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Incorporated 1899

# TOWN OF JEROME, ARIZONA

POST OFFICE BOX 335, JEROME, ARIZONA 86331  
(928) 634-7943 FAX (928) 634-0715

## ORDINANCE NO. 378

### AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA, AMENDING SECTION 106 OF THE JEROME ZONING ORDINANCE REGARDING THE COMPOSITION OF THE DESIGN REVIEW BOARD

**WHEREAS**, Section 2-4-7, "Committees and Commissions" of the Jerome Town Code specifically prohibits persons elected to Town Council from serving on Town Committees, including, but not limited to, the Design Review Board, Planning and Zoning Commission, and Board of Adjustment, unless otherwise provided by law, during the course of their term as Council members; and

**WHEREAS**, Section 106 of the Jerome Zoning Ordinance requires that one member of the Design Review Board be a Town Council member; and

**WHEREAS**, there exists a vacancy on the Design Review Board which cannot be filled until this discrepancy is resolved; and

**WHEREAS**, the Zoning Administrator has recommended that Section 106 of the Jerome Zoning Ordinance, regarding the composition of the Design Review Board, be amended in order to comply with the provisions of Section 2-4-7 of the Jerome Town Code; and

**WHEREAS**, it is the desire of the Mayor and Council to amend the Zoning Ordinance accordingly;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Jerome, Yavapai County, Arizona, as follows:

**Section 1.** Paragraph (B), "Composition; Terms of Members; Vacancies; Compensation of Members," of Section 106, "Design Review Board," of the Jerome Zoning Ordinance is hereby amended as follows (additions underlined; deletions in ~~strikeout text~~):

#### **B. COMPOSITION; TERMS OF MEMBERS; VACANCIES; COMPENSATION OF MEMBERS**


There was previously established a The Design Review Board of the Town of Jerome. ~~At the adoption of this ordinance, the Board shall be composed of five (5) members. The membership shall consist of a Town Council member, a Town Planning and Zoning Commission member, and three-four (34)~~ residents of Jerome, who shall be persons qualified by design background, training or experience, to be appointed by the Town Council. The members of the ~~Town Council and~~ Planning and Zoning Commission shall serve on the Board for as long as they ~~he or she~~ serves on the Council or Commission. The ~~three-four (34)~~ three-four (34) public members shall serve for a term of three (3) years. Members may, after a public meeting, be removed by the Council for inefficiency, neglect of duty, or unethical conduct in office. Three (3) absences, without prior notification, during a year from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority and such action shall be final. In the event of death or resignation, or removal from the Board, the vacancy shall be filled by the Council for the unexpired term. All members shall serve without pay. However, members of the Board may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Board and approval of such expenditures by the Town Council.

**Section 2.** Following its adoption, this ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. 39-203 *et seq.*

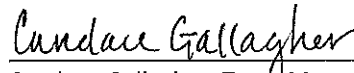
**Section 3.** All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

**Section 4.** Should any section or provision of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Town Code as a whole or any part thereof other than the part so declared invalid.


FINALLY APPROVED this 10<sup>th</sup> day of August, 2010.

  
 Jay Kinsella, Mayor

ATTEST:

  
 Candace Gallagher, Town Manager/Clerk

APPROVED AS TO FORM:

  
 Kathleen G. Williamson, Williamson & Young, PC  
 Town Attorney

Date of First Reading:		7-15-2010		Date of Adoption:		8-10-10	
Ayes	Nays	Absent	Abstain	Ayes	Nays	Absent	Abstain
5	0	0	0	5	0	0	0
Dates Published: P&Z Public Hearing Notice: 7/18/10; 8/15/10							
Public Hearing held on 8/4/10 by P&Z Commission							

**CERTIFICATION OF POSTING**

I, the duly appointed Deputy Clerk of the Town of Jerome, Arizona, or my representative, hereby certify that Ordinance No. 378 was posted in accordance with A.R.S. § 9-813 on the following dates and times, and at the following places:

	DATE	TIME	PLACE
1	8-11-2010	6:00 pm	301 Main Street, second floor, exterior posting case
2	8-11-2010	6:00 pm	970 Gulch Road, side of Gulch Fire Station, exterior posting case
3	8-11-2010	6:00 pm	60 Clark Street, Jerome Town Hall, exterior posting case
4	8-11-2010	6:00 pm	120 Main Street, Jerome Post Office, interior posting case

  
 R.A. Shemaitis, Deputy Clerk