

EMIGRATION CANYON METRO TOWNSHIP, UTAH

ORDINANCE NO. 17-04-01, April 4 2017

A ORDINANCE CREATING A TOWNSHIP PLANNING COMMISSION AND ESTABLISHING THE NUMBER OF ITS MEMBERS, TERMS OF OFFICE, AND AUTHORITY

RECITALS

A. Utah State Code section 10-2a-414 provides that when a metro township is incorporated that each county ordinance that is in effect on the day that metro township is incorporated will remain in effect as a metro township ordinance until the metro township council amends or repeals the ordinance.

B. Utah State Code section 10-3a-504(3) provides that in a metro township that is in a municipal service district that the township council shall adopt by ordinance provision regulating the manner in which a subdivision is approved, disapproved, or otherwise regulated.

C. Utah State Code section 10-3c-203(4) provides that a metro township may establish a planning commission and appeal authority as provided for in the Municipal Land Use Development and Management Act.

D. The Municipal Land Use Development and Management Act provided that a Utah municipality, including a metro township, may adopt general plans and land use regulation only after establishing a planning commission to provide recommendations to the township council

ORDINANCE

NOW, THEREFORE, IT IS HEREBY ORDAINED, by the Council of the Emigration Canyon Metro Township:

I. The following shall be adopted as the governing ordinance and provisions for the Emigration Canyon Metro Township Planning Commission:

PLANNING COMMISSION

Planning Commission established and authority.

Pursuant to Utah Code 10-3c-203(4) and Utah Code 10-9a-301 there is hereby established a Emigration Canyon Metro Township Planning Commission which shall have the authority as set forth in Utah Code 10-9a-301; this ordinance; and the ordinances of Salt Lake County that pursuant to Utah Code 10-2a-414(3) remain in effect in the Township until amended or repealed by the Township Council.

Appointment—Term.

The Planning Commission for the Township shall consist of seven (7) members and up to two (2) alternate members appointed by the Chair of the Township Council with the advice and consent of the Council. Members shall serve four-year terms or longer until successors are appointed. Upon initial appointment of the members of the first Planning Commission for the Township, the Council shall assign each new member with an initial term of office of one to four years. Terms shall commence on March 1st of each year. Terms of at least one member, and not more than two, shall expire each year. In the event a term of a member shall expire before a successor is appointed, the member shall continue to serve until a successor is appointed. The members and alternate members of the Planning Commission shall be registered voters residing in the Township

Vacancy—Removal.

Any vacancy occurring on the Planning Commission by reason of death, resignation, removal or disqualification shall be filled by the Chair of the Township Council with the advice and consent of the Council for the unexpired term of such member. The Chair of the Township Council may remove a member of the Planning Commission for cause after filing written charges against the member. The member shall be provided with a hearing before the Township Council on the charges if requested.

Organization—Procedures.

The Planning Commission shall elect a chairperson from its members who shall serve a one-year term. The Planning Commission may create and fill any other necessary offices it deems necessary and may adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purpose the Planning Commission considers necessary for its proper function. The Planning Commission shall comply with the provisions of the Utah Open and Public Meetings Act.

Powers and duties.

The Planning Commission shall:

- A. Prepare and recommend a general plan and amendments to the general plan to the Township Council;
- B. Recommend zoning ordinances and maps and amendments to zoning ordinances and maps to the Township Council;
- C. Recommend subdivision ordinances and amendments to those ordinances to the Township Council;
- D. Recommend approval or denial of subdivision applications to the Township Council;
- E. Approve or deny conditional use permits;
- F. Advise the Township Council on matters that the Council directs;
- G. Provide other functions as specified in this chapter or as directed by the Township Council.

Policies and Procedures

The Township Council, in conjunction with the Greater Salt Lake Municipal Services District, shall:

- A. adopt such policies and procedures as it deems necessary to provide for:
- B. The location, scheduling, and conduct of Township Planning Commission meetings;
- C. The processing of applications;
- D. The provision of Planning support staff;
- E. The funding of necessary and reasonable expenses of the Township Planning Commission; and
- F. For any other purposes considered necessary for the functioning of the Township Planning Commission.

II. This ordinance shall take effect upon publication and posting as required in Utah Code 10-3-711.

III. The Salt Lake County Clerk acting for the Township and municipal recorder/clerk pursuant to Utah Code 10-3c-201(1)(a)(ii) is hereby authorized to provide appropriate title, chapter, part, and section numbers for the provision of this ordinance and pursuant to Utah Code 10-3-713 shall record, in a book used exclusively for that purpose, this ordinance, along with all ordinances passed by the Emigration Canyon Metro Township.

IV. The recorder shall give this ordinance a number, if the Township Council has not already so done.

V. Immediately following this ordinance, the recorder shall make or cause to be made a certificate stating the date of passage and of the date of publication or posting, as required.

APPROVED AND ADOPTED in Emigration Canyon Metro Township, Salt Lake County, Utah, this 4 day of April, 2017.

Co-CHAIRPERSON

Jennifer Hawkes
-Rick Raile *Jennifer Hawkes*

ATTEST:

Shirley Swana Clerk

Voting:

Council Member Raile Ate
 Council Member Smola Ate
 Council Member Hawkes Ate
 Council Member Brems Ate
 Council Member Christensen Ate

