

Exhibit 11

ST. GEORGE CITY, UTAH
ORDINANCE NO. 2023-04-001

**AN ORDINANCE AMENDING ORDINANCE NO. 2023-03-003 REGARDING
TEMPORARY REGULATION SUSPENDING THE PERMITTING OR PROCESSING
OF CERTAIN SPECIAL EVENT PERMITS UNDER TITLE 3, CHAPTER 10 OF THE
CITY CODE.**

PREAMBLE

WHEREAS Utah Code §10-3-702 grants to cities the legislative power to regulate and prohibit any activity, business, conduct, or condition authorized by the Utah Municipal Code which may be necessary to provide for the health, safety, and welfare of the community; and

WHEREAS under that legislative authority, the City of St. George (“City”) has previously enacted on March 16, 2023, Ordinance No. 2023-03-003 temporarily restricting the use of public facilities and permitting of special events at those facilities; and

WHEREAS the City has determined additional amendments to the temporary regulation are necessary in order to properly execute the ordinance and existing City Code; and

WHEREAS it is in the best interests of St. George City to provide for temporary prohibitions of new applications for special events while comprehensive regulations designed to protect the health, welfare and public safety within the City are being studied, publicly vetted and adopted;

NOW, THEREFORE, the City Council of the City of St. George, State of Utah, hereby ordains as follows:

Based upon the facts as set forth in the Preamble hereto, the City Council finds that there exists a compelling, countervailing public interest to enact the following temporary regulations:

Section 1 The provisions of City Code §3-10-1 through §3-10-10 are hereby suspended and made inapplicable for the following Special Event requests and no application shall be processed which is inconsistent with this suspension.

- 1.1 An application for any new Special Event located on City owned property or within City facilities which has not previously been held within the City of St. George excluding those events for which a completed application was received by the City by close of business March 15, 2023;
- 1.2 An application for any recurring or repeat event located on City owned property or within City facilities which was not held within the previous calendar year and is not on the list of reoccurring events provided to the City Council by City staff on March 21, 2023; and

- 1.3 An application for any recurring or repeat event located on City owned property or within City facilities for which there has been enforcement action taken or threatened.

Section 2 Except as otherwise specified above, Reoccurring Events and Filming Permits as those terms are defined in City Code §3-10-2 shall not be subject to this ordinance.

Section 3 This permit suspension shall not be considered a “denial” of an event permit for which an appeal may be made.

Section 4 The definition of Special Event as contained in §3-10-2 of the City Code is hereby amended as follows:

SPECIAL EVENT: A temporary event of any of the following or a combination of the following acts:

A. Any athletic event, entertainment event, parade, carnival, circus, dance, musical event, rodeo event, fighting event, racing event, live shows, fairs, concerts, block parties, filming event, or outdoor sales event, whether held for profit, nonprofit or charitable purposes held on private or public property within the city.

B. Any organized assemblage at any public park, public square or other city property which gathers for a common purpose or event under the direction and control of a person or entity and which uses more services, amusement devices such as stages, inflatable devices or temporary structures, or equipment, whether provided by the city or a third party, than normally provided to groups which reserve park facilities or other city-owned facilities.

C. Events held at the following are not special events under this chapter:

1. A building that has a business located in it that has a current annual business license as an event business;

2. A building with an assembly group classification under the International Building Code, as adopted by the city, so long as the event does not exceed the posted occupant load as approved by the city and has a current annual business license, if required. ~~;~~ ~~and~~

~~3. A government owned facility.~~

D. For purposes of this chapter, ~~city~~ events organized and conducted by the City located on City owned property or within City facilities are not special events;

however, events held by non-city entities which may have some level of sponsored sponsorship by the city are special events.

Section 5 The provisions of City Code §3-10-3 are hereby modified as follows:

It is unlawful for any No person, corporation, partnership, association, or other entity, public or private, shall to promote, advertise, or hold a special event without first obtaining a special event permit. Events which are listed on the March 21, 2023 list of reoccurring events and events for which the City is a sponsor may promote and advertise the event after submission of a preliminary application, confirmation by City staff of the availability of the location and dates for the event, and payment of the application fee, if any.

Section 6 The provisions of City Code §3-10-4(C) are hereby modified as follows:

C. Advertising: No advertising of a special event shall be permitted until city approval of the special event is granted and a special event permit is issued. Events which are listed on the March 21, 2023 list of reoccurring events and events for which the City is a sponsor may promote and advertise the event after submission of a preliminary application, confirmation by City staff of the availability of the location and dates for the event, and payment of the application fee, if any

Section 7 Effective Date. This Ordinance shall take effect immediately upon publication and/or posting as required by law and shall thereafter be effective until September 16, 2023.

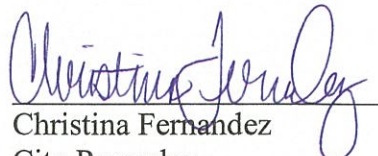
Adopted this 10th day of April 2023.

ST. GEORGE CITY



Mayor Michele Randall



ATTEST:


Christina Fernandez
City Recorder

APPROVED AS TO FORM
City Attorney's Office

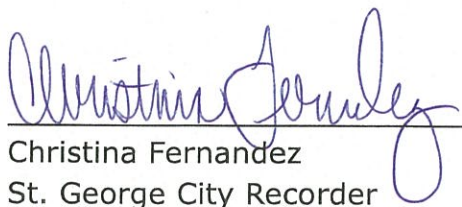

Jami R. Brackin
Deputy City Attorney

VOTING OF CITY COUNCIL:

Councilmember Hughes aye
Councilmember Larkin aye
Councilmember Larsen aye
Councilmember McArthur absent
Councilmember Tanner aye

CERTIFICATION OF CITY OF ST. GEORGE
ORDINANCE NO. 2023-04-001

Pursuant to Utah Code §10-3-713, I hereby certify that on the 6th day of April, 2023, the St. George City Council passed Ordinance No. 2023-04-001 and that a short summary of said ordinance was published on the Utah Public Notice Website, on April 7, 2023.


Christina Fernandez
St. George City Recorder

