

Ordinance No. 2016-019

AN ORDINANCE AMENDING PROVIDENCE CITY CODE TITLE 2 Chapters 1 and 4, Title 10 Chapters 15 and 16, and Title 11 Chapter 3 by changing the words "city administrator" to "administrative services director"

WHEREAS UCA § 10-3-702 states "The governing body may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by this act or any other provision of law. . ." and

WHEREAS the Providence City Council desires to change "city administrator" to "administrative services director"

- In April 2016, the City Council made changes to the administrative structure of the City.
- On April 26, 2016, the Providence City Council adopted Ordinance No. 2016-009. An ordinance establishing a temporary land use regulation for the administration of land use ordinances, changing "city administrator" to "administrative services director".
- A temporary land use regulation has a period of limited effect not to exceed six months. See UCA§10-9a-504(2)
- Providence City staff has prepared the following code amendments:
  - 2-1-3: PLANNING COMMISSION STAFF – ORGANIZATION:
    - A. The Planning Commission shall have the following staff:
      - 1. Administrative Director. The Administrative Director to the Planning Commission shall be the ~~City Administrator~~ Administrative Services Director or her/his designee.
        - a. Duties of Administrative Director. The Administrative Director shall be responsible for providing staff services to the Planning Commission as provided in Titles 2, 10 and 11 of the Providence City Code within the provision of budget authority appropriated by the Providence City Council.
  - 2-4-1: ESTABLISHED: There is created a Land Use Authority which shall consist of the Planning Commission for all subdivisions; and a body, Administrative Land Use, to include the ~~City Administrator~~ Administrative Services Director, Public Works Director, and City Engineer for all other land use applications.
  - 2-4-2: ORGANIZATION: The Planning Commission shall appoint a chairperson and the ~~City Administrator~~ Administrative Services Director shall serve as the chairperson of their respective Land Use Authorities. Public meetings and hearings of the Authority shall be held at the call of the chairperson.
  - 10-15-7: PENALTY, CONFISCATION OF SIGNS:
    - A. Penalty: Any person who fails to abide by the provisions of this Chapter shall be guilty of a Class C misdemeanor and subject to penalty as provided in Title 1 Chapter 4 Section 1 of this Code.
    - B. Confiscation of Signs: The ~~City Administrator~~ Administrative Services Director, or designee, may confiscate any sign located on public property in violation of this Chapter or any other City ordinance. Confiscated signs shall be stored at a location determined by the ~~City Administrator~~ Administrative Services Director, or designee, for a period of thirty (30) days; during which time, the owner or person having charge, control, or benefit of the confiscated sign, may redeem the sign after payment of any applicable penalties. The City shall not be liable for damages incurred to signs as a result of their confiscation. Signs not redeemed within thirty (30) days may be destroyed.
  - 10-16-5: PERMIT REQUIRED:
    - B. The Land Use Authority (made up of the ~~City Administrator~~ Administrative Services Director, City Engineer, and Public Works Director) as defined by Title 2 Chapter 4 is

1 hereby designated the Floodplain Manager to administer and implement the provisions  
2 of this Chapter; ensure that the City's Records Officer maintains and holds open for  
3 public inspection a record of all records pertaining to the provisions of this Chapter;  
4 review permit application to determine whether proposed building site, including the  
5 placement of manufactured homes, will be reasonably safe from flooding; and review,  
6 approve or deny all applications for development permits required by this Chapter.  
7 Approval or denial of a Permit shall be based on all of the provisions of this Chapter and  
8 the following relevant factors:  
9

10 11-3-1: **CONCEPT PLAN:** A concept plan shall be submitted to the city executive staff (which  
11 may include the ~~city administrator~~ **administrative services director**, public works director, city  
12 engineer, public works secretary, zoning personnel, mayor and council member) for review and  
13 compliance with the Providence City General Plan, and Title 10 and 11 of the Providence City  
14 Code.

- 15 • On July 27, 2016, the Providence Planning Commission held a public hearing is to provide an  
16 opportunity for anyone interested to comment on the proposed amendments to Providence City  
17 Code Title 2 Chapters 1 and 4, Title 10 Chapters 15 and 16, and Title 11 Chapter 3 by changing  
18 the words "city administrator" to "administrative services director", before action is taken.
- 19 • On July 27, 2016, after the public hearing, the Providence Planning Commission took the  
20 following action:

21 *Motion to recommend to City Council to adopt the proposed code amendments: J Parker, second*  
22 *– R Cecil*

23 *Vote: Yea: A Diamond, R Cecil, M Harbin, J Parker*  
24 *Nay: None*  
25 *Abstained: None*  
26 *Excused: R James, W Simmons*  
27

28 THEREFORE be it ordained by the Providence City Council

- 29 • The code amendments listed above shall be approved as recommended by the Providence  
30 Planning Commission.
- 31 • This ordinance shall become effective immediately upon passage and posting or 30 days after  
32 final passage, whichever is closer to the date of final passage.  
33

34 Ordinance adopted by vote of the Providence City Council this 9 day of August 2016.

35 Council Vote:

36 Allen, Kirk	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
37 Baldwin, Jeff	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
38 Drew, John	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
39 Giles, Dennis	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
40 Sneddon, Roy	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent

41  
42 Signed by Mayor Don W Calderwood this 17th day of November 2016.

43  
44 Providence City

45 

46 Don W. Calderwood, Mayor

47  
48  
49 Attest:

50   
51 Skarlet Bankhead, Recorder

