

**Ordinance No. 2020-30**

**AN ORDINANCE AMENDING LAND MANAGEMENT CODE § 15-10-5  
TO ALLOW THE ALTERNATE BOARD OF ADJUSTMENT MEMBER  
TO COUNT TOWARD A QUORUM**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah, to promote the health, safety, and welfare of the residents, visitors, and property owners of Park City;

WHEREAS, the Land Management Code implements the goals, objectives, and policies of the Park City General Plan to maintain the quality of life and experiences for City residents and visitors;

WHEREAS, Land Management Code Chapter 15-10 establishes the Board of Adjustment as the City's land use appeal and variance authority;

WHEREAS, the Mayor appoints five members and one non-voting alternate to the Board of Adjustment with the advice and consent of the City Council;

WHEREAS, at least three Board of Adjustment members form a quorum;

WHEREAS, the alternate may vote when a regular member is absent, but the alternate cannot count toward a quorum;

WHEREAS, the Board of Adjustment does not have regularly scheduled meetings and it can be difficult to establish a quorum to hold meetings for land use appeal and variance applicants;

WHEREAS, it is in the best interest of Park City, Utah, to amend Land Management Code § 15-10-5 to allow the alternate to count toward a quorum in order to ensure that meetings for appeals and variances may be timely scheduled;

WHEREAS, the Planning Commission duly noticed and conducted a public hearing on May 13, 2020, and forwarded a positive recommendation to City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing on June 25, 2020.

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

SECTION 1. LAND MANAGEMENT CODE § 15-10-5, ORGANIZATION. The recitals above are incorporated herein as findings of fact. Section 15-10-5 of the Land Management Code of Park City is hereby amended as outlined in Exhibit A.

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

PASSED AND ADOPTED this 25<sup>th</sup> day of June, 2020

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:  
  
0340104CDC42481... Andy Beerman, Mayor

Attest:

DocuSigned by:  
  
City Recorder

Approved as to form:

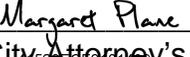
DocuSigned by:  
  
City Attorney's Office

EXHIBIT A

1 Section 15-10-5 is amended to read:

2 **15-10-5 Organization**

- 3 A. **CHAIR**. The Board of Adjustment shall elect one of its members to serve as Chair for a term of  
4 two (2) years at its first meeting following the date of expiration of terms in June. The Chair may  
5 be elected to serve for one (1) consecutive additional term, but not for more than two (2)  
6 successive terms. If the Chair is absent from any meeting where a quorum would otherwise  
7 exist, the members may appoint a Chair Pro Tem to act as Chair solely at that meeting.
- 8 B. **QUORUM**. No business shall be conducted unless at least three (3) members of the Board [~~, not~~  
9 ~~counting the alternate,~~] are present.