

ORDINANCE NO. 03-01-2014

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE SANTAQUIN CITY CODE CONCERNING THE ORGANIZATION OF THE SANTAQUIN PLANNING COMMISSION AND ARCHITECTURAL REVIEW COMMITTEE; AND ALSO PROVIDING FOR THE CODIFICATION AND INCLUSION IN THE CITY CODE, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, Utah Code Ann. 1953 as amended (“the Code”) provides for the establishment and certain responsibilities of a municipal planning commission and other boards as established by the City Council; and

WHEREAS, Santaquin City, by ordinance, established the Santaquin City Planning Commission and set forth the authority of the Commission, defined the number and terms of the members, the mode of appointment, and the procedures for filling vacancies and removal from office; and

WHEREAS, Santaquin City, by ordinance, established the Santaquin City Architectural Review Committee and set forth the authority of the Committee, defined the number and terms of the members, the mode of appointment, and the procedures for filling vacancies and removal of members; and

WHEREAS, the Santaquin City Council desires now to amend certain provisions of the City Code concerning the organization and responsibilities of the Planning Commission and Architectural Review Committee, and the terms and provisions for appointment of its members;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin, Utah as follows:

SECTION I. The following sections of the Santaquin City Code are amended as indicated below.

1. Santaquin City Code, Title 2-1-1 pertaining to the establishment of the Planning Commissioner is amended as follows: (underlined text is added, stricken text is deleted)

There is hereby created a planning commission for Santaquin City, Utah, to be known as the Santaquin City planning commission. Said planning commission shall consist of seven (7) regular members and two (2) alternates to be appointed by the mayor with the advice and consent of the city council. A quorum of such body shall be four (4) members. Additionally, one member of the city council shall be appointed by the council to serve as the council's liaison to the planning commission. Such member shall have the right to attend all planning commission meetings but shall not vote on commission decisions nor take part in discussions pertaining to land use applications before the planning commission where the planning commission is not the final review authority. The planning commission shall select one of its members to attend all appeal authority meetings and shall have no vote on matters brought before the appeal authority.

2. Santaquin City Code, Title 2-3-3 paragraph A, pertaining to the appointment and removal of Architectural Review Committee members is amended as follows: (underlined text is added, stricken text is deleted)

A. The architectural review committee shall consist of five (5) members. Members of the ~~first~~ architectural review committee shall be appointed to terms so that the term of at least one member expires each year. Additionally, one member of the city council shall be appointed

by the Mayor to serve as the council's liaison to the Architectural Review Committee. All appointments shall be by the mayor with the advice and consent of the city council and shall at all times include the following:

1. One member of the city planning commission.
 2. One member of the city community development department.
 3. One state licensed professional architect.
3. Santaquin City Code, Title 2-3-4 paragraph E, pertaining to procedures of the Architectural Review Committee members is amended as follows: (underlined text is added, stricken text is deleted)
- E. Action Of The Architectural Review Committee: No convening of an architectural review committee meeting may be held without ~~four (4)~~three (3) or more of the members present. The architectural review committee shall make determinations in harmony with the provisions of this title and shall notify the applicant and the zoning administrator, or other authorized officer, of the action taken no later than five (5) days following their decision.

SECTION II. Contrary Provisions Repealed.

All provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

SECTION III. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

SECTION IV. Severability.

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

SECTION V. Effective Date.

This ordinance shall become effective at 5:00 p.m. on Thursday, March 20, 2014. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.


PASSED AND ADOPTED this 19th day of March, 2014.




Kirk Hunsaker, Mayor

Councilmember Keith Broadhead	Voted <u>yes</u>
Councilmember Matthew Carr	Voted <u>yes</u>
Councilmember David Hathaway	Voted <u>yes</u>
Councilmember Amanda Jeffs	Voted <u>yes</u>
Councilmember Nick Miller	Voted <u>yes</u>

ATTEST:


Susan Farnsworth, City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, SUSAN B. FARNSWORTH, City Recorder of Santaquin City, Utah, do hereby certify and declare that I posted in three (3) public places the ordinance which is attached hereto on the 20th day of March, 2014.

The three places are as follows:

1. Zions Bank
2. Post Office
3. City Office

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

SBFarnsworth
SUSAN B. FARNSWORTH
Santaquin City Recorder

The foregoing instrument was acknowledged before me this 20 day of March, 2014, by SUSAN B. FARNSWORTH.

My Commission Expires: 12/01/2014

Ann Edington Adams
Notary Public

Residing at: Utah County

