

ORDINANCE 25-07

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits; and

WHEREAS, Section 17.04.040 allows Title 17 of the Hyrum City Municipal Code, the Zoning Ordinance, to be amended by the City Council following fourteen days' notice and a public hearing; and

WHEREAS, the City Council has determined there is a need to amend Title 17 to further clarify those regulations governing zoning and other regulations controlling land use and development within Hyrum City.

NOW THEREFORE, upon recommendation of the Planning Commission and following a public hearing as required by Section 17.04.040, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING HYRUM CITY CODE TITLE 17 ZONING, CHAPTER 12 PLANNING COMMISSION AND RELOCATING THE ORDINANCE AMENDMENT TO HYRUM CITY CODE TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 95 PLANNING COMMISSION.

1. Chapter 12 Planning Commission of Title 17 Zoning shall hereby be repealed in its entirety.
2. Chapter 95 Planning Commission of Title 2 Administration And Personnel shall hereby added to read as follows:

2.95.010 ~~17.12.010~~ Created - Compensation

There is created a Planning Commission to be composed of five members and two ~~one~~ alternate members. Members of the Planning Commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the commission. Members of the governing body may be appointed as ex officio members of the Planning Commission.

2.95.015 ~~17.12.015~~ Alternate Member

An alternate member will not serve as an active member of the Planning Commission unless a member of the Planning Commission is not in attendance. An alternate member serving in the capacity of an active member of the Planning Commission shall have all the duties and powers

explicitly given or implied by laws of the state and this title given to members of the Planning Commission. If one of the five active planning commission members is not in attendance, the most senior alternate shall act as an active member. If two active members are not in attendance, both alternates may act as an active member.

#### 2.95.020 ~~17.12.020~~ Members - Terms - Removal - Vacancies

Planning Commission members serve a single five-year term, starting on February 1 of each year. The terms shall be staggered so that one term expires each year. The governing body may remove any member of the Planning Commission for cause and after a public hearing, if one is requested. Vacancies shall be promptly filled according to 2.95.025 as amended, to finish out the current term. If the remaining term is less than two years, then that Planning Commissioner may be appointed to serve an additional full five-year term.

~~The terms of the Planning Commission shall be staggered. Each member of the Planning Commission shall serve for a term of five years and until his successor is appointed, providing that the term of the first members shall be such that the term(s) of one member(s) 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 governing body may remove any member of the Planning Commission for cause and after a public hearing, if one is requested. Vacancies shall be promptly filled in the same manner as the original appointment for the remainder of the unexpired term.~~

#### 2.95.025 ~~17.12.025~~ Members - Qualifications

Members of the Planning Commission shall, at the time of appointment and throughout their term of service, reside within the corporate limits of Hyrum City. Members and alternate shall be appointed by the Mayor with the advice and consent of the City Council and shall be selected without regard to political consideration and solely upon their qualifications for the position. ~~Members may serve multiple terms.~~

#### 2.95.030 ~~17.12.030~~ Officers

At the first regularly scheduled Planning Commission of February of each year, The members of the Planning Commission shall elect one of their own members as chairman, and such other officers as deemed necessary, and shall adopt rules and regulations for their organization and for the transaction of business

#### 2.95.040 ~~17.12.040~~ Meetings

The Planning Commission shall meet at least once each month at a regular time determined by the commission. Additional meetings may be called by the chairman as conditions require.

2.95.050 ~~17.12.050~~ Quorum

Three members of the Planning Commission shall constitute a quorum. A minimum of three affirmative votes are required to proceed with an action on a motion. (Ord. 08-01)

2.95.060 ~~17.12.060~~ Duties And Powers

The Planning Commission shall have all the duties and powers explicitly given or implied by laws of the state and this title.

2.95.070 ~~17.12.070~~ Reports And Records

Reports of official acts and recommendations of the Planning Commission shall be public and shall be made in writing by the secretary, who shall be an employee of Hyrum City. The report shall indicate the vote of the Commission on each item brought before the body. Any member of the Commission may also make a concurring or dissenting report or recommendation to the City Council.

EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 18th day of September, 2025.

HYRUM CITY

BY: \_\_\_\_\_  
Stephanie Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder



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# Memorandum

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**To:** Mayor Miller and City Council

**From:** Tony Ekins, City Planner

**Date:** September 15, 2025

**Subject:** Ordinance 25-07 - An ordinance amending Hyrum City Code Title 17 Zoning, Chapter 12 Planning Commission and relocating the ordinance amendment to Hyrum City Code Title 2 Administration and Personnel, Chapter 95 Planning Commission.

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**Summary:**

Staff initiated a petition to the Planning Commission on July 10, 2025 to amend the current Planning Commission ordinance in an effort to include an alternate member and clarify Planning Commissioners terms and vacancies.

**Planning Commission Recommendation:**

On September 11, 2025, the Planning Commission made a motion (4-0 vote) recommending the ordinance for approval to the City Council as proposed, and provide the following written intent prepared by Chairman Stephen Nelson in Members, Terms, Removal and Vacancies section of the ordinance:

*Planning Commission members serve a single five-year term, starting on February 1 of each year. The terms shall be staggered so that one term expires each year. The governing body may remove any member of the Planning Commission for cause and after a public hearing, if one is requested. Vacancies shall be promptly filled according to 2.95.025 as amended, to finish out the current term. If the remaining term is less than two years, then that Planning Commissioner may be appointed to serve an additional full five-year term.*

**City Council Meeting Details:**

- Meeting Date: September 18, 2025
- Council Role: Legislative with Roll Call Vote.

**Attachments:**

- Prepared Ordinance