

**APPLE VALLEY
ORDINANCE O-2022-57**

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

SECTION 1: **AMENDMENT** “11.02.050 Notice Requirements” of the Apple Valley Subdivisions is hereby *amended* as follows:

BEFORE AMENDMENT

11.02.050 Notice Requirements

- A. Notice of Proposed Multiple-Unit Residential, Commercial, Or Industrial Development: Notice of any public hearing to consider a preliminary plat describing a multiple-unit residential, commercial, or industrial development shall be provided in writing to any affected entity.
- B. Notice Of Proposal To Vacate Some Or All Of A Public Street, Right Of Way, Or Easement: The legislative body shall hold a public hearing and give notice of the date, place, and time of the hearing at least ten (10) days before the public hearing by:
 - 1. Mailing notice to the record owner of each parcel that is accessed by the public street, right of way, or easement;
 - 2. Mailing notice to each affected entity;
 - 3. Posting notice on or near the street, right of way, or easement in a manner that is calculated to alert the public;
 - 4. Publishing notice in a newspaper of general circulation in the Town; and
 - 5. Publishing notice on the Utah public notice website.

AFTER AMENDMENT

11.02.050 Notice Requirements

- A. Notice of Proposed Multiple-Unit Residential, Commercial, Or Industrial Development: Notice of any public hearing to consider a preliminary plat describing a multiple-unit residential, commercial, or industrial development shall be provided in writing to any affected entity.
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 - 2. Mailing notice to each affected entity;
 - 3. Posting notice on or near the street, right of way, or easement in a manner that is calculated to alert the public;

4. ~~Publishing notice in a newspaper of general circulation in the Town;~~
~~and Publishing notice on the Town website; and~~
5. ~~5.~~ Publishing notice on the Utah ~~P~~ublic ~~N~~otice website.
6.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.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 effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Frank Lindhardt	_____	_____	_____	_____
Council Member Andy McGinnis	_____	_____	_____	_____
Council Member Barratt Nielson	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Robin Whitmore	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Frank Lindhardt, Mayor,, Apple Valley