



Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

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**Celebrating Our 100th Anniversary
1899 - 1999**

ORDINANCE #313

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA,
AMENDING SECTIONS 104.A., D. AND E. AND 106.B., E.
AND F. OF THE JEROME ZONING ORDINANCE, RELATING
TO PLANNING AND ZONING COMMISSION AND DESIGN
REVIEW BOARD MEMBERSHIP.**

**WHEREAS, the Jerome Town Council suggested a reduction
in the number of members to the Planning and Zoning Commission
in hopes it would alleviate the constant problems in finding
Planning and Zoning Commission and Design review Board
members; and**

**WHEREAS, membership and rules regarding the Design
Review Board and the Planning and Zoning Commission are set forth
in the Jerome Zoning Ordinance Sections 104 and 106; and**

**WHEREAS, the Planning and Zoning Commission held a
hearing on the proposed changes to the Ordinance on January 16,
2002 and made a written recommendation to the governing body;
and**

**WHEREAS, no objections, requests for public hearing or
other protests have been received.**

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

(TEXT TO BE DELETED IS STRUCK OUT. TEXT TO BE ADDED IS IN BOLDFACE. TEXT TO REMAIN THE SAME REMAINS the same.)

ORDINANCE # 313

SECTION 104. PLANNING AND ZONING COMMISSION

A. ~~ESTABLISHMENT; COMPOSITION; TERMS OF MEMBERS; VACANCIES; COMPENSATION OF MEMBERS~~

~~There is hereby established a Planning and Zoning Commission, to~~
Planning and Zoning Commission was established upon adoption of
the Jerome Zoning Ordinance. At the adoption of this ordinance,
the Commission shall consist of seven (7) five (5) members, each of
whom shall be a resident of the Town of Jerome, to be appointed by the
Town Council. The members of the Commission shall serve for three (3)
years, except as hereinafter provided. The members of the first
Commission, appointed hereunder shall serve for the following terms:
two (2) members shall be appointed for a term of one (1) year, two (2)
members shall be appointed for a term of two (2) years, and three (3)
members shall be appointed for a term of three (3) years. In the event of
a death, resignation, or removal from the Commission, the vacancy shall
be filled by the Council for the unexpired term. Members of the
Commission may, after a public hearing meeting, be removed by the
Council for inefficiency, neglect of duty or malfeasance unethical
conduct in office. The Council shall file a written statement of the
reasons for removal. Three (3) unexcused absences, without prior
notification during a term year from any regular or special meeting
shall be grounds for termination at the will and pleasure of the
appointing authority without the necessity of a hearing or notice, and
such action shall be final. All members shall serve without pay.
However, members of the Commission may be reimbursed for actual
expenses incurred in connection with their duties upon authorization or
ratification by the Commission and approval of such expenditures by the
Town Council.

D. QUORUM; VOTING

~~Four (4) Three members shall constitute a quorum. The affirmative vote~~
of four (4) three (3) members shall be required for passage of any matter
before the Commission. In this connection, The minutes of the meeting
shall reflect the "ayes" and "noes" "nays" cast on a particular measure
and shall reflect the vote of each member present. A member may
abstain from voting only upon a declaration that he has a conflict of
interest, in which case such member shall take no part in the
deliberation on the matter in question.

SECTION 106.

DESIGN REVIEW BOARD

B. ESTABLISHMENT; COMPOSITION; TERMS OF MEMBERS; VACANCIES; COMPENSATION OF MEMBERS

There ~~is hereby was~~ ~~previously established~~ a Design Review Board of the Town of Jerome. ~~At the adoption of this ordinance, the Board shall be composed of seven (7) five (5) members.~~ The membership shall consist of a Town Council member, a Town Planning and Zoning Commission member, and ~~five (5) three (3) citizen's 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 serve on the Council and or Commission, ~~except as hereinafter provided.~~ The ~~five (5) three (3) public members~~ shall serve for a term of three (3) years. ~~Except as hereinafter provided, The five (5) public members of the first Commission appointed hereunder shall serve for the following terms: Two (2) members shall be appointed for a term of one (1) year, two (2) members shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of three (3) years.~~ Members may, after a public hearing ~~meeting~~, be removed by the Council for inefficiency, neglect of duty, ~~malfeasance or unethical conduct in office,~~ ~~in the event of which the Council shall file a written statement of the reasons for the removal.~~ ~~Three (3) unexcused absences, without prior notification during a term year from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority without the necessity of a hearing or notice, 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.

E. QUORUM; VOTING

~~Four (4) Three (3) members shall constitute a quorum. The affirmative vote of four (4) three (3) members shall be required for the passage of any matter before the Commission Board. In this connection, The minutes of the meeting shall reflect the "ayes" and "noes" "nays" cast on a particular measure and shall reflect the vote of each member present. A member may abstain from voting only upon declaration that he has a conflict of interest, in which case such member shall take no part in the deliberation on the matter in question.~~

E. RULES; REGULATIONS; RECORDS; MEETINGS

The Commission shall make and publish rules and regulations, to govern its proceedings and to provide for its meetings, subject to Council approval. All meetings of the Commission shall be open to the public. The minutes and records of all Commission proceedings shall be kept and filed as public record in the office of the Town Clerk.

F. **RULES; REGULATIONS; RECORDS; MEETINGS**

The Board shall make and publish rules and regulations, to govern its proceedings and to provide for its meetings, **subject to Council approval**. All meetings of the Board shall be open to the public. The minutes and records of all Board proceedings shall be kept and filed as public record in the office of the Town Clerk.

SECTION 2. The provisions of this Ordinance Amendment to the Jerome Zoning Ordinance addressed in Section 1 become effective 30 days after the second reading and adoption of the Ordinance.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Jerome, Arizona, this 12 day of February, 2002.

Jay Kinsella, Mayor

Jay Kinsella

ATTEST: Al Palmieri, Town Clerk

Al Palmieri

Approved as to form:

Corbin Vandemoer *CP*
Corbin Vandemoer, Town Attorney

