

**APPLE VALLEY
ORDINANCE O-2024-10**

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

SECTION 1: **AMENDMENT** “5.09.070 Application Review, Approval And Issuance” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.09.070 Application Review, Approval And Issuance

The Mayor Town Administrator, or a designee, shall review and either approve, approve with conditions, or deny the request for a special event permit. The Town Administrator may refer the request for a special event permit to Town Council for approval.

SECTION 2: **AMENDMENT** “5.09.090 Appeal Procedures” of the Apple Valley Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.09.090 Appeal Procedures

Any applicant for a special event permit desiring to appeal an administrative decision concerning the denial or modification of a special event permit may petition the Town Council if the decision was made by the Mayor or Town Administrator. Any decision made by the Town Council is final. All appeals shall be in writing, shall state the specific grounds for the appeal, and shall be delivered to the Town recorder within five (5) calendar days after the date the applicant received notice of the denial. An applicant may appeal the Town Council's decision by seeking judicial review with the district court, which review shall be limited to a review of the record. The district court shall presume the Town Council's decision is valid and shall review the record to determine whether or not the decision was arbitrary, capricious or illegal.

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.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