

ORDINANCE 09-12-06

AN ORDINANCE TO REPEAL ORDINANCE 7-8-87 AND ALL OTHER ORDINANCES IN REGARD TO PLANNING AND ZONING COMMISSION TERMS.

I. Planning and Zoning Commission of Emery Town

In accordance with the provisions of Emery Town Development Code 2-1-1, the Town of Emery hereby adopts the following criteria for the Planning and Zoning Commission. Be it ordained that the Emery Town Planning and Zoning Commission shall consist of the following bodies with terms as assigned.

1. Planning Commission
2. Appeal Authority
3. Zoning Authority

II. The support and nomination of the following people to the Planning Commission:

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| A. | Gary Petty | 2006-2008 |
| B. | Farren Hunsaker | 2006-2008 |
| C. | Joel Jensen | 2006-2010 |
| D. | Marie Anderson | 2006 – 2010 Secretary |
| E. | Corinne Dalton | 2006 – 2010 Zoning Administrator & Chairperson |

II. The Planning Commission has the authority to decide questions concerning nonconforming uses, the authority to deal with conditional uses, and the duties to those enumerated by Utah State Code Annotated (10-9-201-205, 302 U.C.A.).

IV. The General Plan, the Zoning Ordinances and the Subdivision Ordinance are the documents that are the basis of the decisions that the commission is called to make. The commission will be an advisory committee to the Town Council.

V. The mode of appointment shall be by recommendation to the mayor and council and by appointment of majority vote by them. Vacancies are to be filled after the position has been posted for three (3) weeks. Applicants will be considered and the final decision will be made by the mayor and the council. The vacancy shall be posted in three (3) places for no less than three (3) weeks with applicants contacting either the mayor or the Planning Chairperson for consideration.

VI. The terms of office are for two years and four years with staggered appointment terms.

VII. If members of the community seek to be on the agenda they will need to contact the town office or the Zoning Administrator at least three (3) days prior to the Planning Commission meeting.

- VIII. All business that would require an Appeal Authority decision be heard and approved by the Town Council before being forwarded to the Appeal Authority (Town attorney).
- IX. The Board of Adjustment will hereby be known as the Appeal Authority and will consist of one (1) person, the representing attorney for Emery Town. The powers and duties of this person are to hear and decide:
- a. Administrative appeals from zoning decisions applying the zoning ordinance; special exceptions to the terms of the zoning ordinance, and appeals of the approval and denial of conditional use permits.

ADOPTED THIS 9TH DAY OF SEPTEMBER 2006



Mayor

Attest: 

Municipal Recorder

