

ORDINANCE 18-01

AN ORDINANCE REVISING THE PLANNING COMMISSION ORGANIZATION

WHEREAS, Nibley City's Planning Commission has been designated a land use authority by the Utah Land Use and Development Act and by Nibley City Ordinance; and

WHEREAS, Nibley City's Planning Commission plays a vital role in making recommendation and land use decisions; and

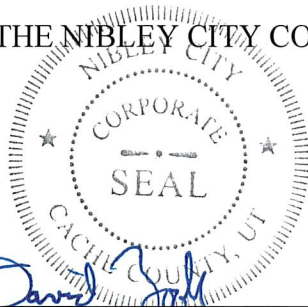
WHEREAS, Nibley City seeks to provide the best and most timely service it can to property owners and residents of the City; and

WHEREAS, the Mayor and City Council appoint and approve each member of the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL OF NIBLEY, UTAH THAT:

1. The attached ordinance, entitled, "An Ordinance Revising the Planning Commission Organization" is hereby adopted and Nibley City Code 2-1 shall be updated accordingly.
2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Nibley City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
4. This ordinance shall become effective upon posting as required by law.

PASSED BY THE NIBLEY CITY COUNCIL THIS 4 DAY OF January, 2017.




Shaun Dustin, Mayor

ATTEST:

David Zook, City Recorder

2-1 Planning Commission

- 2-1-1 Established
- 2-1-2 Terms Of Office
- 2-1-3 Organization
- 2-1-4 Powers And Duties

Amended by Ord. 16-01 on 3/3/2016

2-1-1 Established

- A. Membership: There is hereby created a planning commission of five (5) members, and one alternate. The Mayor, with advice and consent of the City Council, shall appoint all members and alternates to the Planning Commission. Members of the city council may not be appointed to the planning commission.
- B. Compensation: Members of the planning commission shall be compensated as determined by resolution of the city council.

2-1-2 Terms Of Office

The terms of the planning commission shall be staggered. Each member of the planning commission shall serve for a term of five (5) years and until his successor is appointed; provided, that the term of the first members shall be such that the terms of one member shall expire each year. Terms of members of the planning commission shall begin on or before the first Monday in February of each year. The city council may remove any member of the planning commission for cause and after a public hearing, if one is required. Vacancies shall be promptly filled in the same manner as the original appointment for the remainder of the unexpired term. The term of the alternate shall be the same as terms for regular members of the Planning Commission, which may result in the replacement of both a regular member and an alternate in certain years.s

2-1-3 Organization

- A. Chairperson The Mayor shall annually appoint a chairperson and such other officers as deemed necessary with advice and consent of the City Council.
- B. Adoption Of Rules: The members of the planning commission shall adopt rules and regulations for their organization and for the transaction of business and the conduct of their proceedings.
- C. Reports To City Council: The Planning Commission chair shall, at the request of the Mayor or City Council, give a report to the City Council on a regular basis about the Planning Commission's ongoing projects and goals. This report shall be in person and agendized on the City Council agenda. If the Planning Commission Chair is not able to attend the appointed meeting, the chairperson may assign another member of the Planning Commission or staff to report, or the chairperson may submit a written report.

Reports of official acts and recommendations of the planning commission shall be public and made by the chairperson in writing to the city council and shall indicate how each member of the planning commission voted with respect to such act or recommendation. Any member of the planning commission may also make a concurring or dissenting

report or recommendation to the city council. The Planning Commission chair may designate staff to make such reports, written or oral, to the Nibley City Council.

- D. Meetings: The planning commission shall meet at least once each month and at such other times as the planning commission may determine.
- E. Quorum: Three (3) members of the planning commission shall constitute a quorum. Alternate members shall count towards the number for a quorum.
- F. Alternate: The Alternate member of the Planning Commission is encouraged to attend all Planning Commission meetings. Alternate members are encouraged to participate in the discussion of all meetings for which they are present, but shall only vote in the absence of a regular Commissioner.