

NOTICE AND AGENDA - AMENDED
TOWN COUNCIL
Town Council - Regular Meeting

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Wednesday, May 20th 2020**, commencing at **6:00 PM** or shortly thereafter.

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting <https://us02web.zoom.us/j/83907039464>

To call into meeting, dial (253) 215 8782 and use Meeting ID 839 0703 9464

The Agenda for the meeting is as follows:

Call to Order / Pledge of Allegiance / Roll Call

Mayor's Town Update

Declaration of Conflicts of Interest

CONSENT AGENDA

The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Council Member wishes to remove an item from the Consent Portion of the agenda, that item becomes the first order of business on the Regular Agenda.

- A. Approval of April 2020 Expenditure Report
- B. Approval of April 2020 Monthly Operational Budget Update
- C. Approval of minutes for April 1, 2020

DISCUSSION AND ACTION

1. Discussion and possible action on Memorandum of Understanding with Washington County Sheriff's Office
2. Discussion on Municipal Code 9.02.010 Washington County Code Adopted (Animal Control)
3. Discussion and possible action on amendments to 10.10.050 Rural Estates Zone, Ordinance O-2020-06. Planning Commission recommended 5/5
4. Discussion and possible action on amendments to 10.10.30 C Commercial Zones, Ordinance O-2020-11. Planning Commission recommended 5/5
5. Discussion and possible action on amendments to the Apple Valley General Plan, O-2020-08. Planning Commission recommended 5/5
6. Discussion and possible action on amendments to the Apple Valley General Plan Map, O-2020-07. Planning Commission recommended 5/5

7. Discussion and possible action on amendments to 10.28.230 Accessory Buildings and Accessory Uses General Requirements. Ordinance O-2020-10. Planning Commission recommended 5/5

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee – Tish Lisonbee/Debbie Kopp
Planning Commission – Janet Prentice/Michael McLaughlin
Fire Department – Chief Dave Zolg, Jr
Big Plains Water and Sewer SSD – Denny Bass
Code Enforcement – Rich Ososki/Paul Edwardsen
Roads and Storm Drainage –
Mosquito Abatement- Margaret Ososki
Council

PUBLIC COMMENTS

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

CERTIFICATE OF POSTING: I, Ben Billingsley, hereby certify that this notice was posted on the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the **19th day of May, 2020.**

Dated this 19th day of May, 2020

Ben Billingsley
Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should call 435-877-1190.

Town of Apple Valley
Check Register
Checking - SBSU - 04/01/2020 to 04/30/2020

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
El Cap Builders	4489	2161	04/09/2020	04/22/2020	19,480.00	Miner Drainage Project Progress	104415.610 - Public Works Storm Dr
Big Plains Water and Sewer SSD	4476	033120	03/31/2020	04/14/2020	13,638.14	Mar20 Water Sales Receipts	102340 - Due To/Big Plains Water P
Big Plains Water and Sewer SSD	4476	033120	03/31/2020	04/14/2020	10,528.29	Mar20 Impact Fee	102340 - Due To/Big Plains Water P
Washington County Solid Waste	4485	87231	03/31/2020	04/14/2020	3,556.85	Solid Waste	104420.460 - Solid Waste Service
Big Plains Water and Sewer SSD	4476	033120	03/31/2020	04/14/2020	3,430.80	Mar20 Bulk Meters	102340 - Due To/Big Plains Water P
Big Plains Water and Sewer SSD	4476	033120	03/31/2020	04/14/2020	2,691.60	Mar20 Water Standby Receipts	102340 - Due To/Big Plains Water P
Big Plains Water and Sewer SSD	4476	033120	03/31/2020	04/14/2020	2,500.00	Mar20 Connection Fee	102340 - Due To/Big Plains Water P
Gifford, Lance	4490	2020-007	04/20/2020	04/22/2020	1,694.00	2020-007 Inspector Fees	104141.350 - Building Inspector Fee
Price Nelson.	4487	041120	04/11/2020	04/14/2020	1,500.00	Grader Frog Repair	104410.550 - Road Equipment Main
Washington County Treasurer HC	4486	033120	04/13/2020	04/14/2020	1,309.69	2020 Q1 HCP Fee Remittance	102140 - HCP payable
Ford Motor Credit Company	04062010	24 - 2017 F550 V	04/06/2020	04/06/2020	934.48	Principal - 2017 F550 Vehicle Lease	104220.620 - Fire Principal
Zions Bank	04272012	10 - 2008 Dump	04/27/2020	04/27/2020	763.70	Principal - 2008 Dump Truck	104410.810 - Road Principal
Katom	CC	041720	04/08/2020	04/08/2020	530.00	To be class'd	101580 - Suspense
Utah League of Cities & Towns	4492	042220	04/22/2020	04/22/2020	439.93	ULCT Annual Membership	104141.210 - Admin Dues, subs &
Blackburn Propane	4477	023153	03/31/2020	04/14/2020	415.10	Propane	104141.270 - Admin Utilities
South Central Communications	4481	040120	04/01/2020	04/14/2020	380.41	Phone and Internet	104141.280 - Admin Telephone and
Rush Truck Center	CC	042420	04/27/2020	04/27/2020	288.23	Dump truck key tumblers	104410.550 - Road Equipment Main
Blackburn Propane	4488	023896	04/16/2020	04/22/2020	267.43	Propane	104141.270 - Admin Utilities
Revco Leasing	4480	563651	04/07/2020	04/14/2020	230.69	Printer Monthly Lease	104141.250 - Admin Equipment mai
AT&T	4475	040420	04/04/2020	04/14/2020	208.08	Cell Phones	104141.280 - Admin Telephone and
Ford Motor Credit Company	04062010	24 - 2017 F550 V	04/06/2020	04/06/2020	187.67	Interest - 2017 F550 Vehicle Lease	104220.610 - Fire Interest
XPress Bill Pay	ACH	040620	04/06/2020	04/06/2020	182.71	Xpress Monthly Support	104141.250 - Admin Equipment mai
Kopp, Debbie	4479	033120	03/31/2020	04/14/2020	167.04	Treasurer mileage reimbursement	104111.210 - Council Travel Reimbu
Rocky Mountain Power	ACH	042720	04/27/2020	04/27/2020	138.84	Monthly Power	104141.270 - Admin Utilities
Zions Bank	04272012	10 - 2008 Dump	04/27/2020	04/27/2020	116.68	Interest - 2008 Dump Truck	104410.820 - Road Interest
Republic Services	ACH	040720	04/07/2020	04/07/2020	95.81	Park Portable Toilet	104415.450 - Public Works Supplies
Wheeler Machinery Co.	CC	040220	04/02/2020	04/02/2020	81.02	Dump Truck tumbler	104410.550 - Road Equipment Main
Arizona Strip Landfill Corporation	4474	10155	03/20/2020	04/14/2020	80.00	Dumpster service	104420.460 - Solid Waste Service
Amazon.com	CC	042720	04/27/2020	04/27/2020	68.89	Red Tag Paper, Envelopes, Monitor Stand	104141.240 - Admin Office supplies
Amazon.com	CC	040820	04/08/2020	04/08/2020	61.86	Pens, staples, folders, map markers	104141.240 - Admin Office supplies
Steamroller Copies	4491	322003	03/20/2020	04/22/2020	53.88	PC Maps and Other Printing	104141.240 - Admin Office supplies
State of Utah-Dept of Commerce	4483	033120	04/14/2020	04/14/2020	47.23	2020 Q1 Permit Surcharge	102141 - UT State Construction Sur
The Spectrum	4484	3260430	03/31/2020	04/14/2020	43.75	March Notices	104141.220 - Admin Public notices
State of Utah	4482	03312020	04/14/2020	04/14/2020	25.00	State Entity Renewal	104141.210 - Admin Dues, subs &
Big Plains Water and Sewer SSD	4476	033120	03/31/2020	04/14/2020	21.47	Mar20 Will Serve Letters	102340 - Due To/Big Plains Water P
Key Man AAA Locksmith	CC	042920	04/29/2020	04/29/2020	20.28	Dump Truck/Grader Keys	104415.550 - Public Works Equipme
Zoom Video Communications Inc.	CC	040820	04/08/2020	04/08/2020	15.11	Electronic Meetings	104141.240 - Admin Office supplies
State of Utah-Dept of Commerce	4483	033120	04/14/2020	04/14/2020	-22.67	2020 Q1 Permit Surcharge	103221 - Building Permits-Fee
					\$66,171.99		

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2019 to 04/30/2020
83.33% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 General property taxes-current	104,505.83	0.00	108,647.87	107,216.00	101.34%
3120 Prior year's taxes-delinquent	10,336.88	2,132.55	9,948.82	6,500.00	153.06%
3130 General sales and use taxes	78,646.49	8,234.69	87,948.78	96,969.00	90.70%
3140 Energy and communication taxes	11,312.67	2,816.44	28,815.22	38,016.00	75.80%
3150 RAP Tax	7,863.55	820.49	9,612.78	9,846.00	97.63%
3160 Transient Taxes	1,475.08	288.09	1,662.14	1,360.00	122.22%
3170 Fee in lieu of personal property taxes	5,820.73	776.30	4,782.55	8,338.00	57.36%
3180 Fuel Tax Refund	119.28	0.00	0.00	0.00	0.00%
3190 Highway/Transit Tax	0.00	768.32	4,481.82	0.00	0.00%
Total Taxes	220,080.51	15,836.88	255,899.98	268,245.00	95.40%
Licenses and permits					
3210 Business licenses	2,475.00	0.00	3,475.00	3,464.00	100.32%
3221 Building Permits-Fee	27,406.68	4,742.74	27,457.96	38,513.00	71.30%
3222 Building Permits-Non Surcharge	3,371.70	685.62	3,864.66	6,286.00	61.48%
3223 Building permit - HCP Valuation	(9,764.06)	0.00	(1,732.42)	0.00	0.00%
3224 Building Permits Surcharge	229.87	0.00	0.00	0.00	0.00%
3225 Animal licenses	880.00	0.00	760.00	1,263.00	60.17%
Total Licenses and permits	24,599.19	5,428.36	33,825.20	49,526.00	68.30%
Intergovernmental revenue					
3342 Fire Dept-State Wildland Grant	0.00	0.00	0.00	10,000.00	0.00%
3356 Class "C" road allotment	66,773.15	0.00	71,423.12	78,681.00	90.78%
3358 Liquor control profits	697.45	0.00	845.23	875.00	96.60%
3370 State Grants	0.00	0.00	10,900.95	50,000.00	21.80%
Total Intergovernmental revenue	67,470.60	0.00	83,169.30	139,556.00	59.60%
Charges for services					
3410 Clerical services	21.25	0.00	25.00	0.00	0.00%
3416 Other Interdepartmental Charges	4,902.50	0.00	0.00	0.00	0.00%
3420 Fire Department Contracts	300.00	0.00	0.00	0.00	0.00%
3431 Zoning and subdivision fees	27,178.50	0.00	23,169.50	17,121.00	135.33%
3440 Solid waste	35,206.82	3,712.50	37,034.08	43,400.00	85.33%
3441 Storm Drainage	31,400.51	3,256.00	32,450.60	38,080.00	85.22%
3461 GRAMA requests	0.00	0.00	113.50	0.00	0.00%
3470 Park and recreation fees	30.00	0.00	55.00	0.00	0.00%
3615 Late charges	(214.17)	81.27	2,916.87	3,500.00	83.34%
Total Charges for services	98,825.41	7,049.77	95,764.55	102,101.00	93.79%
Fines and forfeitures					
3510 Fines	3,890.95	228.44	4,734.92	4,015.00	117.93%
Total Fines and forfeitures	3,890.95	228.44	4,734.92	4,015.00	117.93%
Interest					
3610 Interest earnings	3,849.62	40.31	5,153.20	3,226.00	159.74%
Total Interest	3,849.62	40.31	5,153.20	3,226.00	159.74%
Miscellaneous revenue					
3640 Sale of capital assets	650.00	0.00	0.00	0.00	0.00%
3690 Sundry revenue	0.00	0.00	127.70	0.00	0.00%
3692 Fire department fundraisers	946.80	0.00	1,200.00	1,000.00	120.00%
3697 Park department fundraisers	121.76	0.00	6,049.19	12,000.00	50.41%
3801.1 Impact fees - Fire	590.00	118.00	649.00	1,003.00	64.71%
3801.3 Impact fees - roadways	5,140.00	1,205.16	5,831.16	8,738.00	66.73%
3801.6 Impact fees - storm water	1,974.56	369.80	2,965.27	2,924.00	101.41%
3801.7 Impact fees - parks, trails, OS	1,410.00	282.00	1,551.00	2,397.00	64.71%
Total Miscellaneous revenue	10,833.12	1,974.96	18,373.32	28,062.00	65.47%
Contributions and transfers					
3802.7 Contributions - parks and recreation	100.00	0.00	0.00	0.00	0.00%
3890 Fund balance appropriation	0.00	0.00	0.00	57,000.00	0.00%
Total Contributions and transfers	100.00	0.00	0.00	57,000.00	0.00%
Total Revenue:	429,649.40	30,558.72	496,920.47	651,731.00	76.25%
Expenditures:					
General government					
Council					

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2019 to 04/30/2020
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	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4111.110 Council Salaries and wages	6,510.99	300.00	4,275.00	17,400.00	24.57%
4111.130 Council Employee benefits	2,466.64	22.96	110.23	1,331.00	8.28%
4111.210 Council Travel Reimbursement	181.26	148.48	1,422.20	1,764.00	80.62%
4111.220 Council Training	1,630.00	0.00	370.00	2,800.00	13.21%
4111.610 Council Donations and discretionary spending	0.00	0.00	0.00	1,000.00	0.00%
Total Council	10,788.89	471.44	6,177.43	24,295.00	25.43%
Administrative					
4141.110 Admin Salaries and wages	69,384.76	5,816.48	64,366.57	86,100.00	74.76%
4141.130 Admin Employee benefits	5,557.07	974.77	6,482.92	7,480.00	86.67%
4141.140 Admin Employee Retirement - GASB 68	2,301.38	354.44	8,168.96	10,720.00	76.20%
4141.210 Admin Dues, subs & memberships	816.92	464.93	938.11	905.00	103.66%
4141.220 Admin Public notices	876.41	21.95	558.09	1,200.00	46.51%
4141.230 Admin Clerk training	1,298.64	0.00	654.00	930.00	70.32%
4141.240 Admin Office supplies	3,766.74	215.02	3,411.20	4,300.00	79.33%
4141.250 Admin Equipment maintenance	5,038.81	413.40	4,146.89	5,049.00	82.13%
4141.260 Admin Building & ground maintenance	1,026.61	0.00	400.38	1,900.00	21.07%
4141.270 Admin Utilities	5,430.88	406.27	4,192.33	4,546.00	92.22%
4141.280 Admin Telephone and Internet	14,190.44	638.49	8,559.53	11,694.00	73.20%
4141.290 Admin Postage	1,456.55	0.00	2,870.10	2,900.00	98.97%
4141.320 Admin Engineering/Professional Fees	8,070.00	44,548.08	67,424.98	105,000.00	64.21%
4141.330 Admin Legal Wages and Contract Labor	4,561.97	3,002.42	34,687.28	41,300.00	83.99%
4141.340 Admin Accounting	12,868.13	0.00	3,998.66	4,000.00	99.97%
4141.350 Building Inspector Fees	14,381.28	3,002.23	17,606.14	25,418.00	69.27%
4141.360 Admin Education-general	0.00	0.00	0.00	299.00	0.00%
4141.390 Admin Bank service charges	2,633.46	0.00	2,736.78	4,403.00	62.16%
4141.410 Admin Insurance	9,854.57	0.00	9,813.26	9,900.00	99.12%
4141.490 Admin Travel reimbursements	593.46	0.00	154.86	200.00	77.43%
4141.500 Admin Weed abatement	386.99	0.00	975.00	0.00	0.00%
4141.740 Admin Capital outlay	1,060.00	0.00	0.00	0.00	0.00%
4170 Elections	0.00	0.00	867.21	900.00	96.36%
Total Administrative	165,555.07	59,858.48	243,013.25	329,144.00	73.83%
Total General government	176,343.96	60,329.92	249,190.68	353,439.00	70.50%
Public safety					
Police					
4210.110 Police Salaries & wages	1,080.00	0.00	0.00	0.00	0.00%
4210.130 Police Employee benefits	82.63	0.00	0.00	0.00	0.00%
4253.250 Animal Control Supplies	62.50	0.00	62.90	70.00	89.86%
Total Police	1,225.13	0.00	62.90	70.00	89.86%
Fire					
4220.110 Fire Salaries & wages	16,477.02	1,569.24	16,477.02	20,400.00	80.77%
4220.130 Fire Employee Benefits	1,662.21	120.06	1,446.18	1,700.00	85.07%
4220.210 Fire Dues, subscriptions & memberships	108.90	0.00	0.00	200.00	0.00%
4220.230 Fire Travel & mileage	27.52	0.00	282.05	600.00	47.01%
4220.240 Fire Office expenses	328.96	0.00	0.00	0.00	0.00%
4220.250 Fire Equipment maintenance & repairs	410.15	0.00	209.66	1,533.00	13.68%
4220.260 Fire Rent expense	0.00	0.00	741.60	0.00	0.00%
4220.360 Fire Training	1,239.05	0.00	310.39	0.00	0.00%
4220.450 Fire Small Equip/Supplies	375.87	0.00	1,129.92	1,524.00	74.14%
4220.460 Fire Supplies-Fundraisers	544.37	0.00	0.00	0.00	0.00%
4220.465 Fire Gear	1,677.65	0.00	1,394.46	2,234.00	62.42%
4220.475 Fire Other Grant Expenditures	0.00	0.00	962.89	0.00	0.00%
4220.560 Fire Equipment Fuel	1,812.08	0.00	1,053.74	2,000.00	52.69%
4220.610 Fire Interest	0.00	187.67	2,081.47	2,497.00	83.36%
4220.620 Fire Principal	0.00	934.48	9,140.03	10,969.00	83.33%
4220.740 Fire Capital outlay	304.50	0.00	0.00	5,000.00	0.00%
Total Fire	24,968.28	2,811.45	35,229.41	48,657.00	72.40%
Total Public safety	26,193.41	2,811.45	35,292.31	48,727.00	72.43%
Highways and public improvements					
Highways					
4410.110 Road Wages and Contract Labor	789.00	120.00	135.00	3,000.00	4.50%
4410.130 Road Employee benefits	60.36	9.18	10.33	230.00	4.49%
4410.270 Road Flood damage	3,537.67	0.00	0.00	0.00	0.00%
4410.380 Road Department Services	0.00	0.00	350.00	350.00	100.00%
4410.450 Road Department Supplies	5,263.31	0.00	818.27	3,000.00	27.28%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2019 to 04/30/2020
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	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4410.550 Road Equipment Maintenance	1,093.51	1,869.25	5,655.09	10,786.00	52.43%
4410.560 Road Equipment Fuel	1,330.52	0.00	3,945.18	5,500.00	71.73%
4410.740 Road Capital outlay	0.00	0.00	20,185.00	20,185.00	100.00%
4410.810 Road Principal	31,000.00	763.70	39,542.03	41,076.00	96.27%
4410.820 Road Interest	32,200.00	116.68	32,686.75	32,914.00	99.31%
4415.110 Public Works Wages and Contract Labor	7,642.00	60.00	1,507.50	2,948.00	51.14%
4415.130 Public Works Employee benefits	596.07	4.59	121.46	358.00	33.93%
4415.450 Public Works Supplies	93.93	95.81	2,557.48	3,012.00	84.91%
4415.550 Public Works Equipment Maintenance	3,753.32	20.28	666.72	1,600.00	41.67%
4415.560 Public Works Equipment fuel	576.31	0.00	557.57	1,000.00	55.76%
4415.570 Public Works Travel Reimbursement	196.10	0.00	101.76	0.00	0.00%
4415.610 Public Works Storm Drainage	0.00	19,480.00	19,480.00	36,000.00	54.11%
4415.710 Public Works Interest	0.00	0.00	2,199.36	2,199.00	100.02%
4415.720 Public Works Principle	0.00	0.00	13,860.64	13,861.00	100.00%
4415.740 Public Works Capital Outlay	3,700.00	0.00	0.00	0.00	0.00%
Total Highways	91,832.10	22,539.49	144,380.14	178,019.00	81.10%
Sanitation					
4420.460 Solid Waste Service	33,805.40	3,545.70	39,536.05	43,553.00	90.78%
Total Sanitation	33,805.40	3,545.70	39,536.05	43,553.00	90.78%
Total Highways and public improvements	125,637.50	26,085.19	183,916.19	221,572.00	83.01%
Parks, recreation, and public property					
Parks					
4540.110 Park/Rec Wages and Contract Labor	0.00	0.00	2,465.00	0.00	0.00%
4540.250 Park/Rec Department supplies	243.08	0.00	461.76	500.00	92.35%
4540.460 Park/Rec Community events supplies	759.63	0.00	0.00	500.00	0.00%
4540.740 Parks Capital outlay	0.00	0.00	2,650.85	15,000.00	17.67%
Total Parks	1,002.71	0.00	5,577.61	16,000.00	34.86%
Total Parks, recreation, and public property	1,002.71	0.00	5,577.61	16,000.00	34.86%
Debt service					
4141.810 Debt service - principal	22,811.03	0.00	0.00	0.00	0.00%
4141.820 Debt service - interest	5,592.62	0.00	0.00	0.00	0.00%
Total Debt service	28,403.65	0.00	0.00	0.00	0.00%
Transfers					
4811 Transfer to Fund Balance	0.00	0.00	0.00	11,993.00	0.00%
Total Transfers	0.00	0.00	0.00	11,993.00	0.00%
Total Expenditures:	357,581.23	89,226.56	473,976.79	651,731.00	72.73%
Total Change In Net Position	72,068.17	(58,667.84)	22,943.68	0.00	0.00%

OPENING

Mayor Lisonbee brought the meeting to order at 6:00 p.m. welcoming all in attendance and leading in the Pledge of Allegiance.

PRESENT

Mayor Marty Lisonbee
Councilmember Debbie Kopp
Councilmember Denny Bass
Councilmember Michael McLaughlin
Councilmember Paul Edwardsen

Deputy Clerk Ben Billingsley
Shawn Guzman

Mayor's Town Update

First Zoom Meeting for purpose of social distancing.

Declaration of Conflicts of Interest

No conflicts of interest declared

CONSENT AGENDA

- A. Approval of February 2020 Expenditure Report**
- B. Approval of February Monthly Operational Budget Update**

Councilmember Bass asks for clarification on the roads budget. The roads budget has been exceeded for this year; he asks if we will be revising the budget for this purpose. The mayor responds that we have money in that budget category that will be reallocated to that budget line.

MOTION:	Councilmember Kopp moves to accept the consent calendar as stated on the agenda.	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

DISCUSSION AND ACTION

- 1. Discussion and possible action on zone change application for AV-1379-A-1 from Rural Estates RE-2.5 to Commercial C-2. Applicant My Living LLC, Kaiser and Mary Usuf. Planning Commission recommended approval 5/0 conditional upon corrected affidavit.**

Forrest Kuehne mentioned that the parcels were not properly divided. Upon further research the Mayor found all necessary documentation and believes this was properly divided. Cabins are not allowed in the C2 zone. Our code limits cabins to 400 square feet. Mayor Lisonbee mentions that if we change to the C2 zone he could build anything that is allowed in that zone. The cottages he is considering are 500 square feet and over. Councilmember McLaughlin said the Planning Commission notes mention that this approval would only include a hotel.

MOTION:	Councilmember McLaughlin moves to approve the application for a zone change for AV-1379-A-1 from Rural Estates RE-2.5 to C-2	
SECOND:	Councilmember Edwardsen	
VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

- 2. Discussion and possible action on zone change application for AV-1335 from Commercial C-2 to Recreational Vehicle Park Zone. Applicant Aaron Stout. Planning Commission recommended denial 5/0.**

Aaron Stout mentions that this was originally a 10 acre lot. The lot was split to create a town road through the middle splitting the two lots into 5 acre lots. They wouldn't have donated the property for the road had they known that they would have more difficulty selling the property. They didn't know the town would limit RV zoned areas to 10 acre lots. He explains that this has negatively impacted them in selling the lot. Aaron would like to work with the town to merge these two properties so he has the 10 acre minimum required.

Councilmember Edwardsen mentions that we cannot read the future. It was a risk that Harold and Terry took.

MOTION:	Councilmember McLaughlin moves to table this discussion on action to the zone change for AV-1335 from Commercial C-2 to Recreational Vehicle Park Zone.	
SECOND:	Councilmember Bass	
VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye

Mayor Lisonbee

Aye

3. Public Hearing on Vacating a Portion of Main Street.

Mayor Lisonbee opens for public comment

No comments made

Mayor Lisonbee closes public comment

4. Discussion and possible action on Ordinance O-2020-XX Vacating a Portion of Main Street.

MOTION: Councilmember Kopp moves to accept ordinance O-2020-XX vacating a portion of Main Street subject to the acquisition of the right of ways from the land owners.

SECOND: Councilmember Bass

VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

5. Discussion and possible action on Town Lighting Ordinance O-2020-03

Ben adds that there are two proposals for the lighting ordinance. The first half is the recommendation from the Planning Commission the second half is a revision of that. The revision gives 18 months for people to bring their lighting into compliance. Attorney Guzman mentions that if in 18 months the council feels they need to extend that time frame they have the power to do so. Councilmember Edwardsen suggests that as that deadline draws nearer we will need someone to monitoring lighting and notifying people of the time they have to make the needed changes.

MOTION: Councilmember Edwardsen moves to approve Town Lighting Ordinance O-2020-03

SECOND: Councilmember McLaughlin

VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

6. Discussion and possible action on CIB Grant approval

The town secured a grant from CIB for \$20,000. This will allow the town to apply for FEMA funding. The mayor is asking the council if it is okay for him to sign off on receiving this grant money.

MOTION: Councilmember McLaughlin moves to accept the CIB grant approval.

SECOND: Councilmember Kopp

VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

7. Discussion and possible action on budgetary allocations.

Ben Billingsley goes through the budget and discusses the reallocations that need to happen. Ben recommends a quarterly review of the budget to make budgetary reallocations if necessary.

MOTION: Councilmember Kopp moves to accept the budgetary allocations as stated in the packet tonight.

SECOND: Councilmember Edwardsen

VOTE:	Councilmember Kopp	Aye
	Councilmember Bass	Aye
	Councilmember Edwardsen	Aye
	Councilmember McLaughlin	Aye
	Mayor Lisonbee	Aye

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Events Committee – Tish Lisonbee/Debbie Kopp- All Events are cancelled for now and most likely through the end of the year.

Planning Commission – Janet Prentice/Michael McLaughlin- Nothing to report

Fire Department – Chief Dave Zolg, Jr- Out on a call

Big Plains Water and Sewer SSD – Denny Bass- Nothing to report

Code Enforcement –Rich Ososki/Paul Edwardsen- On March 12th he put a stop work order on a piece of property. They took the red tag down. The Sherriff came out and verified the tag was down. They recommended that we contact Rachel about next steps for this. He reports on a few other items around town that need follow-up.

Roads and Storm Drainage – Nothing to report

MAYOR LISONBEE OPENS PUBLIC COMMENTS

No comments made

MAYOR CLOSSES PUBLIC COMMENTS

REQUEST FOR A CLOSED SESSION- no request for a closed session

ADJOURNMENT

MOTION: Councilmember Edwardsen moves to adjourn tonight’s meeting

SECOND: Councilmember Kopp

VOTE: Councilmember Kopp Aye

Councilmember Bass Aye

Councilmember Edwardsen Aye

Mayor Lisonbee Aye

Councilmember McLaughlin Aye

The vote was unanimous and the motion carried.

Meeting adjourned at 7:36 p.m.

Date approved: _____

Marty Lisonbee, Mayor

ATTEST BY: _____

AMENDED AGREEMENT

THIS AGREEMENT is entered into this 1st day of July 2020 between Washington County, hereinafter referred to as COUNTY, and The TOWN of APPLE VALLEY, hereinafter referred to as APPLE VALLEY.

RECITALS

WHEREAS, APPLE VALLEY is in need of additional patrol services from the Washington County Sheriff's Office; and

WHEREAS, the Washington County Sheriff's Office (COUNTY) is able to provide the additional patrol services APPLE VALLEY needs.

THEREFORE, it is hereby agreed as follows:

1. APPLE VALLEY shall pay the COUNTY the amount not to exceed \$15,000 (@\$45 per hour) for an average of 6 hours per week patrolled by Washington County Deputy Sheriffs in , APPLE VALLEY up to a total of 333 hours per year.
2. COUNTY shall not charge APPLE VALLEY for vehicle maintenance, supervision or clerical overhead related to the patrol hours provided by the Washington County Sheriff's Office, nor shall it charge APPLE VALLEY for town council representation. COUNTY shall bill APPLE VALLEY quarterly for its services and APPLE VALLEY shall pay COUNTY within ten (10) days of the date of COUNTY'S invoice.
3. The Washington County Sheriff's Office shall initially deploy additional patrol in APPLE VALLEY in 1 minute to 1.5 hour segments once a day, varying the times of the patrol, working towards a target of the average of 6 hours per week. The Washington County Sheriff's Office will adjust patrol hours per week based on patrol needs of the community.
4. The Washington County Sheriff's Office shall provide weekly reports of activity in APPLE VALLEY and shall be available at town council meetings when requested to respond to questions and concerns. As the program develops, the Washington County Sheriff's Office shall focus the patrol schedule on town specific concerns.
5. Authorization. Each individual executing this Agreement does represent and warrant to each other so signing that he or she has been duly authorized to sign this Agreement in the capacity and for the entities set forth where he or she so signs.
6. Utah Law to govern. This Agreement has been drawn and executed in the State of Utah. All questions concerning the meaning and intention of any of its terms or its validity shall be determined in accordance with the laws of the State of Utah.
7. Binding on successors in interest. This Agreement shall bind the parties hereto and their successors and heirs.

8. Agreement Not Assignable. It is hereby agreed by the parties that there will be no assignment or transfer of this Agreement, nor of any interest in this Agreement.

9. Recitals. The Recitals contained in this Agreement are incorporated into the Agreement.

10. Integration. All agreements heretofore made in the negotiation and preparation of this Agreement between the parties hereto are superseded by and merged into this Agreement, no statement or representation not embodied herein shall have any binding effect upon the parties hereto and there shall be no amendments hereto except those in writing signed by the parties hereto.

11. Time is of the essence. Time is of the essence with regard to this Agreement as to each covenant, term, condition, representation, warranty and provision hereof.

12. Paragraph headings. The paragraph and subparagraph headings used herein are for convenience only and shall not be considered in the interpretation of this Agreement.

13. Partial validity. If any portion of this Agreement shall be held invalid or inoperative, then insofar as is reasonable and possible:

- a. The remainder of this Agreement shall be considered valid and operative;
- and,
- b. Effect shall be given to the intent manifested by the portion held invalid or inoperative.

14. Waiver. The waiver by any party to this Agreement of a breach of any provision of this Agreement shall not be deemed to be a continuing waiver or a waiver of any subsequent breach, whether of the same or any other provision of this Agreement. Any waiver shall be in writing and signed by the waiving party.

15. Necessary Acts and Cooperation. The parties hereby agree to do any act and to execute any and all instruments required by this Agreement and which are necessary and proper to make effective the provisions of this Agreement.

16. Counterparts. This Agreement may be executed in counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

17. Default. Except as specifically provided for herein, a default by any party in an obligation set forth herein shall not result in, or be the basis for, the termination or rescission of this Agreement.

18. Termination. Either party may terminate this Agreement immediately for cause, or may terminate this Agreement without cause by delivering, in writing, a thirty (30) day notice of termination.

WASHINGTON COUNTY

Victor Iverson, Chair
Washington County Commission

Date:

ATTEST

Cory Pulsipher
Washington County Sheriff

Date:

Town of Apple Valley

Marty Lisonbee
Town of Apple Valley Mayor

Date:

ATTEST

Michelle Kinney
Apple Valley Recorder

Date:



Washington County Sheriff's Office

Total Traffic Citation Report, by Violation

<u>Violation</u>	<u>Description</u>	<u>Total</u>
32B-4-409(1)(E)	ALCOHOL-MINOR CONSUME	1
41-12A-303.2	INSURANCE-NO PROOF OF	1
41-12A-603	REGISTRATION-SUSPENDED OR REVOKED	2
41-1A-1303	REGISTRATION-FAIL TO OR EXPIRED	3
41-1A-403	LICENSE PLATE VISIBLE 100 FEET	1
41-1A-704	DISPLAY PREVIOUS OWNER PLATE	2
41-6A-1635(1)	WINDOW TINT VIOLATION	4
41-6A-1803(1)(A)(I)	FAILURE TO WEAR SEATBELT	1
41-6A-502	DUI-DRIVE UNDER INFLUENCE ALCOHOL_DRUG	1
41-6A-601	SPEED	60
41-6A-710(1)(A)	IMPROPER LANE TRAVEL	1
41-6A-904(1)(A)	FAIL TO YIELD-EMERGENCY VEHICLE	1
53-3-202(1)	DRIVER LICENSE-NEVER OBTAINED	2
53-3-208	DRIVER LICENSE-RESTRICTION VIOLATION	1
53-3-227	DL DENIED-NON DRUG_ALCOHOL	2
W01 41-6A-601	WARNING: SPEEDING	10
W03 41-6A-902(2)(A)	WARNING: STOP SIGN	3
W13 41-1A-1303(1)	WARNING: EXPIRED REGISTRATION	1
W18 41-6A-711(1)(A)	WARNING: FOLLOW TOO CLOSE	1
W25 41-6A-1604	WARNING: HEAD_TAIL_BRAKE LIGHT VIOLATION	1

Report Totals

99

Report Includes:

All dates of issue greater than '00:00:00 05/18/19', All agencies matching 'WCSO', All issuing officers, All areas matching 'APPLE', All courts, All offense codes, All dispositions, All citation/warning types

Incident	Nature	Area	Agency	Reported	Disposition
19W006320	911 Hang Up	WCSO	WCSO	07:54:19 11/23/19	OR
20W000691	911 Hang Up		WCSO	18:43:28 02/15/20	CAA
20W000391	911 Hang Up		WCSO	15:27:11 01/26/20	OR
20W000376	911 Hang Up	WCSO	WCSO	23:42:23 01/25/20	OR
19W003316	911 Hang Up	WCSO	WCSO	20:59:23 06/20/19	OR
19W005235	911 Hang Up	WCSO	WCSO	01:14:01 09/24/19	OR
20W001623	911 Hang Up	WCSO	WCSO	15:14:49 04/16/20	OR
20W000566	911 Hang Up	WCSO	WCSO	15:13:35 02/07/20	OR
20W000022	Abandoned Vehic	WCSO	WCSO	17:42:54 01/02/20	CLO
19W002910	Abandoned Vehic	WCSO	WCSO	14:30:03 06/01/19	OR
20W000425	Abandoned Vehic	WCSO	WCSO	11:36:56 01/28/20	CLO
19W004934	Abandoned Vehic	WCSO	WCSO	18:16:04 09/08/19	TAG
20W000088	Abandoned Vehic	WCSO	WCSO	15:23:12 01/07/20	OR
20W000019	Abandoned Vehic	WCSO	WCSO	15:41:24 01/02/20	OR
20W001866	Agency Assist	WCSO	WCSO	14:06:08 04/29/20	OR
19W005611	Agency Assist	WCSO	WCSO	11:28:13 10/15/19	OR
20W000364	Agency Assist	WCSO	WCSO	10:56:57 01/25/20	OR
19W004429	Agency Assist	WCSO	WCSO	22:50:07 08/11/19	OR
19W003432	Agency Assist		WCSO	08:35:04 06/27/19	CLO
20W001217	Agency Assist	WCSO	WCSO	10:56:55 03/20/20	OR
20W001152	Agency Assist	WCSO	WCSO	11:24:32 03/16/20	OR
20W001760	Agency Assist	WCSO	WCSO	13:46:08 04/24/20	OR
20W001308	Agency Assist	WCSO	WCSO	13:52:38 03/25/20	OR
19W006430	Alarm-Business	WCSO	WCSO	04:09:49 11/28/19	OR
20W000232	Alarm-Medical	WCSO	WCSO	00:29:51 01/17/20	OR
20W000601	Alarm-Residence		WCSO	07:02:49 02/10/20	DNR
19W005309	Alarm-Residence	WCSO	WCSO	08:48:32 09/28/19	OR
19W004785	Alarm-Residence	WCSO	WCSO	13:37:30 08/31/19	OR
20W001404	Animal BITE-3	WCSO	WCSO	10:56:48 04/01/20	OR
19W004367	Animal Emergenc	WCSO	WCSO	11:14:12 08/09/19	OR
19W005334	Animal Emergenc	WCSO	WCSO	11:50:45 09/29/19	OR
20W000039	Animal Emergenc	WCSO	WCSO	13:52:01 01/04/20	OR
19W006468	Animal Emergenc	WCSO	WCSO	17:05:00 11/29/19	OR
20W001409	Animal Noise	WCSO	WCSO	19:29:00 04/01/20	OR
19W003186	Animal Noise	WCSO	WCSO	10:59:31 06/14/19	OR
20W001862	Animal Noise	WCSO	WCSO	10:53:40 04/29/20	OR
19W005298	Animal Noise	WCSO	WCSO	19:51:54 09/27/19	OR
19W006794	Animal Problem	WCSO	WCSO	14:35:51 12/17/19	OR
19W004158	Animal Problem	WCSO	WCSO	12:48:01 07/30/19	OR
19W005176	Animal Problem	WCSO	WCSO	11:49:29 09/21/19	OR
19W004076	Animal Problem	WCSO	WCSO	11:25:10 07/26/19	OR
19W005895	Animal Problem	WCSO	WCSO	09:22:38 10/31/19	OR
19W003909	Animal Problem	WCSO	WCSO	14:47:52 07/18/19	OR

19W006845 Animal Problem	WCSO	WCSO	12:36:22 12/20/19	OR
19W004555 Animal Problem	WCSO	WCSO	13:59:07 08/19/19	CLO
19W005519 Animal Problem		WCSO	18:15:54 10/09/19	OR
19W003609 Animal Problem	WCSO	WCSO	18:46:52 07/04/19	CLO
20W000749 Animal Problem	WCSO	WCSO	10:56:14 02/19/20	CAN
19W003642 Animal Problem	WCSO	WCSO	20:02:57 07/05/19	OR
19W003328 Animal Problem	WCSO	WCSO	14:35:23 06/21/19	OR
19W004289 Animal Stray	WCSO	WCSO	13:07:41 08/05/19	OR
19W004196 Animal Stray	WCSO	WCSO	08:57:16 08/01/19	OR
19W006843 Animal Stray	WCSO	WCSO	11:32:57 12/20/19	OR
19W003189 Animal Stray	WCSO	WCSO	12:46:02 06/14/19	OR
20W000081 Animal Stray	WCSO	WCSO	08:34:50 01/07/20	OR
19W006759 Animal Stray	WCSO	WCSO	08:29:27 12/15/19	CLO
19W004097 Animal Stray	WCSO	WCSO	00:06:55 07/27/19	OR
19W005001 Animal Stray	WCSO	WCSO	08:10:26 09/12/19	OR
19W005665 Animal Stray	WCSO	WCSO	07:49:45 10/18/19	OR
20W000602 Animal Stray	WCSO	WCSO	08:30:50 02/10/20	OR
20W001436 Animal Stray	WCSO	WCSO	19:52:37 04/03/20	OR
19W002787 Animal Stray	WCSO	WCSO	15:49:07 05/26/19	OR
20W000185 Animal Stray	WCSO	WCSO	14:08:38 01/13/20	CLO
19W003741 Animal Vicious	WCSO	WCSO	08:07:26 07/10/19	OR
19W004744 Attempt-Locate	WCSO	WCSO	19:55:49 08/29/19	OR
19W003000 Attempt-Locate	WCSO	WCSO	11:38:18 06/05/19	CLO
19W005669 Attempt-Locate	WCSO	WCSO	10:49:45 10/18/19	OR
20W000831 Attended Death	WCSO	WCSO	08:20:03 02/24/20	CLO
20W000300 Breathing-6	WCSO	WCSO	14:43:19 01/21/20	OR
20W000496 Burg-Residence	WCSO	WCSO	18:39:57 02/02/20	OR
19W004126 Burg-Residence	WCSO	WCSO	10:37:09 07/28/19	CLO
19W003842 Burg-Residence	WCSO	WCSO	09:23:59 07/15/19	CLO
20W000968 Burg-Residence	WCSO	WCSO	06:45:26 12/05/19	CAA
19W006162 Burg-Residence	WCSO	WCSO	20:25:41 11/14/19	CLO
20W000899 Burg-Residence	WCSO	WCSO	06:49:19 02/29/20	AAP
20W000856 Burg-Residence	WCSO	WCSO	13:57:24 02/25/20	ADF
20W000074 Burg-Residence	WCSO	WCSO	17:05:44 01/06/20	CLO
19W003474 Burg-Vehicle	WCSO	WCSO	19:13:23 06/28/19	CLO
19W006305 Citizen Assist	WCSO	WCSO	14:14:09 11/22/19	OR
19W006125 Citizen Assist		WCSO	15:24:21 11/12/19	OR
20W001653 Citizen Assist		WCSO	11:38:01 04/18/20	OR
19W006261 Citizen Assist	WCSO	WCSO	11:37:09 11/20/19	CLO
19W003144 Citizen Assist	WCSO	WCSO	17:54:01 06/12/19	CLO
19W006489 Citizen Assist	WCSO	WCSO	16:39:59 11/30/19	OR
19W004178 Citizen Assist	WCSO	WCSO	13:48:26 07/31/19	OR
19W004858 Citizen Assist	WCSO	WCSO	17:56:07 09/04/19	CLO
19W005853 Citizen Assist	WCSO	WCSO	12:01:39 10/28/19	OR

19W003568 Citizen Assist	WCSO	WCSO	21:05:16 07/02/19	OR
20W001871 Citizen Assist	WCSO	WCSO	17:04:27 04/29/20	CLO
19W004326 Citizen Assist	WCSO	WCSO	11:36:50 08/07/19	OR
19W005425 Citizen Assist	WCSO	WCSO	11:36:14 10/04/19	OR
19W005867 Citizen Assist		WCSO	08:58:04 10/29/19	OR
19W003440 Citizen Assist	WCSO	WCSO	13:33:08 06/27/19	OR
20W000183 Citizen Dispute	WCSO	WCSO	12:49:54 01/13/20	OR
19W006119 Civil	WCSO	WCSO	11:07:11 11/12/19	CLO
19W006863 Civil	WCSO	WCSO	09:51:23 12/21/19	OR
19W006439 Civil	WCSO	WCSO	12:43:49 11/28/19	OR
19W006654 Civil	WCSO	WCSO	12:22:49 12/09/19	CLO
20W001057 Civil	WCSO	WCSO	15:31:19 03/10/20	CLO
20W000947 Civil	WCSO	WCSO	12:18:33 03/03/20	CLO
19W004658 Civil	WCSO	WCSO	17:03:44 08/25/19	CLO
20W000696 Civil	WCSO	WCSO	20:24:03 02/15/20	OR
20W000694 Civil	WCSO	WCSO	20:37:07 02/15/20	CLO
19W004132 Civil	WCSO	WCSO	19:20:18 07/28/19	CLO
20W001331 Counterfeiting	WCSO	WCSO	20:20:45 03/26/20	CAA
20W001523 Family Fight	WCSO	WCSO	19:26:20 04/08/20	CAA
20W001281 Family Fight	WCSO	WCSO	20:20:55 03/23/20	CLO
20W000665 Family Fight	WCSO	WCSO	12:15:42 02/14/20	ECP
20W001397 Family Fight	WCSO	WCSO	19:19:48 03/31/20	CAA
20W002194 Family Fight	WCSO	WCSO	17:43:30 05/17/20	CLO
19W004738 Family Fight	WCSO	WCSO	17:51:28 08/29/19	CAA
19W004633 Family Fight	WCSO	WCSO	18:56:36 08/23/19	OR
19W002998 Family Fight	WCSO	WCSO	08:41:36 06/05/19	CAA
19W005790 Fire-Brush	WCSO	WCSO	10:47:37 10/25/19	CLO
19W006107 Fire-Brush	WCSO	WCSO	17:20:11 11/11/19	OR
20W000273 Fire-Other		WCSO	12:45:45 01/19/20	OR
19W007019 Fireworks	WCSO	WCSO	19:13:42 12/31/19	OR
20W001583 Fireworks	WCSO	WCSO	21:52:05 04/12/20	OR
19W003618 Fireworks	WCSO	WCSO	22:17:21 07/04/19	OR
19W006961 Found Property	WCSO	WCSO	17:01:47 12/28/19	OR
19W005140 Found Property	WCSO	WCSO	15:07:20 09/19/19	CLO
19W005138 Fraud	WCSO	WCSO	12:21:59 09/19/19	CLO
19W003002 Fraud	WCSO	WCSO	12:59:27 06/05/19	OR
19W004737 Harassment	WCSO	WCSO	17:35:29 08/29/19	ACT
20W000641 Harassment	WCSO	WCSO	17:15:37 02/12/20	CLO
19W003462 Harassment	WCSO	WCSO	12:25:49 06/28/19	CLO
19W004671 Impound	WCSO	WCSO	08:40:01 08/26/19	CLO
19W004894 Information	WCSO	WCSO	18:35:04 09/06/19	CLO
19W005105 Information	WCSO	WCSO	15:09:06 09/17/19	CLO
19W003728 Information	WCSO	WCSO	16:28:29 07/09/19	OR
19W003375 Information		WCSO	22:20:12 06/23/19	CLO

19W003441 Information	WCSO	WCSO	14:24:01 06/27/19	CLO
19W005477 Information		WCSO	08:45:41 10/07/19	OR
19W005349 Information	WCSO	WCSO	13:30:00 09/23/19	CLO
19W006487 Jail Release	WCSO	WCSO	11:24:39 11/30/19	OR
19W002874 Juvenile Prob	WCSO	WCSO	19:45:30 05/30/19	CLO
19W005318 Juvenile Prob	WCSO	WCSO	12:54:44 09/28/19	CLO
19W003351 Juvenile Prob	WCSO	WCSO	23:28:29 06/22/19	OR
19W006550 Keep the Peace	WCSO	WCSO	19:30:50 12/03/19	OR
19W003146 Keep the Peace	WCSO	WCSO	19:53:31 06/12/19	CLO
20W000700 Keep the Peace	WCSO	WCSO	11:20:52 02/16/20	CLO
19W006402 Lockout	WCSO	WCSO	16:32:51 11/26/19	OR
19W004907 Missing Person	WCSO	WCSO	11:30:53 09/07/19	CLO
19W006446 Motor Assist	WCSO	WCSO	07:24:52 11/29/19	OR
19W003255 Motor Assist	WCSO	WCSO	18:03:32 06/17/19	OR
19W005511 Motor Assist	WCSO	WCSO	12:58:35 10/09/19	OR
20W000454 Motor Assist	WCSO	WCSO	11:39:45 01/31/20	OR
19W006756 Motor Assist	WCSO	WCSO	07:45:11 12/15/19	OR
19W006456 Motor Assist	WCSO	WCSO	12:39:50 11/29/19	OR
19W006474 Motor Assist	WCSO	WCSO	21:02:42 11/29/19	OR
20W000206 Noise Complaint	WCSO	WCSO	18:41:58 01/14/20	OR
20W001790 Nuisance	WCSO	WCSO	15:22:39 04/25/20	OR
19W006412 Overdose-23	WCSO	WCSO	22:43:17 11/26/19	CLO
20W000735 Parking Problem	WCSO	WCSO	10:31:19 02/18/20	OR
20W002063 PD Accident	WCSO	WCSO	03:02:45 05/10/20	CLO
19W002840 PD Accident	WCSO	WCSO	07:15:49 05/29/19	CLO
20W000072 PD Accident	WCSO	WCSO	16:45:36 01/06/20	CLO
20W001008 PD Accident	WCSO	WCSO	19:37:43 03/07/20	CLO
19W005525 PD Accident	WCSO	WCSO	03:40:28 10/10/19	CLO
20W001493 PD Accident	WCSO	WCSO	06:23:49 04/07/20	CLO
20W001378 PD Accident	WCSO	WCSO	15:14:40 03/30/20	OR
20W000548 PD Accident	WCSO	WCSO	08:24:12 02/06/20	CLO
19W007006 PD Accident	WCSO	WCSO	11:44:21 12/31/19	OR
20W000133 PD Accident	WCSO	WCSO	04:04:56 01/10/20	OR
20W000906 PI Accident-29		WCSO	13:13:59 02/29/20	CLO
20W000688 PI Accident-29	WCSO	WCSO	16:25:14 02/15/20	CLO
19W002653 PI Accident-29	WCSO	WCSO	20:40:24 05/18/19	CLO
19W004777 PI Accident-29	WCSO	WCSO	08:14:19 08/31/19	CAA
19W006902 PI Accident-29	WCSO	WCSO	17:59:19 12/23/19	OR
19W006541 Protective Ordr	WCSO	WCSO	10:07:02 12/03/19	CLO
20W000590 Psychiatric-25	WCSO	WCSO	03:23:36 02/09/20	OR
20W000782 Psychiatric-25	WCSO	WCSO	23:23:08 02/20/20	CLO
20W000069 Psychiatric-25	WCSO	WCSO	13:46:01 01/06/20	CLO
19W004669 Psychiatric-25	WCSO	WCSO	07:29:12 08/26/19	OR
19W003089 Psychiatric-25	WCSO	WCSO	04:32:59 06/09/19	CLO

20W000971 Runaway Juvnile	WCSO	WCSO	11:44:36 03/05/20	CLO
20W000179 Runaway Juvnile	WCSO	WCSO	20:53:56 01/12/20	ACT
19W006319 Runaway Juvnile	WCSO	WCSO	07:05:06 11/23/19	CLO
19W006565 Runaway Juvnile	WCSO	WCSO	15:26:16 12/04/19	AAP
19W006905 Runaway Juvnile	WCSO	WCSO	21:17:05 12/23/19	CJN
20W000432 Search Warrant	WCSO	WCSO	19:09:47 01/28/20	CLO
19W004390 Suicidal-25	WCSO	WCSO	06:24:11 08/10/19	CLO
20W000294 Susp Other	WCSO	WCSO	08:36:17 01/21/20	OR
19W003643 Susp Other	WCSO	WCSO	21:30:31 07/05/19	OR
19W006245 Susp Other	WCSO	WCSO	17:19:52 11/19/19	OR
19W005485 Susp Other	WCSO	WCSO	22:16:17 10/07/19	OR
19W004764 Susp Other	WCSO	WCSO	18:32:38 08/30/19	OR
20W001248 Susp Other	WCSO	WCSO	22:30:51 03/21/20	OR
19W005035 Susp Other	WCSO	WCSO	21:15:53 09/13/19	OR
19W004192 Susp Person	WCSO	WCSO	06:43:29 08/01/19	OR
20W001504 Susp Person	WCSO	WCSO	16:03:08 04/07/20	OR
19W003732 Susp Person	WCSO	WCSO	19:15:08 07/09/19	CLO
20W000195 Susp Vehicle	WCSO	WCSO	08:23:43 01/14/20	CLO
19W004425 Susp Vehicle	WCSO	WCSO	15:57:55 08/11/19	OR
19W002809 Susp Vehicle	WCSO	WCSO	15:24:22 05/27/19	OR
20W000842 Susp Vehicle	WCSO	WCSO	19:12:31 02/24/20	CLO
19W006628 Theft-Felony	WCSO	WCSO	22:22:50 12/07/19	CLO
19W003697 Theft-Misdemean		WCSO	15:17:57 07/08/19	ADF
19W002830 Theft-Misdemean	WCSO	WCSO	19:18:19 05/28/19	CLO
20W000507 Theft-Misdemean	WCSO	WCSO	10:32:47 02/03/20	CAN
20W000887 Theft-Vehicle	WCSO	WCSO	13:58:32 02/28/20	CLO
19W006262 Theft-Vehicle	WCSO	WCSO	11:01:06 11/20/19	ADF
20W000893 Theft-Vehicle	WCSO	WCSO	18:27:44 02/28/20	OR
19W002887 Threatening		WCSO	13:09:40 05/31/19	CAA
19W006958 Threatening	WCSO	WCSO	13:45:37 12/28/19	CLO
20W000550 Threatening	WCSO	WCSO	15:27:14 02/06/20	CAA
19W004208 Traffic Hazard	WCSO	WCSO	21:13:02 08/01/19	OR
19W003071 Traffic Hazard	WCSO	WCSO	20:43:43 06/07/19	OR
20W000985 Traffic Hazard	WCSO	WCSO	08:42:55 03/06/20	OR
19W005291 Traffic Hazard		WCSO	13:39:06 09/27/19	OR
19W002947 Traffic Hazard	WCSO	WCSO	20:09:07 06/02/19	OR
20W000918 Traffic Hazard	WCSO	WCSO	08:04:24 03/01/20	OR
19W004753 Traffic Hazard	WCSO	WCSO	02:05:27 08/30/19	OR
19W004104 Traffic Hazard	WCSO	WCSO	08:04:25 07/27/19	OR
20W001550 Traffic Hazard	WCSO	WCSO	14:15:34 04/10/20	OR
20W001601 Traffic Hazard	WCSO	WCSO	11:31:06 04/14/20	OR
19W005775 Traffic Hazard	WCSO	WCSO	17:45:07 10/24/19	OR
19W005723 Traffic Hazard	WCSO	WCSO	09:47:36 10/21/19	OR
19W005488 Traffic Hazard	WCSO	WCSO	08:00:05 10/08/19	OR

19W003764 Traffic Hazard	WCSO	WCSO	11:25:44 07/11/19	OR
19W006427 Traffic Hazard	WCSO	WCSO	22:45:53 11/27/19	OR
19W005081 Traffic Hazard	WCSO	WCSO	13:03:54 09/16/19	OR
19W003750 Traffic Hazard	WCSO	WCSO	19:12:32 07/10/19	OR
19W002752 Traffic Hazard	WCSO	WCSO	18:20:04 05/24/19	OR
20W002144 Traffic Hazard	WCSO	WCSO	07:42:38 05/15/20	OR
20W001163 Traffic Hazard	WCSO	WCSO	16:21:21 03/17/20	OR
20W001178 Traffic Offense	WCSO	WCSO	13:20:48 03/18/20	CJN
20W000066 Traffic Offense	WCSO	WCSO	12:28:35 01/06/20	OR
19W006176 Traffic Offense	WCSO	WCSO	17:53:56 11/15/19	CAN
20W001330 Traffic Offense	WCSO	WCSO	18:59:32 03/26/20	CJN
19W006239 Traffic Offense	WCSO	WCSO	13:19:57 11/19/19	OR
20W001311 Traffic Offense	WCSO	WCSO	15:31:46 03/25/20	OR
19W003900 Traffic Offense	WCSO	WCSO	09:09:21 07/18/19	OR
19W004818 Traffic Offense	WCSO	WCSO	14:08:21 09/02/19	OR
19W003665 Traffic Offense	WCSO	WCSO	18:22:51 07/06/19	OR
19W007020 Traumatic-30	WCSO	WCSO	19:51:06 12/31/19	OR
19W003046 Traumatic-30		WCSO	21:00:17 06/06/19	CLO
20W000638 Traumatic-30		WCSO	15:48:08 02/12/20	CLO
19W002669 Trespassing	WCSO	WCSO	09:19:30 05/20/19	CLO
19W006889 Trespassing	WCSO	WCSO	17:10:10 12/22/19	OR
20W001605 Trespassing	WCSO	WCSO	16:00:50 04/14/20	OR
20W000199 Trespassing	WCSO	WCSO	13:07:52 01/14/20	CLO
20W000907 Unattend Death	CEAST	WCSO	13:31:32 02/29/20	CLO
19W005493 Unattend Death	WCSO	WCSO	13:35:47 10/08/19	CAA
20W001865 VIN Inspection	WCSO	WCSO	13:44:29 04/29/20	OR
20W001863 VIN Inspection	WCSO	WCSO	11:26:34 04/29/20	OR
19W005490 VIN Inspection	WCSO	WCSO	10:22:23 10/08/19	OR
20W002089 VIN Inspection	WCSO	WCSO	14:44:35 05/11/20	OR
19W003272 VIN Inspection	WCSO	WCSO	13:56:58 06/18/19	OR
19W003274 VIN Inspection	WCSO	WCSO	15:27:27 06/18/19	OR
19W004871 VIN Inspection	WCSO	WCSO	14:30:50 09/05/19	OR
20W000218 VIN Inspection	WCSO	WCSO	09:37:33 01/16/20	OR
20W001036 VIN Inspection	WCSO	WCSO	10:07:17 03/09/20	OR
19W004236 Wanted Person	WCSO	WCSO	21:17:54 08/02/19	CAA
20W001828 Weapon Offense		WCSO	16:52:45 04/27/20	ADF
20W001459 Weapon Offense		WCSO	09:16:08 04/05/20	OR
19W006094 Welfare Check	WCSO	WCSO	20:56:39 11/10/19	CLO
19W004808 Welfare Check	WCSO	WCSO	18:54:30 09/01/19	CLO
19W006733 Welfare Check	WCSO	WCSO	23:03:57 12/13/19	CLO
19W003373 Welfare Check	WCSO	WCSO	19:39:43 06/23/19	OR
19W006833 Welfare Check	WCSO	WCSO	17:47:09 12/19/19	OR
19W003355 Welfare Check	WCSO	WCSO	06:51:14 06/23/19	CLO
20W001878 Welfare Check	WCSO	WCSO	23:42:18 04/29/20	OR

20W001983 Welfare Check	WCSO	WCSO	22:59:01 05/05/20	OR
19W006183 Welfare Check	WCSO	WCSO	22:48:22 11/15/19	CLO
19W004311 Welfare Check	UHP	WCSO	15:27:54 08/06/19	OR
19W006400 Welfare Check	WCSO	WCSO	11:49:42 11/26/19	OR
19W004619 Welfare Check	WCSO	WCSO	23:11:53 08/22/19	OR

ARTICLE A. ANIMALS GENERALLY

5-3A-1: ANIMALS RUNNING AT LARGE:

It is unlawful for the owner of any cattle, horses, mules, sheep, goats or swine to allow the same to run at large upon the public roads and highways within the limits of the county, exclusive of the incorporated areas, and any such animals so found may be taken up by any person and impounded as provided by law in case of trespassing animals. This section does not apply to any of the above described animals on "open range", as defined by any governmental entity. (2004 Code)

5-3A-2: VICIOUS ANIMALS AT LARGE PROHIBITED:

Any owner of a vicious animal, knowing its propensities, who wilfully allows it to go at large or who keeps it without ordinary care, and any animal, while at large or while not kept with ordinary care, causes injury to another animal or to any human being who has taken reasonable precaution which the circumstances permitted is guilty of a class B misdemeanor and, upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (2004 Code)

5-3A-3: TRESPASSING ANIMALS AND FOWL:

It shall be unlawful for any owner or caretaker of any domestic fowl or animal to permit such fowl or animal to trespass upon the premises of another person. (2004 Code)

5-3A-4: CRUELTY TO ANIMALS:

A. Cruelty Defined: A person commits cruelty to animals if he intentionally or knowingly:

1. Tortures or seriously overworks an animal; or
2. Fails to provide necessary food, care or shelter for an animal in his custody; or
3. Abandons an animal in his custody; or
4. Transports or confines an animal in a cruel manner; or
5. Kills, injures or administers poison to an animal without legal privilege; or
6. Causes one animal to fight with another.

B. Exception For Veterinarian: It is a defense to the prosecution under this section that the conduct of the actor towards the animal was by a licensed veterinarian using accepted veterinary practice or directly related to a bona fide experimentation for scientific research so long as the conduct is not unnecessarily cruel, unless directly necessary to the veterinary purpose or scientific research involved. (2004 Code)

5-3A-5: UNLAWFUL ACTS:

It shall be unlawful for any person to:

- A. Overdrive, overload, drive when overloaded, overwork, torture, cruelly beat, mutilate or needlessly kill, or carry or transport in any vehicle or other conveyance in a cruel and inhumane manner, any animal or cause any of these acts to be done.
- B. Fail to provide any animal in his charge or custody with necessary sustenance, drink and protection from the elements, or cause any of these acts to be done.
- C. Maintain any place where fowl or any animals are suffered to fight upon exhibition or for sport upon any wager.
- D. Intentionally exhibit any stud, horse or bull or other animal indecently, or let any male animal to any female animal for the purpose of providing entertainment or viewing to any person. (2004 Code)

5-3A-6: ORGANIZED ANIMAL FIGHTS:

- A. Unlawful: It is unlawful for any person to be a spectator at an organized animal fight.
- B. Defined: For the purpose of this section only, an "organized animal fight" means a fight between animals for the benefit of spectators. There is no requirement that an admission fee be charged. (2004 Code)

5-3A-7: DISEASED ANIMALS:

It is unlawful for any person to bring into the limits of the county, exclusive of the incorporated areas, for sale or have in his possession with intent to sell or offer for sale, any animal which has a communicable disease or which has been exposed to or which is liable to carry infection from a communicable disease. (2004 Code)

5-3A-8: SALE OF DISEASED ANIMALS:

It is unlawful for any person to bring into the unincorporated area of the county for sale or to sell or offer for sale any cattle, sheep, swine, fish, game, fowl or poultry which are diseased, unsound and unwholesome, or which for any other reason is unfit for human food. (2004 Code)

5-3A-9: ABANDONMENT:

It shall be unlawful for any person to abandon or turn out at large any sick, diseased or disabled animal, but such animal shall, when rendered useless by reason of sickness or other disability, be killed by the owner thereof and its carcass disposed of in such manner as to create no nuisance or hazard to health. (2004 Code)

5-3A-10: KILLING OR POISONING PROHIBITED:

It shall be unlawful for any person wilfully to kill any domestic animal, or to administer poison to any such animal or to expose any poisonous substance with the intent that it shall be taken by any such animal. (2004 Code)

5-3A-11: DEAD ANIMALS:

The owner of any animal that has died or been killed shall remove or bury the carcass of such animal as soon as reasonably possible, but not more than twenty four (24) hours after the owner learns of its death. This section only

applies within the closely inhabited portions of the unincorporated area of the county. (Ord. 2012-1025-O, 10-16-2012)

5-3A-12: OFFICER'S AUTHORITY TO TAKE POSSESSION OF ANIMALS; LIEN FOR CARE:

Utah Code Annotated section 76-9-305, as amended, is incorporated herein by reference. (2004 Code)

5-3A-13: PENALTY:

Any person violating any of the provisions of this article shall be deemed guilty of a class B misdemeanor and, upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (2004 Code)

ARTICLE B. DOGS

5-3B-1: DEFINITIONS:

As used in this article, unless the context otherwise indicates, the following words mean:

AT LARGE: Any dog off or away from the premises of the owner, possessor or keeper thereof, and not under the control of such owner, possessor or keeper, or his agent or servant, or a member of his immediate family. A dog shall be deemed to be under the control of such owner or family member if it is on a leash, cord, or chain, or if it is contained within a vehicle of the owner or immediate family member.

DOG: Any male, female or spayed female dog of any age.

IMPOUNDED: Having been received into the custody of the authorized agent or representative of the County.

OWNER: When applied to the proprietorship of a dog, means any person or persons, firm, association or corporation owning, keeping or harboring a dog.

UNLICENSED DOG: A dog for which the license for the current year has not been paid, or to which the tag provided for in this article is not attached.

VICIOUS OR DANGEROUS DOG: Any dog that attacks, bites or physically injures human beings, domestic animals or livestock without adequate provocation, or which, because of temperament or training, has a known propensity to attack, bite or physically injure human beings, domestic animals or livestock. Any wild dog or any dog that, without provocation, has bitten or attacked a human being or other animal shall be prima facie presumed vicious or dangerous. (Ord. 2018-1123-O, 10-2-2018)

5-3B-2: TAG AND COLLAR REQUIRED:

A. Collar And Tag Required: It is unlawful for any person or other entity to own, keep, maintain or have permanent or temporary custody of a dog within the limits of the County, exclusive of the incorporated areas, without having affixed to the dog a collar, which shall be worn at all times by the dog, with a tag attached to said collar that provides, at a minimum, a legible and current telephone number of the owner.

B. Removal Of Tag Prohibited: It is unlawful for any person to remove a tag from a dog not owned, kept, maintained, or in the temporary or permanent custody of that person. (Ord. 2018-1123-O, 10-2-2018)

5-3B-3: RUNNING AT LARGE PROHIBITED:

- A. Running At Large: It shall be unlawful for the owner or keeper of any dog to permit such dog to run at large.
- B. Entrance Upon Private Property Without Permission: It shall be unlawful for an owner of a dog to permit such dog to go upon or be upon the private property of any person without the permission of the owner or person entitled to the possession of such private property.
- C. Owner Violation Regardless Of Precautions: The owner of any dog running at large shall be deemed in violation of this section regardless of the precautions taken to prevent the escape of the dog and to prohibit it from running at large.
- D. Violation; Impound: Any dog running at large in violation of the provisions of this section is hereby declared to be a nuisance and a menace to the public health and safety, and the dog shall be taken up and impounded as provided herein. (Ord. 2018-1123-O, 10-2-2018)

5-3B-4: FEMALE IN HEAT:

The owner of a female dog in heat shall cause such dog to be penned or enclosed in such a manner as to preclude other dogs from attacking such female dog or being attracted to such female dog so as to create a public nuisance. (Ord. 2018-1123-O, 10-2-2018)

5-3B-5: STRAYS:

It shall be unlawful for any person to harbor or keep within the limits of the County, exclusive of the incorporated areas, any lost or strayed dog. Whenever any dog shall be found which appears to be lost or strayed, it shall be the duty of the finder to notify the County Sheriff's Office, which shall notify the person/entity who the County has contracted with to impound the dog for running at large contrary to the terms of this article. If there shall be attached to such dog a tag, or other form of identification, the County Sheriff's Office or the poundmaster shall notify the person to whom such tag identifies. (Ord. 2018-1123-O, 10-2-2018)

5-3B-6: RABIES VACCINATION:

Rabies vaccination is required for dogs and cats. Every owner of any dog or cat over the age of four (4) months within the limits of the County, exclusive of the incorporated areas, shall have the dog or cat vaccinated against rabies by a duly licensed veterinarian, shall secure from the veterinarian a certificate thereof, and shall attach to the collar or harness, which such person is required to place upon the animal, a tag showing that such vaccination has been done; provided, that the County Commission may, by resolution, provide that the owners of any dog or cat may themselves purchase serum and vaccinate their own dogs or cats. The resolution shall also prescribe the conditions with which the owner must comply to obtain the tag hereinafter required. (Ord. 2018-1123-O, 10-2-2018)

5-3B-7: DOGS AND CATS REQUIRED TO HAVE RABIES SHOT:

It shall be unlawful for the owner of any dog or cat to suffer, allow or permit such animal to be or go upon any sidewalk, street, alley or public place within the limits of the County, exclusive of the incorporated areas, without first having had such animal vaccinated against rabies. Every dog shall be vaccinated every two (2) years against rabies and every cat shall be vaccinated every twelve (12) months with a modified rabies virus vaccine. It shall also be unlawful for any such animal to be without a tag thereon showing that such animal has been vaccinated. (Ord. 2018-1123-O, 10-2-2018)

5-3B-8: DOGS WHICH DISTURB NEIGHBORHOOD:

No person, persons, firm or corporation shall own, keep or harbor any dog which, by loud, continued or frequent barking, howling, yelping or by noxious or offensive odors, shall annoy, disturb or endanger the health and welfare of any person or neighborhood. Each day a violation is permitted to exist or continue shall constitute a separate offense. This section shall not apply to veterinary hospitals or medical laboratories. (Ord. 2018-1123-O, 10-2-2018)

5-3B-9: VICIOUS DOGS; SPECIAL PROVISIONS:

- A. Prohibited: It is unlawful for any person to own or possess a vicious dog. Whenever a prosecution for this offense is commenced under this section, the dog so involved may not be redeemed, pursuant to the provisions of this section, while awaiting final decision of the court as to the disposition to be made of such dog.
- B. Disposition Of Dog: Upon the trial of any offense under this article, the court may, upon conviction and in addition to the usual judgment of conviction, order the authorized personnel of the County to put the dog to death or may order such other disposition of the dog as will protect the inhabitants of the County.
- C. Penalty For Vicious Dogs: Any person violating this section shall be deemed guilty of a Class B misdemeanor and, upon conviction, subject to penalty as provided in section [1-4-1](#) of this Code. (Ord. 2018-1123-O, 10-2-2018)

5-3B-10: DEFECATING OF ANIMAL PROHIBITED:

The owner or person charged with responsibility for an animal shall prevent or control the animal from defecating on any public sidewalk, park or other area, or on any public or private property without consent of the property owner, unless the owner or custodian of the animal removes and properly disposes of all animal waste that may result. (Ord. 2018-1123-O, 10-2-2018)

5-3B-11: PENALTY:

Unless otherwise provided in this article, any person violating any of the provisions of this article shall be deemed guilty of an infraction and, upon conviction, subject to penalty as provided in section [1-4-1](#) of this Code. (Ord. 2018-1123-O, 10-2-2018)

ARTICLE C. RABIES CONTROL

5-3C-1: REPORTING OF RABID ANIMALS:

Anyone having knowledge of the whereabouts of an animal known to have or suspected of having rabies shall report the fact immediately to the southwest Utah public health department (hereinafter "health department"). The health department shall likewise be notified of any person or animal bitten by a rabid or suspected rabid animal. (2004 Code)

5-3C-2: BITING ANIMAL TO BE QUARANTINED FOR OBSERVATION:

Any dog or other animal of a species subject to rabies which is known to have bitten or injured any person so as to cause an abrasion of the skin shall be placed in confinement under observation of a veterinary hospital or the county dog pound, or in the care of a responsible owner, and shall not be killed or released until at least two (2) weeks after the biting or injury has occurred in order to determine whether or not the animal has rabies. If the animal dies or has been killed, its head shall be removed and immediately taken to the state health laboratory to be examined for rabies. (2004 Code)

5-3C-3: RABIES CONTACTS QUARANTINED:

Any animal of a species subject to rabies which has been bitten by a known rabid animal or has been in intimate contact with a rabid animal shall be isolated in a suitable place approved by the poundmaster for a period of one hundred twenty (120) days or destroyed. (2004 Code)

5-3C-4: PENALTY:

Any person violating any of the provisions of this article shall be deemed guilty of a class B misdemeanor and, upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (2004 Code)

**APPLE VALLEY
ORDINANCE O-2020-06**

RURAL ESTATES ANIMAL ALLOWANCES

WHEREAS, the Planning Commission of the Town of Apple Valley found it necessary to amend the Rural Estates Zoning; and,

WHEREAS, the Planning Commission held a public hearing on the 22nd day of April, 2020; and,

WHEREAS, the Planning Commission recommended to the Town Council that changes should be made to the Rural Estates Zoning, and,

WHEREAS, the Town Council of the Town of Apple Valley adopted the following changes in a public meeting held on the 6th day of May, 2020.

NOW THEREFORE, be it ordained by the Council of Apple Valley, in the State of Utah, as follows:

SECTION 1: AMENDMENT “10.10.050 RE Rural Estates Zone” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.10.050 RE Rural Estates Zone

- A. Purpose: The purpose of this zone is to provide permanent area for small farms, hobby farms and limited agricultural development for personal use.
- B. Permitted uses: Uses permitted in this zone are as follows:
 - 1. Single-family dwellings not less than 1250 sq.ft. on the main floor;
 - 2. Accessory buildings and uses, following issuance of a building permit for a permanent dwelling;
 - 3. Home occupations;
 - 4. ~~Traditional household pets (dogs, cats), provided they are not kept, bred, or maintained for any commercial purposes. Dogs are limited to three (3) per household. Pets are expected to be fenced/ leashed, sheltered from the weather, and trained to not be a noise nuisance;~~
 - 5. Raising of crops, gardens, and horticulture;
 - 6. Residential facility for persons with a disability (see AVLU 10.28 for supplementary information);
 - 7. Residential facility for the elderly (see AVLU 10.28 for supplementary information);
 - 8. Churches;

9. Park or playgrounds;
10. The keeping of animals and fowl for family food production, but not for commercial use.
11. Animal Allowances/Restrictions:
 - a. The number of domesticated animals which may be maintained on the property shall be determined on the basis of a point system. No ~~parcel/lot of property~~ shall exceed one hundred (100) points per acre. ~~Lots of less than or greater than one (1) acre~~ All Lots will be apportioned 25 points in 0.25 acre increments up to 250 points or 2.5 acres. (e.g., a 1.20 acre lot is allocated 100 points. A 1.25 acre lot is allocated 125 points). After 5 acres, 25 points per 0.25 acre increments up to 500 points or 7.5 acres. After 10 acres, 25 points per 0.25 acre increments up to 750 points or 12.5 acres. After 15 acres, 25 points per 0.25 acre increments up to 1000 points or 20 acres. (eg. a 12 acre lot is allocated 250 points for the first 5 acres, 250 points for the 2nd 5 acres, plus 200 points for the next 2 acres for a total of 700 points).
 - b. Type of animal or fowl (number of points per animal), further restrictions:
 - (1) Cow, horse, donkey, mule, or similar large animal, and potbelly pig (~~50~~25 points each), but not to exceed the maximum of ten (10) large animals ~~on any lot per five (5) acres;~~
 - (2) Miniature horses, sheep, goats, or similar medium-size animals, less than 36 inches in height as measured from the withers, (~~25~~8 points each), but not to exceed the maximum of twenty (20) medium animals ~~on any lot per five (5) acres;~~
 - c. ~~F~~Chickens, ducks, pigeons, doves, rabbits, turkeys, geese, pheasants, and similar small and medium-size fowl (~~15 points each~~), but are not to exceed ~~the maximum of twenty~~ thirty (~~30~~20) ~~medium fowl on any lot per One (1) five (5) acres;~~
 - d. ~~Chickens, ducks, pigeons, doves, rabbits, or similar small fowl/animal (5 points each), but are not to exceed thirty~~ thirty (~~30~~) ~~small fowl/animals per five (5) acres.~~
 - e. ~~No~~No rooster is permitted on any lot which ~~is less than five (acres) is less than one (1) acre, and~~ Lots 1 acre or larger ~~may then, only have~~ one (1) rooster ~~is allowed~~ per ~~thirty~~ thirty (30) chickens.
 - f. ~~No exotic animals~~ Only domestic and farm animals shall be kept on any lot with in the Rural Estates Zone.
 - g. ~~Other than domesticated potbelly pigs allowed under AVLU 10.10.050.B.11.b(1), the~~ Other than domesticated potbelly pigs allowed under AVLU 10.10.050.B.11.b(1), the keeping of any pigs is not allowed in the Rural Estates Zone.
 - h. ~~The unweaned, offspring of a residing animal or fowl, under six (6)~~

~~months of age.~~ The following shall be excluded from consideration for the purpose of determining compliance with this section.:

- (1) The unweaned, offspring of a residing animal or fowl, under six (6) months of age.
 - (2) School-aged Apple Valley Residents 18 years or younger participating in a 4-H, FFA or similar youth program raising an animal with the intent to sell the animal at auction within twelve (12) months.
- i. Animals ~~shall~~should be contained in proper pens, coups, corals, pasture, paddock, areana, or similar exercise area on resident's owners property. Animal enclosures ~~shall~~should be cleaned regularly, be kept in good repair, give the animals ample room, and offer the animals shelter and shade.
 - j. Noise, safety, pests or smell nuisances that result from improper care of animals or property are strictly prohibited. ~~Animals must not be allowed to become a noise or smell nuisance.~~ Property owners must implement a fly mitigation program with deployment of fly traps, fly spray chemicals or fly predators and maintain these devices and methods during the fly season for vector control.
 - k. Violation of this AVL 10.10.050.B.11 is considered an infraction, and punishable by fine up to \$750 if violation is not corrected within thirty (30) days. ~~one month~~ of initial notice of violation.

12. Any use not specifically allowed under permitted uses shall be prohibited.

C. Height Regulations: No building shall be erected to a height greater than ~~thirty~~ thirty-five (35) feet. No accessory building shall be erected to a height greater than twenty-five (25) feet.

D. Minimum Area, Width, and Yard Regulations

District	Area	Width in Feet	Yard Setbacks in Feet for Primary Residence		
			Front	Side	Rear
RE-1.0	1.0 acre	100	25	10	10
RE-2.5	2.5 acres	150	25	25	25
RE-5.0	5.0 acres	200	25	25	25
RE-10.0	10.0 acres	300	25	25	25
Re-20.0	20.0 acres	400	25	25	25
RE-X	**Any Size	400	25	25	25

** No more than one (1) home on property

E. Modifying Regulations:

- a. Side Yards: The side yard setback on a "street side" yard shall be the same as a front yard setback. Accessory buildings located at least ten (10) feet away from the main building must have a side or rear property setback of at least ten (10) feet on interior lot lines.
- b. Distance Between Buildings: No two (2) buildings on the same property shall be located closer together than ten (10) feet. No building, structure, or pen/corral/coop/kennel housing animals or fowl shall be constructed closer than fifty (50) feet to a dwelling unit on an adjacent lot, or thirty (30) feet from property line, whichever is further. Animal enclosures shall be behind the main dwelling and shall be no closer than ~~thirty~~thirty (30) feet to main dwelling.
- c. Prohibited Materials and Storage: No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.
- d. All lighting shall comply with AVL 10.26 Outdoor Lighting Ordinance.
- e. ~~No industrial-looking building such as pre-engineered steel or pole barns are allowed, unless specifically approved by the planning commission.~~
- f. For additional restrictions and clarifications in this zone, see AVL 10.28 Supplementary and Qualifying Regulations for Land Use and Building.
- g. All street, drainage, utility and other public improvements shall be installed as required by the applicable town ordinances, standards and regulations. However, upon recommendation by the Planning Commission and approval of the Town Council based upon good cause shown, the requirements for the installation of dry sewer, curb, gutter and asphalt may be waived or delayed, as the Town Council, in its discretion, may determine.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Bass	_____	_____	_____	_____
Councilmember McLaughlin	_____	_____	_____	_____
Councilmember Kopp	_____	_____	_____	_____
Mayor Lisonbee	_____	_____	_____	_____
Councilmember Edwardsen	_____	_____	_____	_____

Presiding Officer

Attest

Marty Lisonbee, Mayor, Apple Valley

Michelle Kinney, Clerk Apple Valley

**APPLE VALLEY
ORDINANCE O-2020-11**

AN ORDINANCE CREATING THE TOURIST COMMERCIAL ZONE

WHEREAS, on May 13, 2020 the Planning Commission of the Town of Apple Valley held a public hearing to consider comments on updates to 10.10.030 C Commercial Zones; and,

WHEREAS, the Planning Commission has recommended proposed amendments to the Town Council; and,

WHEREAS, the Town Council has reviewed the Planning Commission's recommendation and has determined that these ordinances are in the best interest of the health, safety, and welfare of the citizens of the Town of Apple Valley; and,

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed, and held on the 20th day of May, 2020, and upon motion duly made and seconded;

NOW THEREFORE, be it ordained by the Council of Apple Valley, in the State of Utah, as follows:

SECTION 1: AMENDMENT “10.10.030 C Commercial Zones” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.10.030 C Commercial Zones

A. Purpose:

1. C-1 Convenience Commercial Zone:

- a. The C-1 convenience commercial zone has been established for the purpose of providing shopping facilities within the various neighborhoods of the town, primarily for the convenience of people living in the neighborhood. The types of goods and services which may be offered for sale have been limited to "convenience goods" such as groceries, drugs, personal services such as hair cutting and hair dressing, distinguished by the fact that the principal patronage of the establishments originates within the surrounding neighborhood. Consequently, automobiles, furniture, appliances and other stores, the principal patronage of which originates outside the surrounding neighborhood, have been excluded from the C-1 zone.
- b. Inasmuch as this zone is usually surrounded by dwellings, it is intended that residential amenities be maintained as much as possible. Stores, shops or businesses shall be retail establishments only and shall be

permitted only under the following conditions:

- (1) Such businesses shall be conducted wholly within an enclosed building except for the parking of automobiles and service to persons in automobiles, unless otherwise permitted.
- (2) No entertainment except music shall be permitted in any C-1 zone.
- (3) All uses must be free from objections because of odor, dust, smoke, noise, vibration or other similar offensive nuisances to adjacent neighborhood areas.

2. C-2 Highway Commercial Zone:

- a. The principal objective in establishing the C-2 highway commercial zone is to provide areas within the town where facilities that serve the traveling public can be most appropriately located.
- b. Other purposes for establishing the C-2 highway commercial zone are to promote safety on the highways, to promote the convenience of the traveling public, to promote beauty in the appearance of intersections and interchanges in the town and to prohibit uses which will tend to be contrary to the use of the land for its primary purposes or which would be unsightly to the traveling public. In general, this zone is located close to freeway interchanges and at the intersections of important transportation routes.

3. C-3 General Commercial Zone:

- a. The objective of the C-3 general commercial zone is to provide space within the town where nearly all types of commercial goods and services may be provided.

Since the zone permits such a wide variety of uses, the protective features which zoning normally affords to adjacent properties are mostly nonexistent. Owners should develop and maintain their property in recognition thereof.

- b. The C-3 general commercial zones should be located principally in existing communities and not along major highways. To maximize traffic safety, property owners should shall provide access in a manner that will minimize the hazard of traffic leaving and entering roadways.

To maximize traffic safety, a traffic impact study must be performed.

As this zone primarily serves the traveling public, all traffic should enter and exit any commercial property in this zone from the highway, major and arterial roads, and not through residential roads if located adjacent to residential areas.

4. TC Tourist Commercial Zone

- a. The objective of the TC zone is to provide space within the Town for tourist-based uses. The intent of the zone is to allow for recreational

- activity to enhance the tourism experience in Apple Valley.
- b. The zone is designated for small-scale commercial activities targeted to enhance the outdoor recreational experience
- c. The location of TC zones ~~should~~ shall not be located within 1500 feet of any existing residential zone. ~~be along highway frontage properties as well as Apple Valley Main Street.~~
- d. Development in this zone will be sustainable in nature, constituting mixed density development, best practice methods of waste disposal, and longevity in quality and built form. development controls and design guidelines, in conjunction with provisions of the General Plan and other ordinances, will ensure that the zone provides for the social, economic and cultural well-being of the wider community, while assisting in ecological enhancement and the seamless integration of the built and natural environment

B. Permitted Uses: In the following list of possible uses, those designated as being permitted in a zone will be identified with the letter "P". Uses designated with the letter "N" will not be allowed in that zone. The following list is not intended to be all inclusive, but rather, indicative of uses permitted in the zone. Any uses not specified as permitted shall be prohibited.

	C-1	C-2	C-3	<u>TC</u>
Air conditioning, sales and service	N	N	P	<u>N</u>
Altering, pressing and repairing of wearing apparel	P	P	P	<u>N</u>
Amusement enterprises	N	P	P	<u>N</u>
<u>Amusement enterprises</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>
Animal hospital	N	P	P	<u>N</u>
All services must be provided and conducted within a completely enclosed building				
Antique, import or souvenir shop	N	P	P	<u>P</u>
Arcade	N	P	P	<u>N</u>
<u>Arcade</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>
Athletic and sporting goods store, excluding sale or repair of motor vehicles, motor boats or motors	N	P	P	<u>P</u>
Athletic club	P	P	P	<u>N</u>

Auction establishment (retail goods only)	N	N	P	<u>N</u>
Automobile, new or used sales and service	N	P	P	<u>N</u>
Automobile parts sales (new)	N	P	P	<u>N</u>
Automobile rental	N	P	P	<u>N</u>
Art Gallery	N	P	P	<u>P</u>
Automobile repair including paint, body, fender, brake, muffler, upholstery or transmission (completely enclosed building)	N	N	P	<u>N</u>
Bakery manufacture limited to foods retailed on premises	P	P	P	<u>N</u>
<u>Bakery manufacture limited to foods retailed on premises</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Bank or financial institution	P	P	P	<u>N</u>
Barber shop	P	P	P	<u>N</u>
Beauty shop	P	P	P	<u>N</u>
Bed and breakfast inn	P	P	N	<u>P</u>
Bar Pub, Tavern	N	P	P	<u>P</u>
Billiard parlor	N	P	P	<u>P</u>
Bicycle sales and service	N	P	P	<u>P</u>
Boat sales and service	N	N	P	<u>N</u>
Bookbinding	P	P	P	<u>P</u>
Bookstore, retail	P	P	P	<u>P</u>
Bowling alley	N	P	P	<u>P</u>
Building materials sales	N	N	P	<u>N</u>
Bus terminal	N	P	P	<u>N</u>
Cabinet shop	N	N	P	<u>N</u>
<u>Cabins</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Care Cafe or cafeteria	P	P	P	<u>P</u>
Camera store	P	P	P	<u>P</u>
Candy store, confectionery	P	P	P	<u>P</u>

<u>Campgrounds</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Car wash	N	P	P	<u>N</u>
Caretakers dwelling, incidental to a commercial use	N	P	P	<u>N</u>
Carpet and rug cleaning	N	N	P	<u>N</u>
Catering establishment	N	P	P	<u>N</u>
Child nursery	P	N	P	<u>N</u>
Clinics, medical or dental	N	P	P	<u>N</u>
Clothing and accessory store	N	P	P	<u>N</u>
Coal and fuel sales office	N	N	P	<u>N</u>
Convenience markets (including sale of gasoline)	P	P	P	<u>P</u>
Crematorium	N	N	P	<u>N</u>
Dairy product store	P	P	P	<u>N</u>
Dance hall	N	P	P	<u>N</u>
Delicatessen	P	P	P	<u>N</u>
Department store	N	P	P	<u>N</u>
Drapery and curtain store	N	P	P	<u>N</u>
Drugstore	N	P	P	<u>N</u>
Educational institutions	N	P	P	<u>N</u>
Egg and poultry store (retail sales only), no live bird slaughtering permitted	P	P	P	<u>N</u>
Electrical and heating appliances and fixtures sales and services	N	N	P	<u>N</u>
Electronic equipment sales and service	N	P	P	<u>N</u>
Employment agency	N	P	P	<u>N</u>
Fabric and textile store	N	P	P	<u>N</u>
Farm implement sales	N	P	P	<u>N</u>
Fence, sales and service	N	N	P	<u>N</u>
Florist shop	P	P	P	<u>P</u>
Fruit store (enclosed)	P	P	P	<u>P</u>

Furniture sales and repair	N	P	P	<u>N</u>
Garden supplies and plant material sales	N	P	P	<u>N</u>
Gift store	P	P	P	<u>P</u>
Government buildings or uses, no industrial	N	P	P	<u>N</u>
Greenhouse and nursery, soil and lawn service	N	P	P	<u>N</u>
Grocery store	P	P	P	<u>N</u>
Gunsmith	N	P	P	<u>N</u>
Hardware stores	N	P	P	<u>N</u>
Health club	P	P	P	<u>N</u>
Health food store	P	P	P	<u>P</u>
Hobby and crafts store	N	P	P	<u>N</u>
Hospitals	N	P	P	<u>N</u>
Hotel	N	P	P	<u>P</u>
<u>Hotel</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Household appliance sales and service	N	P	P	<u>N</u>
Ice cream parlor	P	P	P	<u>P</u>
Ice manufacture and storage	N	N	P	<u>N</u>
Ice store or vending station	P	P	P	<u>N</u>
Insurance agency	N	P	P	<u>N</u>
Interior decorating and designing establishment	N	P	P	<u>N</u>
Janitor service and supply	N	N	P	<u>N</u>
Jewelry store sales and service	N	P	P	<u>P</u>
Laboratory, dental or medical	N	P	P	<u>N</u>
Laundry or dry cleaners, Laundromat	P	P	P	<u>N</u>
Legal office	N	P	P	<u>N</u>
Library	N	P	P	<u>N</u>
Liquor store	N	P	P	<u>N</u>
Locksmith	N	P	P	<u>N</u>

Lodge or social hall	N	P	P	<u>P</u>
Lodging Hotel, Motel, (not RV or Cabins) (Short-term)	N	P	P	<u>P</u>
<u>Lodging, Hotel, Motel,</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Lounge	N	P	P	<u>P</u>
Lumber yard	N	N	P	<u>N</u>
Manufactured home sales lot and service	N	P	P	<u>N</u>
Medical office	N	P	P	<u>N</u>
Monument works and sales	N	N	P	<u>N</u>
Mortuary	N	P	P	<u>N</u>
Museum	N	P	P	<u>N</u>
Music store	N	P	P	<u>N</u>
Needlework, embroidery or knitting store	N	P	P	<u>N</u>
Newsstand	P	P	P	<u>N</u>
Nursery school	P	N	P	<u>N</u>
Office supply, office machines sales and service	N	P	P	<u>N</u>
Optometrist, optician or oculist	N	P	P	<u>N</u>
Paint or wallpaper store	N	P	P	<u>N</u>
Park and playground	P	P	P	<u>P</u>
Pawnshop	N	P	P	<u>N</u>
Pet and pet supply store	N	P	P	<u>N</u>
Pharmacy	N	P	P	<u>N</u>
Photographic supplies	N	P	P	<u>N</u>
Physician or surgeon office clinic	N	P	P	<u>N</u>
Plumbing shop	N	P	P	<u>N</u>
Pool hall	N	P	P	<u>P</u>
Popcorn or nut shop	N	P	P	<u>P</u>
Post office	N	P	P	<u>N</u>
Printing, lithographing, publishing or reproduction sales and service	N	P	P	<u>N</u>

Professional office	N	P	P	<u>N</u>
Radio and television sales and service	N	P	P	<u>N</u>
Real estate agency	N	P	P	<u>P</u>
Reception center or wedding chapel	N	P	P	<u>N</u>
Recreation center	N	P	P	<u>P</u>
Rental agency for home and garden equipment	N	P	P	<u>N</u>
Restaurant	P	P	P	<u>P</u>
Restaurant, drive-in	P	P	P	<u>P</u>
Roller skating rink	N	P	P	<u>N</u>
<u>RV Park or RV Resort - Transient tourist use</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Secondhand store	N	P	P	<u>P</u>
Service station, handi-mart	P	P	P	<u>P</u>
Shoe repair and shoe shine shop	N	P	P	<u>N</u>
Shoe store	N	P	P	<u>N</u>
Sign painting	N	P	P	<u>N</u>
Sign sales	N	P	P	<u>N</u>
Storage rental units	N	P	P	<u>N</u>
Supermarket	N	N	P	<u>N</u>
Theater, indoor	N	P	P	<u>N</u>
Theater, outdoor	N	P	P	<u>N</u>
<u>Tiny Home Park - transient use</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Tire recapping or retreading	N	P	P	<u>N</u>
Tire sales and service	N	N	P	<u>N</u>
Toy store, retail	N	P	P	<u>P</u>
Trailer sales and service	N	P	P	<u>N</u>
Travel agency	N	P	P	<u>N</u>
<u>Tourist Tours Operations</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>
Used car lot	N	P	P	<u>N</u>

Variety store	N	P	P	<u>P</u>
Vegetable stand	P	P	P	<u>P</u>
<u>Winery</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

C. General Requirements:

	C-1	C-2	C-3	<u>TC</u>
Minimum lot area	None	None	None	<u>None</u>
Maximum zone area	None	None	None	<u>None</u>
Minimum yard setbacks from property line (in feet)				
Front	25	25	25	<u>25</u>
Side	10	10	10	<u>10</u>
Side facing a street on a corner lot	25	25	25	<u>25</u>
Rear	10	10	10	<u>10</u>
Building heights (in feet)				
Minimum	8	8	8	<u>8</u>
Maximum	35	35	35	<u>35</u>
Heights are maximum unless specifically approved to a greater height by the planning commission				
Minimum distance between buildings	10	10	10	<u>10</u>

1. Site Plan Approval:

- a. A site plan shall be submitted, drawn to scale, and of sufficient size and detail to show building locations, yard setbacks, ingress and egress drives, parking areas, landscaped areas and such other improvements as may be required relating to the specific use proposed.
- b. The site plan, or an additional plan drawn to the same scale, shall show utility locations, including water, power, drainage, telephone; cable TV, sewer or septic tank location, fire hydrants, street improvements and such other public improvements as may be required.
- c. Planning commission review and Town Council approval shall precede the issuance of any permit for site improvement, or construction permit for utility systems. No building permits shall be issued until all underground site improvements have been installed and construction

authorized by the building inspector.

D. Special Provisions:

1. Storage Of Materials And Merchandise: All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight obscuring fence or wall of not less than six (6') feet in height, and no material or merchandise shall be stored to a height greater than that of the enclosing fence or wall.
2. Trash, Combustible Materials, Junk and Debris: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any commercial zone. No junk, debris, or similar material shall be stored or allowed to remain on any lot in any commercial zone.
3. Solid Waste Storage Facilities: All solid waste storage facilities shall be located at the rear of the main building or else behind a sight obscuring fence or wall which will prevent the facility from being seen from a public street.
4. Protection Of Adjoining Residential Property: Where a commercial development adjoins any lot or parcel of ground in any residential zone, there shall be provided along the adjoining property line a decorative, sight obscuring fence, or a ten (10') foot wide planting strip, or any combination of fencing and landscaping which adequately protects the adjoining residential property.
5. Residential Dwellings: No residential dwelling of any kind is permitted in any commercial zoning district.
6. Lighting: all lighting shall be directed away from any residential use to protect neighboring properties from light pollution, and shielded from the night sky with no light emitted above a horizontal plane. Reference AVL 10.26.
7. All lodging located in a commercial zone, shall require an on-site manager.

E. Abandoned, Wrecked, or Junk Vehicles:

1. Abandoned Vehicles Prohibited: It shall be unlawful to park or permit the parking of any licensed or unlicensed motor vehicle or parts thereof in an abandoned condition upon any public or private property within the Town for longer than seventy two (72) hours, except as follows:
 - a. In a commercial or industrial zone, the number of such vehicles is determined by permit, and:
 - (1) Such use is authorized in the zone where the use is located, and
 - (2) Vehicles and parts thereof are stored within a building or are completely screened by a six (6) foot high, opaque, sight obscuring fence.
 - b. Nuisance: The accumulation and storage of more than the permitted number of vehicles or parts thereof on private or public property except as set forth above shall constitute a nuisance, detrimental to the health, safety, and welfare of the inhabitants of the Town. It shall be the duty of the owner of such vehicle or parts thereof, or lessee, or other person in possession of private property upon which such vehicle or parts thereof is located, to remove the same from such property.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Bass	_____	_____	_____	_____
Councilmember McLaughlin	_____	_____	_____	_____
Councilmember Kopp	_____	_____	_____	_____
Mayor Lisonbee	_____	_____	_____	_____
Councilmember Edwardsen	_____	_____	_____	_____

Presiding Officer

Attest

Marty Lisonbee, Mayor, Apple Valley

Michelle Kinney, Clerk Apple Valley

**TOWN OF APPLE VALLEY
ORDINANCE O-2020-08**

AN ORDINANCE CHANGING THE GENERAL PLAN MAP DESIGNATIONS

WHEREAS, the Planning Commission has reviewed the land use designations as outlined in the Apple Valley General Plan; and,

WHEREAS, the Planning Commission has found that the General Plan does not contain density definitions as desired for the long term planning of the Town; and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on the 13th day of May, 2020 with recommendation that the General Plan Legend be modified to include density definitions as defined in Attachment A; and,

WHEREAS, the Town Council has reviewed the Planning Commission's recommendation and has received and reviewed pertinent information; and,

WHEREAS, in making this review the Town Council finds that the Planning Commission's recommendation to amend the General Plan is rationally based; and,

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 20th day of May, 2020, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

The General Plan be amended to include density definitions as defined in Attachment A.

Effective Date: This amendment shall be effective upon passage, without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 20th day of May, 2020.

Marty Lisonbee, Mayor

ATTEST:

Michelle Kinney, Town Recorder

Mayor Marty Lisonbee	Aye ___	Nay ___
Debbie Kopp	Aye ___	Nay ___
Michael McLaughlin	Aye ___	Nay ___
Denny Bass	Aye ___	Nay ___
Paul Edwardsen	Aye ___	Nay ___

Land Use Designations	Typical Density	Policy Intent
Residential		
Low Density	5 acres or more	Single family
Medium Density	1 acre or more Less than 5 acres	Single family
High Density	Less than 1 acre	Single family
Commercial		
Commercial	n/a	Commercial uses (C-Zones)
Tourist Commercial	n/a	Tourist related commercial uses (TC Zones)
Public/Other		
Parks	n/a	Public recreation areas, sports fields and playground area
Civic	n/a	Schools, churches, libraries, fire stations, or similar public facilities
Open Space	n/a	Open areas designated for no or limited development, or held for future designation
Recreational		
Recreational Accomodations	n/a	Accomodations for tourists such as RV Parks and Tiny Cabins
Industrial		
Industrial	n/a	Manufacturing and Industrial

**TOWN OF APPLE VALLEY
ORDINANCE O-2020-07**

**AN ORDINANCE CHANGING THE GENERAL PLAN MAP DESIGNATION FOR THE BUBBLING
WELL AREA**

WHEREAS, the Planning Commission has reviewed the Southeast section of the General Plan map and determined that the current General Plan designation of residential ½ acre does not fit with the long-term objectives of the area; and,

WHEREAS, the Planning Commission has recommended that this area be changed on the general plan to low density as defined by the Apple Valley General Plan; and,

WHEREAS, the Town Council has reviewed the Planning Commission's recommendation and has received and reviewed pertinent information; and,

WHEREAS, in making this review the Town Council finds that the Planning Commission's recommendation to amend the General Plan is rationally based; and,

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 20th day of May, 2020, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

The General Plan be amended to show the area encompassed by Attachment A be designated as Low Density as defined in the Apple Valley General Plan

Effective Date: This amendment shall be effective upon passage, without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 20th day of May, 2020.

Marty Lisonbee, Mayor

ATTEST:

Michelle Kinney, Town Recorder

Mayor Marty Lisonbee
Debbie Kopp
Michael McLaughlin
Denny Bass
Paul Edwardsen

Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___
Aye ___ Nay ___

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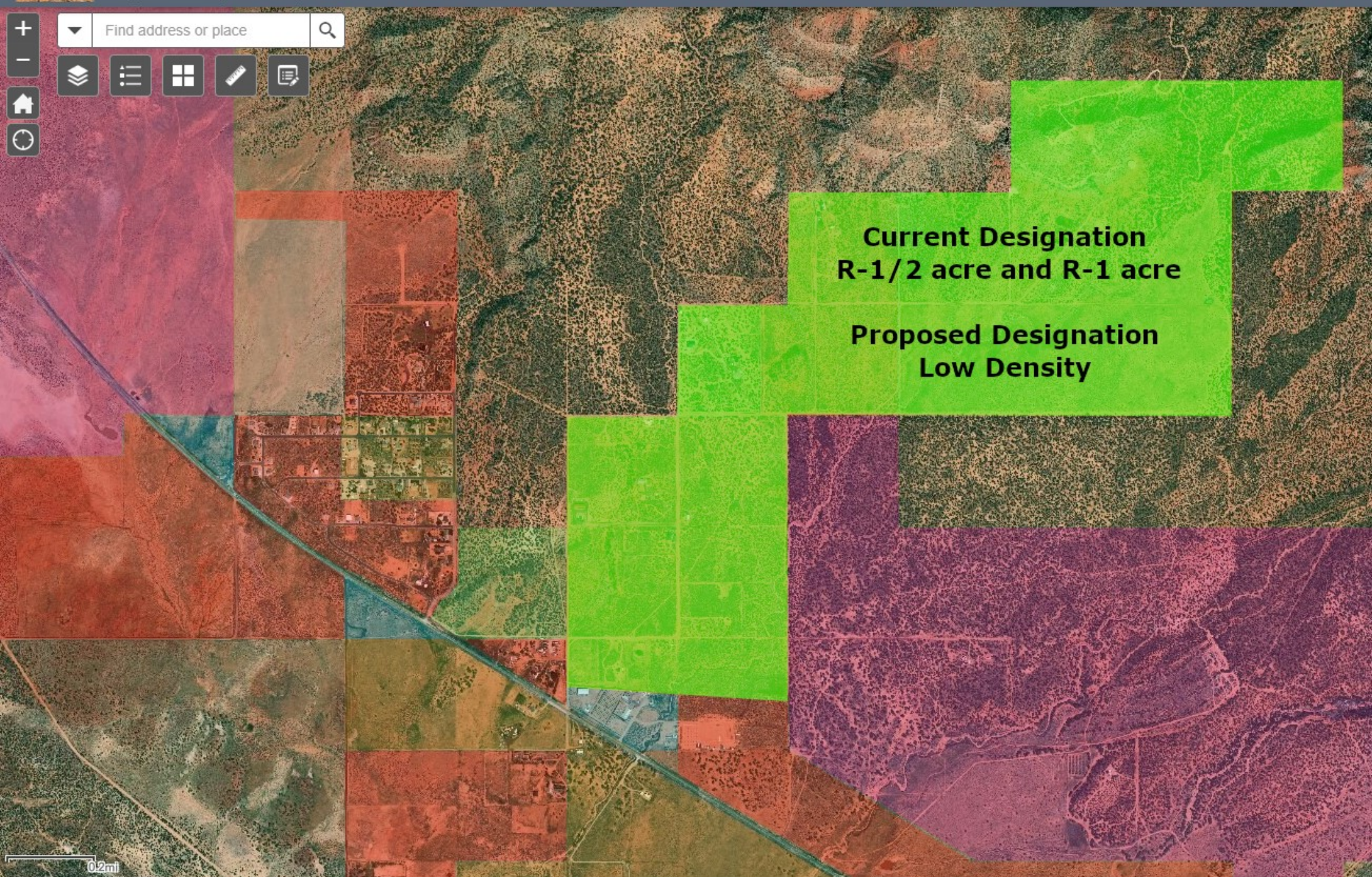
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**APPLE VALLEY
ORDINANCE O-2020-10**

SHIPPING CONTAINERS USED AS ACCESSORY BUILDINGS

WHEREAS, on September 25, 2019 the Apple Valley Planning Commission held a public hearing to consider comments on updates to 10.28.230 Accessory Buildings and Accessory Uses General Requirements; and,

WHEREAS, the Planning Commission has recommended proposed amendments to the Town Council; and

WHEREAS, the Town Council has reviewed the Planning Commission's recommendation and has determined that these ordinances are in the best interest of the health, safety, and welfare of the citizens of the Town of Apple Valley; and

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 20th day of May, 2020, and upon motion duly made and seconded:

NOW THEREFORE, be it ordained by the Council of Apple Valley, in the State of Utah, as follows:

SECTION 1: AMENDMENT “10.28.230 Accessory Buildings And Accessory Uses General Requirements” of the Apple Valley Land Use is hereby *amended* as follows:

A M E N D M E N T

10.28.230 Accessory Buildings And Accessory Uses General Requirements

- A. Accessory buildings and accessory uses may be authorized in association with a primary building or primary use.
- B. Accessory buildings and accessory uses shall only be authorized concurrently with, or following, the establishment of the primary building or primary use.
- C. An accessory garage may be attached to, or detached from, the primary building.
 - 1. An accessory garage that is attached to a primary building shall meet all requirements for the location of the primary building.
 - a. All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building and the setback requirements applicable to the primary building shall apply
 - b. See also AVLU 10.28.240.
- D. An accessory garage that is detached from a primary building shall meet all requirements for the location of a detached accessory building, as provided herein.

1. All garages and other accessory buildings located ten feet (10') or more away from the primary building may be located no less than three feet (3') from the side or rear property line, and no portion of any garage or accessory building, including any roof overhangs, shall be allowed within one foot (1') of any property line.
 2. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
 3. See also AVLU 10.28.240.
- E. Accessory buildings, located on corner lots, shall meet the required corner side yard setback, applicable in the zoning district in which the accessory building is located.
- F. Accessory buildings, except for agricultural use accessory buildings, shall be constructed of similar materials and colors and be an architectural style designed to blend with the primary building.
- G. Agricultural use accessory buildings, including barns and stables, shall be constructed of serviceable building materials.
- H. Accessory buildings shall comply with the requirements of the adopted building code, as applicable.
- I. No mobile home, travel trailer, boat or similar recreational vehicle shall be used as an accessory building.
- J. ~~No shipping container, cargo container, shipping crate, box, trailer or similar piece of equipment or object shall be used as an accessory building, unless said container meets the requirements of this section. Shipping containers must conform to requirements established in AVLU 10.28.235. Shipping Containers may be used as accessory buildings to a primary residential structure in rear or side yards, within property setbacks, and subject to the following acreage requirements limitations:-~~
1. Shipping Container is defined as an enclosed steel box container with strength suitable to withstand shipment, storage and handling. Containers are 20'x8'x8'6"-9'6" or 40'x8'x8'6"-9'6" (LxWxH). Also commonly referred to as Intermodal Freight Containers, Conex Boxes, ISO Container or Sea Cans.
 2. Shipping Containers may be used as accessory buildings to a primary residential structure subject to the following acreage limitations:
 - a. Lots under two acres are allowed one shipping container not to exceed twenty feet (20') in length.
 - b. Lots two or more acres and less than five acres are allowed either one (1) forty foot (40') container or two (2) twenty-foot (20') containers.
 - c. Lots over five acres but less than twenty acres are allowed sixty feet (60') in total linear length of shipping containers.
 - d. Lots twenty acres and larger are allowed one hundred sixty feet (160') in total linear length of shipping containers.
 3. Shipping containers shall be located in side or rear yard, are subject to all property setbacks and shall not be located within ten feet (10') of any primary structure or other accessory building or shipping container.
 4. Within one (1) month of delivery, all shipping containers must be painted to either match the primary residential structure or one of the following earth tones;

hunter green, brown, beige, tan, gray, copper, earth red or white. Container lettering, names and numbering, must not be visible on the exterior of the structure.

5. All Shipping Containers must be permitted prior to delivery.

- a. Container installed without utilities require submission of a site plan to include the location of the container, the setbacks to other buildings and property lines, and the color plan.
- b. If utilities will be connected, the standard building permit process must be followed and building permit fees paid. The container will be subject to inspections prior to completion.

6. No more than two (2) shipping containers may be used for storage of construction materials for the duration of a building permit for a residential structure. Said container(s) shall be removed prior to issuance of the Certificate of Occupancy.

- K. No utility connections or meters, separate from the primary building, shall be allowed for accessory buildings. Unless required by code.
- L. No accessory buildings shall be rented, leased or sold separately from the rental, lease or sale of the primary building.
- M. No accessory building shall be used as a permanent dwelling unit.
- N. No accessory building shall be located closer than three feet (3') to any side or rear property line, and no portion of any garage or accessory building, including any roof overhangs, shall be allowed within one foot (1') of any property line.
- O. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
- P. Accessory buildings used for the housing of domestic livestock or fowl shall comply with the requirements of AVL 10.10.050 B.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Bass	_____	_____	_____	_____
Councilmember McLaughlin	_____	_____	_____	_____
Councilmember Kopp	_____	_____	_____	_____
Mayor Lisonbee	_____	_____	_____	_____
Councilmember Edwardsen	_____	_____	_____	_____

Presiding Officer

Attest

Marty Lisonbee, Mayor, Apple Valley

Michelle Kinney, Clerk Apple Valley