**For Review**

Chapter 1 - General Provisions & Introduction to Definitions

**Current wording**

1.7.2.a.iv – Not within ten feet (10’) of the property line

1.7.2.b. If natural drainages are being 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.

**Proposed Wording**

1.7.2.a.iv – Will not disturb damage, or affect neighboring structures, fences and/or properties.

1.7.2.b. If natural drainages are being disturbed, or neighboring structures, fences and/or property, may be disturbed, damage or affected , 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.

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**Reasons for proposed changes**

1. Current Ordinance is too vague and needs clarification.
2. Current Ordinance does not allow for minor excavation, such as lawn sprinklers, near property lines without a permit.

**VIRGIN TOWN**

**ORDINANCE #**  .

AN ORDINANCE AMMENDING THE EXCAVATION PERMIT REQUIREMENT EXEPTIONS IN VULU CHAPTER 1.

# RECITALS

**WHEREAS,** Virgin Town (“Town”) is an incorporated municipality duly organized under the laws of the State of Utah;

**WHEREAS,** the Town is authorized pursuant to Utah Code Annotated, Title 10, Chapter

9A, to enact ordinances necessary or appropriate for the use of land within the Town’s municipal boundaries;

**WHEREAS,** pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Virgin Town Council (“Town Council”) is designated as the governing body of the Town.

**WHEREAS,** the town wishes to accommodate minor and common private excavation.

**WHEREAS,** the Town, by and through its Town Council, has determined that it is in the best interests of the health, safety and general welfare of the Town and its residents to expressly define camping and moderate it throughout the Town, including public land located within the Town boundaries, except in existing campgrounds.

# ORDINANCE

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

1.7.2.a.iv – Will not disturb damage, or affect neighboring structures, fences and/or properties.

1.7.2.b. If natural drainages are being disturbed, or neighboring structures, fences and/or property, may be disturbed, damage or affected , 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.

**REQUEST FOR VIRGIN TOWN COUNCIL ACTION**

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| To: Mayor and City Council  |
| From: Planning and Zoning  |
| Date:  |
| Subject: Ordinance 2020-03  |
| Citizen comments summary:  |
| Recommendation:  |
| Background and Findings:  |
| Fiscal Impact:  |
| Supporting Documents: See P&Z meeting minutes. |
| This request prepared by: Cameron Spendlove |
| This request prepared on:  |