitions

**Current wording**

**Proposed Wording**

1.7.2.a. **Excavation**– Property owners may move dirt on their property without an excavation permit under the following conditions:

 1.7.2.a.i – The material remains on the site of construction

 1.7.2.a.ii - No outside material is brought to the site

 1.7.2.a.iii – No natural drainages are disturbed

1.7.2.b. In the event that natural drainages are to be disturbed, the Town Engineer or designee must do an on-site inspection prior to beginning work to ensure that remedies are in place that will protect other property owners and provide proper drainage.

1.7.2.c – The Town Engineer or designee must do a post work, on-site visit to ensure work was done correctly.

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**Reasons for proposed changes**

1. There is no current excavation ordinance that addresses excavation of private property.
2. The disturbance of natural drainages continues to create drainage issues in town.

**VIRGIN TOWN**

**ORDINANCE # 2020-01**

AN ORDINANCE AMENDING CHAPTER ONE 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 the existing Virgin Town Code (VULU) Chapter One, and the various sub sections found within, require updating to meet the changing needs of the town; and

 **WHEREAS**, the Virgin Land Use Authority finds that, to accommodate the towns desire to provide clarity and continuity within VULU; and

 **WHEREAS**, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on January 8, 2020, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on January 22, 2020;

 **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

**Professional Staff**. – The municipal staff; including the Mayor, Town Clerk, Town Public Works Manager, Town Zoning Administrator, Town Engineer, and Town Attorney.

1.7.2.a. **Excavation**– Property owners may move dirt on their property without an excavation permit under the following conditions:

 1.7.2.a.i – The material remains on the site of construction

 1.7.2.a.ii - No outside material is brought to the site of construction

 1.7.2.a.iii – No natural drainages are disturbed

1.7.2.b. In the event that natural drainages are to be disturbed, the Town Engineer or designee must do an on-site inspection prior to beginning work to ensure that remedies are in place that will protect other property owners and provide proper drainage.

1.7.2.c – The Town Engineer or designee must do a post work, on-site visit to ensure work was done correctly.

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.

1. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

1. 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 2020-01 will become effective on this 22 day of January, 2020 based upon the following vote:

 Council Member:

 Gene Garate 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