



TOWN COUNCIL MEETING - HEARING NOTICE

1777 N Meadowlark Dr, Apple Valley
Wednesday, March 27, 2024 at 6:00 PM

HEARING NOTICE

Public Notice is given that the Town Council of Apple Valley, Washington County, Utah will hold Public Hearings on **Wednesday, March 27, 2024 at 6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Public Hearing will be held on the following topics:

1. Amend Title 14.13.030 Sexton Powers And Duties and 14.13.160 Cemetery Board, Ordinance-O-2024-12.
2. Amend Title 8.08.030 Fireworks Restrictions, Ordinance-O-2024-13.

Interested persons are encouraged to attend public hearings to present their views or present their views in writing at least 48 hours prior to the meeting by emailing clerk@applevalleyut.gov.

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Town Clerk and Recorder for the Town of Apple Valley, hereby certify that this Hearing Notice was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the 13th day of March, 2024.

Dated this 13th day of March, 2024

Jenna Vizcardo, Town Clerk and Recorder

Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

**APPLE VALLEY
ORDINANCE O-2024-12**

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

SECTION 1: **AMENDMENT** “14.13.030 Sexton Powers And Duties” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

14.13.030 Sexton Powers And Duties

There is hereby created the position of Sexton as designated by town council. The sexton, subject to the direction of the mayor or town administrator, has entire charge of the cemetery and is authorized to enforce the rules and regulations pertaining thereto. The sexton may take such action as may be necessary, though not expressly set forth herein, to protect the property of grave and lot owners, and the cemetery, from injury, and to preserve the peace, economy, and good order of the cemetery. The sexton shall keep the cemetery plat and related records up to date and cooperate with the town treasurer in maintaining records of charges and payments made pursuant to this chapter. The sexton or a competent deputy shall attend every interment in a cemetery and shall register the names and ages of all persons interred therein and the place of their interment. The sexton shall open and close graves, maintain the cemetery, and perform such other duties as may be required elsewhere in this chapter or directed by the town council.

SECTION 2: **AMENDMENT** “14.13.160 Cemetery Board” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

14.13.160 Cemetery Board

A cemetery board shall be established to assist the town council in decisions regarding the cemetery and to ensure policies and procedures are being followed. The board shall serve as an advisory board.

APPOINTMENT; MEMBERSHIP:

- A. Appointment: The cemetery board shall consist of up to five (5) members with a minimum of three (3) members. All members shall be appointed by the Mayor with the advice and consent of the town council.

- B. The board shall serve under the direction of the mayor or town administrator.
- C. The board shall select a chairperson and secretary, and such other officers as the board may determine. The sexton shall serve as one of the board members.
- D. The meeting schedule shall be held, at a minimum, annually.
- E. Terms; Vacancies; Removals. The members shall serve staggering four (4) year terms. The mayor may appoint members, with the advice and consent of the town council, to fill any unexpired term of any member who vacates their position for any reason. Members may be removed from their position for cause by the town council. "Cause" includes, but is not limited to, moving out of the town, failing to attend meetings, or committing any act inimical to public service.

POWERS AND DUTIES: The board shall have the following responsibilities:

- A. Recommending the mission, goals, objectives, short-term plan, and long-term plan related to the cemetery.
- B. Assisting the town council in identification of areas of concern, educating residents, ensuring policies and procedures are being followed, and any other task similar as directed by the town administrator and/or sexton.

MEETINGS:

Meetings shall be held at the town meeting room or such other location within the town as determined from time to time by the board. Notice of the date, time, and location of the meeting, along with the agenda, shall be given to the Town Recorder sufficiently in advance of such meeting to allow for proper notice in accordance with state law.

QUORUM; VOTE REQUIRED: A quorum of the board shall be three (3) members; and a majority vote of a quorum shall be required for a decision of any matter before the board. If a quorum is not present, no meeting shall be held, and any items of business shall be continued to the next meeting of the board.

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 5: EFFECTIVE DATE This Ordinance shall be in full force and effect immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Robin Whitmore	_____	_____	_____	_____
Council Member Barratt Nielson	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-13**

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

SECTION 1: AMENDMENT “8.08.030 Fireworks Restrictions” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

8.08.030 Fireworks Restrictions

~~Until further notice, the use of fireworks in the Town is prohibited. Violation of this section shall be punishable as a Class B Misdemeanor.~~

WHEREAS, the Town Council is concerned about hazardous fire conditions facing this region; and

WHEREAS, the Fire Chief of Apple Valley has determined that hazardous environmental conditions exist; and

WHEREAS, the Town Council is authorized to ban firework use within mountainous, brush-covered, forest-covered or wildland urban interface areas when hazardous environmental conditions exist; and

WHEREAS, the entire Town meets the definition of a mountainous, brush-covered, forest-covered, or wildland urban interface area.

NOW, THEREFORE, IT IS ORDAINED by the Town Council of the Town of Apple Valley that until further notice, the use of fireworks in the Town is prohibited.

Notwithstanding the above, and under direct supervision of the Fire Chief of Apple Valley or a Firefighter of Apple Valley designated by the Fire Chief of Apple Valley, legal safe and sane fireworks may be discharged on July 4th and July 24th of each year, between the hours of 1:00pm to 10:00 pm, on the Fire Department grounds of Apple Valley, located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Advanced notice of the discharge of fireworks shall be accomplished by contacting the Fire Chief of Apple Valley. The Fire Chief of Apple Valley or his designated representative reserves the right to terminate the discharging of fireworks in whole or to any individual at his/her discretion. If supervision from the Fire Department of Apple Valley is not available, then fireworks shall not be discharged.

Violation of this ordinance shall be punishable as a Class B Misdemeanor and/or Civil Fines.

The public health, safety and welfare requiring the same, this Ordinance shall take effect immediately upon its passage.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

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Council Member Barratt Nielson	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley