

**TOQUERVILLE CITY
RESOLUTION 2022.12**



A RESOLUTION ADOPTING THE TOQUERVILLE RISK ASSESSMENT AKA NATURAL HAZARD MITIGATION PLAN PREPARED BY THE FIVE COUNTY ASSOCIATION OF GOVERNMENTS AND REQUIRING ITS IMPLEMENTATION BY THE CITY IN ALL FUTURE LAND USE AND DEVELOPMENT MATTERS BEFORE THE CITY.

RECITALS

WHEREAS, Toquerville City ("City") is an incorporated municipality duly organized and operating under the laws of the State of Utah with its municipal boundaries located in the Northeast Washington County, Utah.

WHEREAS, Pursuant to the Article 1 of the Utah Constitution and Utah Code Ann. § 10-9A-102 one of the purposes of the City is to "provide for the health, safety and welfare" of the City and its residents.

WHEREAS, pursuant to Section 10-9a-103 and 10-3b-301 of the Utah Code Annotated, the Toquerville City Council ("City Council") is designated as the governing body of the City;

WHEREAS, the Five County Association of Government ("AOG") is a voluntary association of local governments from the 5 Southwestern Counties of the State of Utah, to wit (Beaver, Garfield, Iron, Kane and Washington County

WHEREAS, the City is a member of the AOG.

WHEREAS, at the City's request and with input, feedback and data from the City, the AOG has prepared a thirty three (33) page Risk Assessment Report regarding known sensitive areas within the City and the ways that property damage and injury from these natural hazards can be avoided or minimized ("Toquerville Natural Hazard Plan").

WHEREAS, the City Council has reviewed the Toquerville Natural Hazard Plan and finds its contents to be an important and vital guide for new development and growth within or near sensitive areas of the City.

RESOLUTION

NOW THEREFORE, the City, by and through its City Council, resolves as follows:

1. Adoption of the Toquerville Natural Hazard Plan. The Toquerville Natural Hazard Plan in the form attached hereto as Exhibit "A" is hereby adopted as a guide and standard for which new development and growth within the City shall be reviewed and complied with.

2. Supersession/Repealer. This Resolution supersedes or repeals the provisions of any resolution that are inconsistent with its provisions.

EXHIBIT “A”
TO TOQUERVILLE RESOLUTION 2022.12

(Toquerville Natural Hazard Plan)

(Toquerville Natural Hazard Plan To Follow)

3. Savings Clause. If any provision or clause in this Resolution or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

4. Effective Date. This Resolution shall become effective immediately upon adoption by the City Council.

PASSED AND APPROVED this 17th day of August, 2022.

Council Person:

Justin Sip	AYE	<u>✓</u>	NAE	<u> </u>	ABSTAIN	<u> </u>	ABSENT	<u> </u>
Ty Bringhurst	AYE	<u>✓</u>	NAE	<u> </u>	ABSTAIN	<u> </u>	ABSENT	<u> </u>
Rachel Peart	AYE	<u>✓</u>	NAE	<u> </u>	ABSTAIN	<u> </u>	ABSENT	<u> </u>
John 'Chuck' Williams	AYE	<u> </u>	NAE	<u> </u>	ABSTAIN	<u> </u>	ABSENT	<u>✓</u>
Gary Chaves	AYE	<u>✓</u>	NAE	<u> </u>	ABSTAIN	<u> </u>	ABSENT	<u> </u>

TOQUERVILLE CITY
a Utah municipal corporation

Attest:



Keen Ellsworth, Mayor Date



Daisy Fuentes, City Recorder