

## ORDINANCE NO. 07-01-2019

AN ORDINANCE ORGANIZING THE DEVELOPMENT REVIEW COMMITTEE OF SANTAQUIN CITY, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

WHEREAS, the City Council desires to adopt Santaquin City Code Title 2 Chapter 9 and amend Title 10 Chapter 19 Section 3 regarding the Development Review Committee; and

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

### Section I. Amendments

Title 2 Chapter 9 is adopted as follows: (underlined text is added, stricken text is deleted)

## Chapter 9 Development Review Committee

### 2-9-1: ESTABLISHED:

There is hereby created a development review committee for Santaquin City, Utah, to be known as the Santaquin City development review committee (DRC).

### 2-9-2: MEMBERSHIP:

The Development Review Committee shall consist of seven (7) regular members consisting of the City Manager, Community Development Director, City Engineer, Public Works Director, Chief Building Official, Police Chief, and Fire Chief. Non-voting members shall also include the Assistant Engineer, Staff Planner, Infrastructure Inspector, Fire Department plan reviewer, and the local US Post Master. In the event that a regular member is absent, his/her designee may vote in place of the regular member.

### 2-9-3: QUORUM:

A quorum of such body shall be four (4) members. Four (4) affirmative votes shall be necessary in order to approve any item or to recommend approval of any item to the Planning Commission or City Council.

#### 2-9-4: CHAIR:

The chair of the Development Review Committee shall be the City Engineer, or designee, who shall retain the right to cast a vote while acting as chair.

#### 2-9-5: POWERS AND DUTIES:

The Development Review Committee shall:

- A. Administer provisions of the zoning ordinance, where specifically provided for in the zoning ordinance adopted by the legislative body.
- B. To review preliminary plats to ensure compliance with City ordinances, laws, and regulations, and the make recommendations to the Planning Commission and City Council concerning the approval of the same.
- C. To review and approve site plans and final plats.
- D. To perform such other functions as may be assigned by the City Council by either ordinance or directive.

#### 2-9-6: APPEALS

- A. Appeals: Any person aggrieved by a decision of the Development Review Committee of Santaquin City or any administrative officer shall have the right to make such appeals as provided by this code or the laws of the state of Utah.

**Title 10 Chapter 19 Section 3 is amended as follows: (underlined text is added, stricken text is deleted)**

#### **10-19-3: REVIEWING BODIES:**

In accordance with the Utah state code public meetings laws, the Santaquin City council, planning commission and development review committee shall review all land use applications, as provided in this section and this code. ~~The development review committee shall be composed of city staff, including representatives from each city department, elected officials, and others, as determined by the city council.~~

No project shall receive any preliminary or final approval from a review body listed above, except as explicitly outlined in the processes established by this section. No land use application shall be reviewed within five (5) days of receiving approval or recommendation from any separate review body. (Ord. 5-04-2015, 5-6-2015, eff. 5-7-2015)

#### **Section II. 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 III. Contrary Provisions Repealed**

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

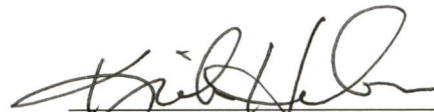
**Section IV. Codification, Inclusion in the Code, and Scrivener's Errors**

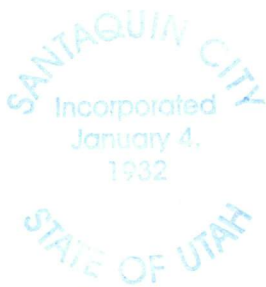
It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. 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 V. Posting and Effective Date**

This ordinance shall become effective at 5:00 p.m. on Wednesday, July 3, 2019. 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 2<sup>nd</sup> day of July 2019.

  
Kirk Hunsaker, Mayor



Councilmember Elizabeth Montoya	Voted	<i>Aye</i>
Councilmember Lynn Mecham	Voted	<i>Aye</i>
Councilmember Keith Broadhead	Voted	<i>Aye</i>
Councilmember Nick Miller	Voted	<i>Aye</i>
Councilmember Chelsea Rowley	Voted	<i>Aye</i>

ATTEST:

  
Susan Darnsworth, City Recorder