

1 **Ordinance No. 2020-010**

2  
3 AN ORDINANCE AMENDING PROVIDENCE CITY CODE TITLE 2 CHAPTER 3 HISTORIC  
4 PRESERVATION COMMISSION AND CHAPTER 4 LAND USE AUTHORITY BY ADDING ELECTRONIC  
5 MEETING INFORMATION.

6  
7 WHEREAS UCA § 10-3-701 states, "except as otherwise specifically provided, the governing body  
8 of each municipality shall exercise its legislative power through ordinances." And  
9

10 WHEREAS UCA § 52-4-207 provides authorization and requirements for electronic meetings.

11  
12 WHEREAS Providence City desires to amend Providence City Code Title 2 Boards and  
13 Commissions, Chapter 3 Historic Preservation Commission and Chapter 4 Land Use Authority, to  
14 reflect recent changes in Utah Code regarding electronic meetings.

15  
16 WHEREAS city staff has prepared the attached code amendments.

17  
18 THEREFORE be it ordained by the Providence City Council

- 19 • The attached code amendments shall be adopted; and  
20 • This ordinance shall become effective immediately upon passage and posting or 30 days  
21 after final passage, whichever is closer to the date of final passage.  
22

23 Passed by vote of the Providence City Council this 16 day of September 2020.  
24

25 Council Vote:

26 Eck, Kristina	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
27 Kirk, Carrie	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
28 Paulsen, Joshua	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
29 Sealy, Jeanell	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent
30 Speth, Brent	(X) Yes	( ) No	( ) Excused	( ) Abstained	( ) Absent

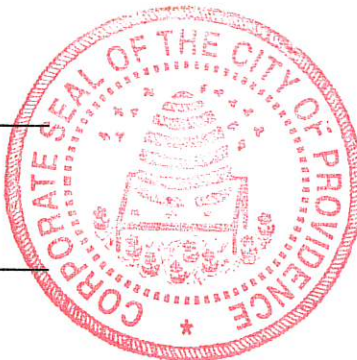
31  
32 Signed by Mayor John Drew this 22nd day of September 2020.

33  
34 Providence City

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37 John Drew, Mayor

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39 Attest:

40   
41 Skarlet Bankhead, Recorder  
42  
43  
44



CHAPTER 3

HISTORIC PRESERVATION COMMISSION

SECTION:

2-3-1: Purpose and Intent

2-3-2: Historic Preservation Commission

2-3-3: Commission Powers

2-3-1: **PURPOSE AND INTENT:** It is the purpose and intent of this ordinance to:

- A. Recognize that the historical heritage of Providence City is among its most valued and important assets.
- B. Provide for the identification, preservation, protection, and enhancement of the historic, cultural, and prehistoric areas, sites, properties, and resources within the City.

2-3-2: **HISTORIC PRESERVATION COMMISSION:** The Providence City Historic Preservation Commission is hereby established with the following provisions:

- A. The Commission shall consist of five (5) members, with a demonstrated interest, competence or knowledge of historic preservation to be appointed by majority vote of the City Council, upon recommendation from the Mayor.
  - 1. Upon recommendation from the Mayor and by majority vote of the City Council, one (1) or two (2) alternate members may be appointed. The alternates will have input in all meetings and may receive assignments; but will only vote in the absence of a member(s) of the Commission.
- B. The terms of office for all members of the Historic Preservation Commission shall be three (3) years and until their successors are appointed and qualified except where appointment to a shorter term is necessary to provide for staggered terms among commission members. Members may be removed with or without cause by a majority vote of the City Council. On recommendation of the Mayor and by majority vote of the Council, standing members may be appointed to serve an additional term; however, no member may serve more than two consecutive terms.
- C. To the extent available in the community, two (2) commission members shall be professionals from the disciplines of history, architecture, architectural history, archeology, planning, urban planning, American studies, American civilization, cultural geography, or cultural anthropology.
- D. The Commission shall elect from its membership a vice chair, who shall serve as vice chair for one (1) year and then shall serve as chair for one (1) year. In the event there is neither a chair nor a vice chair, the Commission shall elect a chair to serve for one (1) year and a vice chair to serve as previously stated. The chair is a voting member of the Commission.
- E. The Commission will meet at least twice a year and conduct business in accordance with the Open Public Meeting Laws of Utah. This includes public notification of meeting place, time and agenda items.
- F. Written minutes of each commission meeting will be prepared and made available for public

1 inspection.

2  
3 **2-3-3: COMMISSION DUTIES AND POWERS:**

4 A. Survey and Inventory Community Historic Resources: The Historic Preservation Commission shall  
5 conduct or cause to be conducted a survey of the historic, architectural, and archeological  
6 resources within the community.  
7

8 B. Review Proposed Nominations to the National Register of Historic Places: The Historic  
9 Preservation Commission considers a National Register nomination which is normally evaluated  
10 by professionals in a specific discipline and that discipline is not represented on the Commission,  
11 the Commission will seek expertise in this area before rendering its decision.  
12

13 C. Provide Advice and Information.

- 14 1. The Historic Preservation Commission shall act in an advisory role to other officials and  
15 departments of local government regarding the identification and protection of local historic  
16 and archeological resources.  
17 2. The Historic Preservation Commission shall work toward the continuing education of citizens  
18 regarding historic preservation and the community's history.  
19

20 D. Enforcement of State Historic Preservation Laws. The Commission shall support the enforcement  
21 of all state laws relating to historic preservation. These include, but are not limited to: Section  
22 10-8-85.9 and Title 9 Chapter 8 Utah Code Annotated, 1953 as amended, regarding notification  
23 of the State Historic Preservation Office of any known proposed action which will destroy or  
24 affect a site, building, or object owned by the State of Utah and included on or eligible for the  
25 State or National Registers.  
26

27 E. Enforcement of Local Historic Preservation Laws. In the event of the enactment of any historic  
28 preservation laws by the City, the Commission shall support the enforcement of such local  
29 historic preservation laws.  
30

31 F. Reviews: The Commission shall review all applications for and make recommendations regarding  
32 alterations, change of use, or new constructions involving historic sites and properties, subject to  
33 the following:

- 34 1. Such review and recommendations shall be binding only upon buildings and properties  
35 which are listed on a locally designated site's register; and  
36  
37 2. Any reviews and recommendations must be compatible with the current United States  
38 Secretary of the Interiors Standards for Rehabilitation Guidelines for Rehabilitating Historic  
39 Buildings.  
40

41 G. Preservation of Personal and Community Stories and Traditions: The Commission may preserve  
42 personal and community stories and traditions in written form, photos, recordings, video, and  
43 other media or methods of preserving activities and information of historical interest. Methods  
44 of preserving activities of historical interest include, but are not limited to: participation in city  
45 celebrations, dinners, quilt shows, art displays, pageants, etc.  
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47 H. Powers: The Commission shall have those powers necessary and reasonable for the carrying out  
48 of its duties.  
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CHAPTER 4

**LAND USE AUTHORITY**  
(Ordinance No. 004-2007)

SECTION

2-4-1: Established

2-4-2: Organization

2-4-3: Duties

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 Administrative Service 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 Administrative Service 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.

2-4-3: DUTIES: The Land Use Authority shall be responsible to act upon land use applications as assigned above.

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