



**TOQUERVILLE CITY**  
**RESOLUTION 2023.11**



A RESOLUTION APPROVING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN WASHINGTON COUNTY AND TOQUERVILLE CITY GOVERNING THE CITY'S USE OF THE WASHINGTON COUNTY JUSTICE COURT FOR PROSECUTION OF CRIMINAL MATTERS WITHIN THAT COURT'S JURISDICTION.

RECITALS

WHEREAS Washington County, a political subdivision of the State of Utah ("County"), owns and operates a Justice Court located at 87 North 200 East, Third Floor in St. George, Utah which is staffed with multiple judges and various court clerks, bailiffs and administrators ("WashCo Justice Court").

WHEREAS the Washco Justice Court is certified, approved and regulated by the Utah State Courts System.

WHEREAS Toquerville City, a Utah municipal corporation ("City") within the County, desires to use the WashCo Justice Court in a continuous manner for the prosecution of crimes committed within the City that fall within the jurisdictional limit of said Court; and

WHEREAS the County and the City have negotiated the Interlocal Agreement, attached as Exhibit A, which provides for the use of the WashCo Justice Court by the City; and

WHEREAS it is in the best interest of the City to enter into the Agreement rather than operating a justice court of its own.

RESOLUTION

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Toquerville City Council as follows:

1. **APPROVAL OF INTERLOCAL AGREEMENT.** The Interlocal Agreement attached as Exhibit A between the City and the County regarding the City's continued use of the Washington County Justice Court for prosecutions of criminal matters is hereby approved as to its form and content and the Mayor his hereby authorized to execute the same on behalf of the City.
2. **REPEALER.** This Resolution shall repeal and supersede all prior resolutions governing the same that are in direct contradiction hereto.
3. **SEVERABILITY.** If any provision or clause of this Resolution or 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(s), clause(s) or

application(s) hereof, and to this end the provisions and clauses of this Resolution are declared to be severable.

4. EFFECTIVE DATE. This Resolution shall become effective immediately upon adoption by the City Council.

ADOPTED AND APPROVED this 2 day of August, 2023, based upon the following vote:

Councilmember:

Ty Bringhurst	AYE	<u>✓</u>	NAE	<u>      </u>	ABSTAIN	<u>      </u>	ABSENT	<u>      </u>
Joey Campbell	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>
Todd Sands	AYE	<u>✓</u>	NAE	<u>      </u>	ABSTAIN	<u>      </u>	ABSENT	<u>      </u>

TOQUERVILLE CITY  
a Utah municipal corporation

  
Justin Sip, Mayor

Attest:

  
Daisy Fuentes, City Recorder

