

Ordinance No. 07-34

**AN ORDINANCE APPROVING AMENDMENTS TO
THE LAND MANAGEMENT CODE
OF PARK CITY, UTAH, TO ADDRESS A REVISION TO
CHAPTER 15-11-3 HISTORIC PRESERVATION (BOARD), ORGANIZATION.**

WHEREAS, the Land Management Code is designed and enacted to implement the objectives of the Park City General Plan; to protect the general health, safety, and welfare of Park City's citizen's and property owners; to maintain the quality of life and experience for its residents and visitors; and to preserve the community's unique character and values;

WHEREAS, the City reviews the General Plan and Land Management Code on an annual basis and identifies necessary amendments to the Land Management Code to address substantive revisions;

WHEREAS, Chapter 15-11-3 Historic Preservation, Organization presently requires only three (3) members of the Historic Preservation Board to constitute a quorum for purposes of taking action, including the Chairman;

WHEREAS, it is in the best interests of the public to have applications acted on in an expedient manner;

WHEREAS, in order to allow for action when the Chairman is absent, a Chairman Pro Tem should be appointed by the members present, to act as Chairman for purposes of constituting a quorum;

WHEREAS, Chapter 15-11-1 was amended in 2006 by Ordinance No. 06-09, requiring seven (7) members rather than five (5) members, but the quorum was not amended at that time;

WHEREAS, this amendment is a needed change identified since the 2006 Land Management Code revisions;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at its regularly scheduled meeting on May 23, 2007, and forwarded a positive recommendation to the City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on June 14, 2007; and

WHEREAS it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Utah State Code.

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

SECTION 1. INCORPORATION. The above recitals are hereby incorporated as findings of fact and conclusions of law.

SECTION 2. AMENDMENT TO CHAPTER 15-11-3 OF THE LAND MANAGEMENT CODE. Chapter 15-11-3 is hereby amended to read as attached hereto on Exhibit A, pursuant to the to the Findings of Facts, Conclusions of Law. Any conflicts or cross-references from other provisions of the LMC to Chapter 15-11-3 shall be resolved by the Planning Director.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



EXHIBIT A

15-11-3. ORGANIZATION.

(A) **CHAIRMAN**. The HPB shall elect one of its members to serve as Chairman for a term of one (1) year at its first meeting in March. The Chairman may be elected to serve for one (1) consecutive additional term, but not for more than two (2) successive terms. If the Chairman is absent from any meeting where a quorum would otherwise exist, the members may appoint a Chairman Pro Tem to act as Chairman solely for that meeting.

(B) **QUORUM**. No Business shall be conducted without a quorum at the meeting. A quorum shall exist when the meeting is attended by ~~three (3)~~ four (4) of the appointed members, including the Chairman or Chairman Pro Tem.

(C) **VOTING**. All actions of the HPB shall be represented by a vote of the membership. A simple majority of the members present at the meeting in which action is taken shall approve any action taken. The Chairman or Chairman Pro Tem may vote at the meetings.