

**APPLE VALLEY
ORDINANCE O-2022-22**

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

SECTION 1: **AMENDMENT** “11.02.020 Scope” of the Apple Valley Subdivisions is hereby *amended* as follows:

BEFORE AMENDMENT

11.02.020 Scope

- A. No person shall subdivide any tract of land which is wholly or in part within the Town boundaries except in compliance with this title.
- B. No person shall sell or exchange, or offer to sell or exchange, any parcel of land which is a part of a subdivision of a larger tract of land, or offer for recording in the office of the county recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this title.
- C. All lots, plots, or tracts of land located within a subdivision shall be subject to this title regardless of whether or not the tract is owned by the subdivider or a subsequent purchaser, transferor, or holder of the land.

AFTER AMENDMENT

11.02.020 Scope and Limitations

- A. No person shall subdivide any tract of land which is wholly or in part within the Town boundaries except in compliance with this title.
- B. No person shall sell or exchange, or offer to sell or exchange, any parcel of land which is a part of a subdivision of a larger tract of land, or offer for recording in the office of the county recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this title.
- C. All lots, plots, or tracts of land located within a subdivision shall be subject to this title regardless of whether or not the tract is owned by the subdivider or a subsequent purchaser, transferor, or holder of the land.
- D. No property owner may apply for a building permit, General Plan Change, Zoning Change, Conditional Use Permits if their lot or land has been subdivided in violation of this Title 11.02.020, until such violation has been corrected.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.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

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