

ORDINANCE NO. 1074

AN ORDINANCE AMENDING ARTICLE 8, SECTIONS 8.1 AND 8.2 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF EDGERTON, KANSAS REDUCING THE NUMBER OF PLANNING COMMISSION AND BOARD OF ZONING APPEALS MEMBERS FROM NINE TO FIVE, REDUCING THE NUMBER OF SUCH MEMBERS WHO MUST RESIDE WITHIN THE CITY LIMITS FROM SIX TO THREE, REDUCING THE NUMBER OF SUCH MEMBERS NECESSARY TO CONSTITUTE A QUORUM FROM FIVE TO THREE, REMOVING THE POSITION OF ALTERNATIVE COMMISSIONERS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

SECTION 1. Article 8, Section 8.1 (A) of the Unified Development Code of the City of Edgerton, which is titled "Membership", is hereby amended to read as follows:

A. Membership. A Planning Commission is hereby created and appointed by the Governing Body. There shall be five regular voting members of the Planning Commission.

SECTION 2. Article 8, Section 8.1 (B) of the Unified Development Code of the City of Edgerton, which is titled "Terms and Qualifications", is hereby amended to read as follows:

B. Terms and Qualifications.

1. All regular Commissioners shall be appointed for terms of three years, and each may serve for five (5) consecutive full terms (a temporary, alternate or replacement terms shall not be considered a full term). Commissioners may be appointed again following a one-year waiting period after five (5) regular terms of service.
2. Planning Commissioners shall be at least 18 years of age. At least three members of the Planning Commission shall reside within the city limits of the City of Edgerton, with the remaining members being residents of the City of Edgerton Planning Area.
3. Planning Commissioners may be removed by a vote of the Governing Body for cause, including, but not limited to, failure to attend meetings, abuse of office, serious conflict of interest and abusive conduct. Any Planning Commissioner removed from office shall have the right to file an appeal, within fourteen (14) days of removal, for a full hearing on the matter before the Governing Body or a committee composed of the Mayor, not more than two councilmembers and any other parties the Governing body should appoint to such committee.
4. Appointments to fill vacancies of unexpired terms shall be made by the Governing Body.

5. Members shall serve without pay or other compensation except that all members shall be reimbursed for traveling or phone expenses.

SECTION 3. Article 8, Section 8.1 (E)(2) of the Unified Development Code of the City of Edgerton is hereby amended to read as follows:

2. All official votes shall be by a simple majority of a quorum. A quorum is three Planning Commissioners present at any meeting, unless specified otherwise by state law.

SECTION 4. Article 8, Section 8.2 (C) of the Unified Development Code of the City of Edgerton, which is titled "Composition of the Board", is hereby amended to read as follows:

C. Composition of the Board.

1. The Board of Zoning Appeals shall be composed of all five current members of the Edgerton Planning Commission.

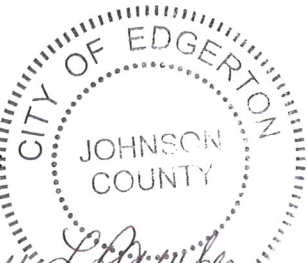
2. Members shall be appointed by the Governing Body for terms of three (3) years and may be re-appointed for subsequent terms.

SECTION 5. Repeal of Conflicting Ordinances. All ordinances or sections of ordinances in conflict herewith are hereby repealed.

SECTION 6. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the City's official paper.

PASSED by the Council and approved by the Mayor on this 25th day of January, 2018.

ATTEST:




JANEICE RAWLES, City Clerk


DONALD ROBERTS, Mayor

APPROVED AS TO FORM:


LEE W. HENDRICKS, City Attorney