

VIRGIN TOWN

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ORDINANCE # 2021-84

AN ORDINANCE AMENDING CHAPTER TWO 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 Two, 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 December 8, 2021, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on December 16, 2021;

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:

2.12 – DEFINITIONS

Substantial Improvement. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before "initial construction" of the improvement. This includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: (i) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (ii) any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure."
(move to S's)

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Public Improvements. Parks, streets, recreation, water, sewer, storm drains, irrigation, wells, hydrants, natural gas, street lighting, power, telephone, cable, and other similar facilities which are required to be dedicated to the Town in connection with subdivision/division of land, conditional use, or site plan approval. (move to P's)

Junk. Any or all worn out, cast off, or discarded article or material which is ready for destruction or removal from property for waste or salvage.

Local Jurisdiction. Any political subdivision of government. The Town of Virgin is the local jurisdiction of VULU. (Move to "L's")

Kennel. An establishment having (4) or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee or selling.

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 _____ will become effective on this 16th day of December, 2021 based upon the following vote:

Council Member:

Gene Garate	AYE_X__	NAE__
LeRoy Thompson	AYE_X__	NAE__
Kevin Stout	AYE_X__	NAE__
Jay Lee	AYE_X__	NAE__
Matthew Spendlove, Mayor	AYE_X__	NAE__

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VIRGIN TOWN

a Utah municipal corporation

Matthew Spendlove

Matthew Spendlove, Mayor

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ATTEST:

Krystal Percival

Krystal Percival, Town Clerk