

**APPLE VALLEY  
ORDINANCE O-2022-50**

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

**SECTION 1:**        **REPEAL** “14.02.060 Endangered Species Impact Fees” of the Apple Valley Municipal Code is hereby *repealed* as follows:

**BEFORE REPEAL**

14.02.060 Endangered Species Impact Fees

- A. There is established a Subdivision Endangered Species Impact Fee of two-hundred and fifty dollars (\$250) per acre payable at the time application is made for final plat approval. This fee shall apply to any new project being subdivided that has not received final plat approval prior to May 4, 2006.
- B. There is further established an Endangered Species Act Impact Fee of two-tenths of one percent (0.02%) of the total value of construction for which a permit is requested, payable at the time application is made for issuance of a building permit on all new residential, commercial, and industrial construction. This shall not apply to building permits for remodeling, add-ons of existing structures, or outbuildings.
- C. The Town Treasurer is directed to collect and deposit these funds in a separate account designated as the "Endangered Species Conservation Fund" and to disburse the funds accumulated quarterly to Washington County on or before the last day of the month following a calendar quarter, together with an appropriate report showing the number of subdivision final plats issued and their acreages, and the number of applicable building permits and their construction values.
- D. This Section is in furtherance of the Town's obligations under the Interlocal Agreement executed between the Town and Washington County, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein.

**AFTER REPEAL**

14.02.060 Endangered Species Impact Fees

- ~~A. There is established a Subdivision Endangered Species Impact Fee of two-hundred and fifty dollars (\$250) per acre payable at the time application is made for final plat approval. This fee shall apply to any new project being subdivided that has not received final plat approval prior to May 4, 2006.~~
- ~~B. There is further established an Endangered Species Act Impact Fee of two-tenths of one percent (0.02%) of the total value of construction for which a permit is requested, payable at the time application is made for issuance of a building permit on all new~~

~~residential, commercial, and industrial construction. This shall not apply to building permits for remodeling, add-ons of existing structures, or outbuildings.~~

~~C. The Town Treasurer is directed to collect and deposit these funds in a separate account designated as the "Endangered Species Conservation Fund" and to disburse the funds accumulated quarterly to Washington County on or before the last day of the month following a calendar quarter, together with an appropriate report showing the number of subdivision final plats issued and their acreages, and the number of applicable building permits and their construction values.~~

~~D. This Section is in furtherance of the Town's obligations under the Interlocal Agreement executed between the Town and Washington County, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein.~~

~~E. REPEAL~~

**SECTION 2:            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 3:            EFFECTIVE DATE** This Ordinance shall be in full force and effect from October 19, 2022.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
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