

ORDINANCE NO. 2022-11

AN ORDINANCE OF THE TOWN OF VIRGIN, UTAH, PROVIDING THAT THE VIRGIN MUNICIPAL CODE (VMC) BE AMENDED BY REVISING SECTION 3.06.030 ENTITLED “COMPENSATION” OF SAID CODE, PROVIDING THAT THE COMPENSATION OF ELECTED AND STATUTORY OFFICERS OF THE TOWN OF VIRGIN BE REVISED.

RECITALS

WHEREAS, Utah Code Section 10-3-818(1) provides that “elective and statutory officers of municipalities shall receive such compensation for their services as the governing body may fix by ordinance adopting compensation or compensation schedules enacted after public hearing”;

WHEREAS, Utah Code Section 10-3-818(4) provides that “after the conclusion of the public hearing, the governing body may enact an ordinance fixing, changing, or amending the compensation of any elective or appointive officer of the municipality or adopting a compensation schedule applicable to any officer or officers”;

WHEREAS, Utah Code Section 10-9a-301 provides for the appointment of planning commission, which are statutory/appointed officers of the Town;

WHEREAS, Utah Code Section 10-9-916(1) provides for the appointment of the recorder, which is a statutory/appointed officer of the Town, and Utah Code Section 10-1-104(9) provides that the term recorder applies to the town clerk.

WHEREAS, since the adoption of MPC Section 3.06.030 in 2015, the Town, without amending MPC Section 3.06.030, changed the compensation of the elected officials and planning and zoning commissioners to Mayor \$1,000, Town Councilmembers to \$350, Planning and Zoning Chair to \$325, and Planning and Zoning Commissioners \$250.

WHEREAS, a public hearing was held on July 27, 2022.

WHEREAS, the duties and work load of the elected and statutory/appointed officers have increased significantly requiring more time devoted to the effective administration of the Town;

WHEREAS, public service necessitates that the elected and statutory/appointed officers spend their own money in the service of the Town;

WHEREAS, the budget for FY 2022/2023 was adopted on May 25, 2022 which included the necessary funds for the new compensation; and

WHEREAS, the Town Council hereby finds that the elected and statutory/appointed officers should be fairly compensated for their time and expenses.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VIRGIN, UTAH:

Section 1. That section 3.06.030 of the Virgin Municipal Code of the Town of Virgin, Utah, be amended so that such section shall read as follows:

3.06.030 Compensation

The monthly compensation of the elected officers and statutory/appointed officers shall be as follows:

Mayor	~~\$400.00~~ <u>\$1,200.00</u>
<u>Town</u> Councilmembers	~~\$100.00~~ <u>\$400.00</u>
Planning and Zoning <u>Commission</u> Chair	~~\$85.00~~ <u>\$400.00</u>
Planning and Zoning Commissioners	~~\$65.00~~ <u>\$300.00</u>

And the annual salary of the Recorder/Town Clerk shall be as follows:

<u>Recorder/Town Clerk</u>	<u>\$56,000.00</u>
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Section 2. The aforementioned compensation shall be retroactive to July 1, 2022.

Section 3. 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.

Section 4. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

Section 5. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor with Compensation being made retroactive to July 1, 2022.

ADOPTED AND APPROVED BY THE VIRGIN TOWN COUNCIL ORDINANCE# 2022-__ will become effective on this 27th day of July 2022 based upon the following vote:

Council Member:

Gene Garate	AYE__	NAE__
LeRoy Thompson	AYE__	NAE__
Mistie Baird	AYE__	NAE__
Paul Luwe	AYE__	NAE__
Jean Krause, Mayor	AYE__	NAE__

VIRGIN TOWN
a Utah municipal corporation

Jean Krause, Mayor

ATTEST:

Krystal Percival, Town Clerk