



TOWN COUNCIL - HEARING NOTICE

1777 N Meadowlark Dr, Apple Valley
Wednesday, October 23, 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, October 23, 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 7.10.060 Establishment Of Residential Fees And Billing (Paperless Billing Credit), Ordinance O-2024-72.
2. Amend Title 12.02 Building Codes, Ordinance O-2024-73.
3. Amend Title 5.04 Business Licenses Generally, Ordinance O-2024-76.

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 9th day of October, 2024.

Dated this 9th day of October, 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-2024-72**

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

SECTION 1: AMENDMENT “7.10.060 Establishment Of Residential Fees And Billing” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

7.10.060 Establishment Of Residential Fees And Billing

A. There is hereby established a monthly residential waste collection and disposal fee for each residence or residential unit in Town, which shall include the following amounts:

1. The amount to be paid to Republic in the amount of \$6.90 per month per residence, which shall be subject to an annual increase of 2.5%; and
2. The amount to be paid to the District for administrative costs and expenses in the amount of \$4.45 per month per residence, which shall be subject to an annual increase of ten cents (\$.10); and
3. Paperless Billing-Each customer using the paperless billing option to receive their solid waste bill will receive a \$1.50 credit on their monthly bill. Customers billed by the town on behalf of another entity will receive the paperless billing credit for their monthly billing even if they do not have solid waste service. The credit will only be applied once per invoice, per month. This credit is available only to residents and businesses of the Town, no vendors outside of town may receive the credit.

~~3.4.~~ Such amount as may be established from time to time by resolution of the Town Council for administrative costs and expenses incurred by Town in billing and collection.

B. The residential fee established hereby for basic collection service is for the availability of service provided by Town through the District and its authorized agent, Republic, and said fee shall be due and owing when service is available, regardless of whether said service is actually utilized.

C. Fees for residential waste collection and disposal services provided by Town shall be paid on a monthly basis, and shall be included in any billing for other municipal services supplied by Town. Payments for residential waste collection and disposal services not received on or before the last day of the month following the month for which services were provided shall be deemed delinquent and shall thereafter bear interest at the rate of 5 per cent per month until paid in full, and shall be subject to all collection practices or procedures as may be established

from time to time by ordinance.

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.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effective 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 Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-73**

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

SECTION 1: **AMENDMENT** “12.02 Building Codes” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

12.02 Building Codes

Section 1. Adoption of IRC Section R319.1 The Town of Apple Valley hereby adopts and enacts Section R319.1 of the 2021 International Residential Code, which establishes standards for the identification of addresses on residential buildings. Section 2. Address Identification Requirements 1. Display of Address:

- All residential buildings within the Town shall have their addresses clearly displayed on the property.
- Addresses must be visible from the street and positioned to be easily read from a distance.

2. Size and Contrast:

- Address numbers shall be a minimum of four (4) inches in height.
- The numbers must be in a contrasting color to the background for improved visibility.

3. Location:

- Address identification shall be placed near the front entrance of the building or at the edge of the property facing the street.
- In cases where the building is not directly adjacent to the street, additional identification may be required at the driveway entrance.

4. Materials:

- Address numbers should be made of durable materials suitable for outdoor exposure, ensuring longevity and visibility in various weather conditions.

Section 3. Enforcement and Compliance

1. Inspections:

- The Building Inspector shall verify compliance with these address identification

requirements during building inspections.

2. Penalties:

- Failure to comply with this ordinance may result in penalties as established by the Town Council.

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 Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-76**

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

SECTION 1: **AMENDMENT** “5.04.040 Unlawful To Operate Without A License” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.04.040 Unlawful To Operate Without A License

Unless exempted by state, federal or local law, it shall be unlawful for any person to engage in business or work within the town, regardless of business address whether on a temporary or permanent basis, without first procuring the Apple Valley Business ~~L~~License required by this Chapter. All licenses issued under the provisions of this Chapter are non-transferable and expire on December 31st of each year.

SECTION 2: **AMENDMENT** “5.04.010 Purpose” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.04.010 Purpose

The purpose of this Chapter is to enact an Apple Valley ~~B~~Business ~~L~~License fee structure and schedule consistent with state law.

SECTION 3: **AMENDMENT** “5.04.060 License Application” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.04.060 License Application

Applications for Apple Valley business licenses shall be made in writing to the Town Clerk, or his or her designee. Each application shall state the name of the applicant, the location of the

business, if any, the fee to be paid, the name and address of the business agent residing in the town who is authorized to receive service of process and any communication regarding the applicant's license, state sales tax reporting number, state contractor's license number, if applicable, and state real estate broker's license number, if applicable, and shall contain such additional information as may be needed for the purpose of issuing the license. Any change in the above information furnished by the applicant shall be forwarded in writing, within ten (10) days of the change, to the mayor, or his or her designee.

SECTION 4: **AMENDMENT** “5.04.070 Application Fee” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.04.070 Application Fee

The applicant must include the fee designated on the Apple Valley Business License Fee Schedule with his or her completed application.

SECTION 5: **AMENDMENT** “5.04.080 Refund Of Fee” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.04.080 Refund Of Fee

Unless otherwise provided herein, no Apple Valley business license fee is refundable for any reason whatsoever, once the license has been issued. If a license is denied, the applicant shall be entitled to a refund of the amount paid in excess of twenty-five dollars (\$25.00), which shall be retained to offset application processing costs.

SECTION 6: **AMENDMENT** “5.04.100 Inspections For Code Compliance/Notice Of Infraction License Revocation” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.04.100 Inspections For Code Compliance/Notice Of Infraction License Revocation

Prior to the issuance of a license to engage in a business not previously licensed at that

location, or a business with a change of location, the applicant shall permit inspection of the prospective place of business to ensure compliance with building, fire, and health codes. Businesses licensed within the Town may be inspected periodically for compliance with building, fire, and health codes. Failure to comply with town codes may result in revocation of the Apple Valley business license.

SECTION 7: **AMENDMENT** “5.04.160 Duty To Display License” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.04.160 Duty To Display License

Every licensee keep his/her Apple Valley business license displayed and exhibited in a conspicuous place within the Business while the license is in force. Every licensee that does not have a fixed place of Business shall carry such license with him at all times while carrying on the Business for which the license is issued and shall produce the license for inspection when requested to do so.

SECTION 8: **AMENDMENT** “5.04.170 Branch Establishments” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.04.170 Branch Establishments

A separate Apple Valley business license must be obtained for each branch establishment or separate location in which business is engaged in, within the town, as if such branch establishment or location were a separate business. Each license authorizes the licensee to engage only in the business licensed at the location and in the manner designated in such license.

SECTION 9: **AMENDMENT** “5.04.180 Separate Businesses, Licensed Premises” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.04.180 Separate Businesses, Licensed Premises

Where two or more persons conduct separate businesses at the same location, each such person shall obtain a separate Apple Valley business license for each such business and must pay the required license fee for such business.

SECTION 10: **AMENDMENT** “5.04.200 Exceptions To The Business License Fee” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

5.04.200 Exceptions To The Business License Fee

No Apple Valley business license fee shall be imposed under this section upon the following persons or businesses:

- A. Any person engaged in business for solely religious, charitable, eleemosynary, or other types of strictly non-profit purposes who is tax exempt in such activities under the laws of the United States and the State of Utah, nor shall any business license fee be imposed on any person engaged in a business specifically exempted from municipal taxation and fees by the laws of the United States or the State of Utah; nor shall any business license fee be imposed on any non-profit corporation duly incorporated according to the provisions of the Utah Non-Profit Corporation and Cooperative Association Act;
- B. Any insurance company or agent, for so long as state law exempts them;
- C. Any contractor holding a valid license issued by the local jurisdiction in which the licensee has its principal place of business, and by the state under Utah Code 58-55 Part 3. Such contractor must be able to present his state contractor license and valid business license to any authority or client upon request. It shall be unlawful for any person to conduct business within the town as a contractor without holding a valid state contractor license qualifying the licensee for the type of work to be done or without holding a valid business license in the entity where the principal business office is located.
- D. Any alarm company holding a valid business license issued by the local jurisdiction in which the licensee has its principal place of business;
- E. Any tow truck motor carrier holding a valid business license to perform tow truck service issued by the local jurisdiction in which the licensee has its principal place of business unless the tow truck business is also physically located in the town.
- F. Any sales or merchandise damaged by smoke or fire or of bankrupt concerns, where such stocks have been acquired from merchants of the town theretofore, regularly licensed and engaged in business; provided, however, no such stocks or merchandise shall be augmented by other goods;
- G. Any person who sells his/her own property which was not acquired for resale, barter, or exchange and who does conduct such sales or act as a participant by furnishing goods in such a sale more than twice during any calendar year;

- H. Any person selling surplus household goods or furnishings at a private residence in the garage or yard, if such garage sale is held no more frequently than three (3) days in any one calendar quarter at the same residence.
- I. Any person engaged in agriculture.
- J. Any person engaged in a business in conjunction with an event sponsored by Apple Valley, where a booth or space is rented from the town. In such case, the business license fee shall be considered included in the booth or space rental fee.

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

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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