

**APPLE VALLEY  
ORDINANCE O-2023-32**

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

**SECTION 1:            AMENDMENT** “10.28.310 Grading And Grubbing Of Vacant Lots” of the Apple Valley Land Use is hereby *amended* as follows:

**AMENDMENT**

10.28.310 Grading And Grubbing Of Vacant Lots

1. No grading or grubbing of vacant lots shall be allowed prior to issuance of a building permit.
2. Soil testing is permitted prior to issuance of building permit.
3. Notwithstanding any other provision in this title to the contrary, the Zoning Administrator shall be authorized, ~~upon an affirmative vote of the Town Council,~~ to issue a grading permit for property not scheduled for immediate or reasonably imminent development upon such terms and conditions as may be deemed necessary ~~by said Town Council~~ to guarantee the protection of the property and neighboring properties against problems resulting from such grading, including, but not limited to, the accumulation of weeds, soil erosion, surface drainage and dust.
4. To obtain a Grading Permit, please refer to the Uniform Building Code (UBC) Appendix Chapter 33 Excavation and Grading, or any updated pages, according to the currently adopted code (see Title 12.02.040).

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          REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.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

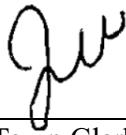
**SECTION 4:            EFFECTIVE DATE** This Ordinance shall be in full force and effect from October 18, 2023.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL OCTOBER 18, 2023.

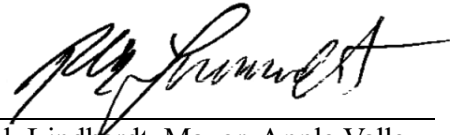
|                                  | <b>AYE</b> | <b>NAY</b>    | <b>ABSENT</b> | <b>ABSTAIN</b> |
|----------------------------------|------------|---------------|---------------|----------------|
| Mayor   Frank Lindhardt          | <u>X</u>   | <u>      </u> | <u>      </u> | <u>      </u>  |
| Council Member   Jarry Zaharias  | <u>X</u>   | <u>      </u> | <u>      </u> | <u>      </u>  |
| Council Member   Barratt Nielson | <u>X</u>   | <u>      </u> | <u>      </u> | <u>      </u>  |
| Council Member   Kevin Sair      | <u>X</u>   | <u>      </u> | <u>      </u> | <u>      </u>  |
| Council Member   Robin Whitmore  | <u>X</u>   | <u>      </u> | <u>      </u> | <u>      </u>  |

Attest

Presiding Officer



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Jenna Vizcardo, Town Clerk, Apple Valley



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Frank Lindhardt, Mayor, Apple Valley

