

TOQUERVILLE CITY
MUNICIPALITY NAME CHANGE ORDINANCE
ORDINANCE NO.2013.02

AN ORDINANCE FORMALLY APPROVING A CHANGE IN THE NAME OF THE MUNICIPALITY KNOWN AS THE TOWN OF TOQUERVILLE TO THE CITY OF TOQUERVILLE.

WHEREAS, the municipality of Toquerville, Utah (“Toquerville”) was classified as a town, pursuant to Utah law, prior to approximately November of 2000, since the population of Toquerville was less than 1,000 people; and

WHEREAS, Toquerville identified itself and operated as Toquerville Town, while Toquerville was classified as a town; and

WHEREAS, the Lieutenant Governor of Utah changed the classification of Toquerville to a city, in November of 2000, because the population of Toquerville, or estimates thereof, then exceeded 1,000 people; and

WHEREAS, Utah’s Lieutenant Governor currently classifies Toquerville as a city of the fifth class, in accordance with the provisions of Section 10-2-301 of the Utah Code Annotated and the most recent census of the United States Census Bureau conducted in 2010, which indicated that Toquerville’s population was 1,370 people; and

WHEREAS, it has come to Toquerville’s attention that Utah’s Lieutenant Governor apparently continues to identify Toquerville as having the legal name of “Toquerville Town” and does not identify Toquerville as having the legal name of “Toquerville City”, despite the fact that the Lieutenant Governor classifies Toquerville as a city of the fifth class; and

WHEREAS, Toquerville desires to formally change its name to Toquerville City, pursuant to Utah Code Ann. § 10-1-118, to properly identify itself as a city in accordance with its classification under Utah law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Toquerville, Utah, that:

Section 1. The name of the municipality of Toquerville, Utah shall be changed from the Toquerville Town to Toquerville City.

Section 2. The staff of Toquerville shall prepare and file with the Lieutenant Governor of Utah a notice of impending name change, pursuant to Utah Code Ann. § 10-1-118, to change the name of Toquerville from the Toquerville Town to the Toquerville City. The notice of impending name change to be filed with the Lieutenant Governor shall satisfy the requirements of Utah

Code Ann. § 67-1a-6.7(3). The staff of Toquerville shall also otherwise comply with the requirements of Utah Code Ann. § 10-1-118 to officially change the name of Toquerville as directed herein.

Section 3. This ordinance shall take effect immediately upon posting in the manner required by law. The change of the name of Toquerville approved herein shall become effective upon the Lieutenant Governor's issuance of a certificate of name change under Utah Code Ann. § 67-1a-6.7.

Section 4. The City Council of Toquerville hereby ratifies any and all actions taken by the municipality in or under the names of "Toquerville City" and the "City of Toquerville" between the date of the change of classification of the municipality from a town to a city and the date that the municipality is authorized to operate under the new name approved in this ordinance, pursuant to Utah Code Ann. § 10-1-118(4)(b).

APPROVED AND ADOPTED by the Mayor and City Council on this 9th day of May, 2013.

M. Darrin LeFevre, Mayor

Attest:

Renee Garner, City Recorder

