

ORDINANCE NO. 2016 - 09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING CITY CODE SECTION 17.16.010 (PLANNING COMMISSION) REGARDING THE NOMINATION AND APPOINTMENT OF PLANNING COMMISSIONERS.

WHEREAS, Utah Code § 10-9a-102 grants the City of South Jordan the authority to enact ordinances that the City Council considers necessary or appropriate for the use and development of land within South Jordan; and

WHEREAS, the City Council has adopted the Title 17 of the City of South Jordan Municipal Code; and

WHEREAS, the City Council desires to enact a text amendment that changes how members of the South Jordan Planning Commission are nominated and appointed, and changes other Planning Commission procedures; and

WHEREAS, the Planning Commission of the City of South Jordan held a public hearing, reviewed and made recommendation concerning the subject text amendment; and

WHEREAS, the City Council has held a public hearing and reviewed the subject text amendment; and

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Amendment. Section 17.16.010 of the South Jordan City Municipal Code, as shown in the attached Exhibit A, is hereby amended.

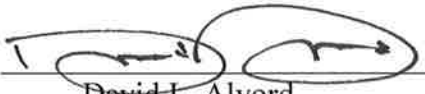
SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 15 DAY OF March, 2016 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	___	___	___
Brad Marlor	<u>X</u>	___	___	___
Christopher Rogers	<u>X</u>	___	___	___
Donald Shelton	<u>X</u>	___	___	___
Tamara Zander	<u>X</u>	___	___	___

Mayor: 
 David L. Alvord

Attest: 
 City Recorder

Approved as to form:


 Office of the City Attorney



EXHIBIT A

17.16.010: PLANNING COMMISSION:

There is created a planning eCommission of the eCity ~~which shall consist~~ing of five (5) voting members and one (1) alternate member. Each member of the eCity eCouncil shall nominate one (1) voting member to the planning eCommission and that nominee shall be appointed to the planning eCommission by a majority vote of the eCity eCouncil. ~~Any member of the city council may~~The Mayor shall nominate the alternate member to the planning eCommission and that nominee shall be appointed as the alternate member to the planning eCommission by a majority vote of the eCity eCouncil. The alternate member of the planning eCommission shall attend the planning eCommission meetings, ~~shall~~ and participate in the proceedings, but shall not vote in the meetings unless at least one (1) voting member is not present for the meeting or if at least one (1) voting member is recused. Members of the planning eCommission shall be appointed for ~~staggered terms~~the same term, or remainder of a term, as the term of the Mayor or member of City Council who nominated him or her. ~~The term of a planning commission member shall be two (2) years from the date of appointment. The city council, at the time of nomination, may extend a specific member's term for up to one additional year in order to stagger the terms of the planning commission members. Members of the planning commission may be renominated and reappointed for additional terms as set forth herein.~~ The City Council may remove any member of the Planning Commission for any reason by majority vote of the City Council. Any vacancy occurring on saidthe Planning eCommission by reason of death, resignation, removal, or disqualification shall promptly be filled by the eCity eCouncil for the unexpired term of such member, according to the nominating and appointment procedure set forth herein. A member of the Planning eCommissioner whose term has expired shall continue to serve until a successor has been appointed unless otherwise directed by the eCity eCouncil. ~~The city council may remove any member of the planning commission for any reason by majority vote of the city council.~~ Each member of the planning eCommission, including the alternate member, shall be paid fifty (50) dollars ~~(\$50.00)~~ per day for attending each regular planning eCommission meeting. Members of the Planning eCommission shall be appointed, including appointments to fill vacancies, and removed by resolution of the eCity eCouncil.

- A. Commission Organization ~~and~~ Meetings: At the first regular planning eCommission meeting held in each calendar year, the members shall select from their number a chairperson and other such officers as they deem necessary in carrying out the functions of the Planning eCommission and shall adopt such rules and regulations for the conduct of business before the Planning eCommission as they deem appropriate, which rules and regulations may be modified and/or amended at any time by the planning eCommission at any of its regular meetings. The eCity eCouncil may remove, replace, or appoint the chairperson of the Planning eCommission by a majority vote of the eCity eCouncil. ~~Meetings of the~~Planning eCommission meetings shall be held at the call of the chairperson and at such other times as the Planning eCommission may determine in accordance with the law. ~~Meetings of the~~ planning eCommission meetings shall be open to the public, unless closed in accordance with law. Three (3) members of the planning eCommission shall constitute a quorum for the transaction of business. The vote of the majority of those Planning Commission members in attendance, but no less than three (3) members, shall be required to pass

any motion before the Planning Commission. Minutes shall be taken at the **Planning** **Commission** meetings and minutes containing the official act and recommendations of the **Planning** **Commission** shall constitute public records and shall be available for inspection upon reasonable notice at reasonable times and places. Reports of official acts of the **Planning** **Commission** shall be made in writing and shall indicate how each member of the **Planning** **Commission** voted with respect to such acts or recommendations as the **Planning** **Commission** may from time to time make.