

Plain City Planning Commission
Minutes of Meeting
23 April 2009

The Plain City Planning Commission convened in a meeting on Thursday, the 23rd of April 2009, in the Council Chambers of the Plain City Hall at 7:00 pm.

Present showed the following:

Chairwoman: Artie Pearce

Vice Chairman: Buddy Sadler

Members: Jarod Maw
Robert Seager
Bob Spencer (excused)

Alternate: Blake Neil

Staff: Kathy Hancock

Also present: Deputy Rex Cragun and Mark Lowther. Chairwoman Pearce conducted the meeting and Mr. Maw gave the invocation.

Discussion/Motion – Amendment to the Public Ways & Property Ordinance – Snow Removal & Parking

The commission asked Deputy Cragun how misdemeanors work. Deputy Cragun explained that a fine for a misdemeanor could be anywhere from \$40 to \$1,000. If the fine isn't paid then a person can go to jail. A class C misdemeanor could be anywhere from \$40 to about \$750. There is also an infraction that is mostly for parking in handicapped, blocking fire lanes etc. Most of the fees are set up in the State Bail Schedule that the City adopted. There are no jail sentences with an infraction there is just a fine. One problem is the kids have found a way to get around paying for illegal parking. It is the cities responsibility to prove who parked there. Weber State and Ogden City are making it a civil matter instead of a criminal because you don't have to prove who parked there. The commission decided to leave it as a criminal matter.

Deputy Cragun also asked that there be a period of time that parking isn't allowed on the street during the winter months. He likes to put up warning signs a week before. He would also like the ordinance to say a time for no parking on the street during the night. That way he doesn't have to leave warnings if people park on the street at night. He puts out about 80-90 warnings before November 15th now. It is easier for Deputy Cragun to give a copy of the ordinance when someone is in violation.

The commission changed 6-1-3 H d from Class B to an infraction, 7-1-2 C from class C to infraction, and 7-1-3 D from class C to an infraction. The amount of the fine needs to be determined by either the judge or the City Council. The commission changed 6-1-3 H from no parking during winter months to "Parking during November 1 to April 1 or anytime snow removal is necessary". The commission added "and between the hours of 1 am and 7 am" after anytime snow removal is needed to 6-1-3 H. It was suggested a copy of the draft ordinance be sent to the Prosecuting Attorney for his recommendations along with the City Attorney. It was suggested having Diane Hirschi give input as to who might be the best to review the ordinance.

Sidewalks are also not being cleared. The residents who own property in Fox Run Subdivision who have backyards on 2600 N need to clear their sidewalks on the north side of their property. There needs to be a reasonable time frame to have sidewalks cleared. It was suggested giving the residents the same time period as the employees to get the snow cleared away. It was mentioned that the city has a lot of streets and residents have a small section. Another issue is with people putting snow in the road. Deputy Cragun read the State Code. Nothing is allowed to be placed on a public highway. The problem is snow is being pushed into the street and it is ruining the equipment. Deputy Cragun would like an ordinance to back it up. The last sentence in 7-1-2A needs to be removed and changed to within a reasonable and necessary time after such snow, hail or sleet has fallen. Under 7-1-2B they commission would like to have in the gutter or into the street added after material.

Mr. Sadler moved to table the snow removal and parking ordinance until May 28th. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Sadler, Chairwoman Pearce, Mr. Maw and Mr. Neil all ayes. Motion carried.

Discussion - Amendment to the Public Health & Safety Ordinance – Abandoned Property

The commission discussed the South Salt Lake ordinance. There are several items in the ordinance the commission would like to have in Plain City's ordinance. South Salt Lake's ordinance is too detailed to use the whole ordinance. Secretary Hancock will type up the draft and have it ready for the May 28th meeting.

Discussion – Amendment to the Land Use Ordinance

The commission put this on the May 14th agenda.

Discussion/Motion – Amendment to the Police Regulations and Zoning Ordinance – Kennels, Catteries, and Livestock

The commission discussed the draft ordinance. There is still a concern with horses. The commission changed the ordinance to match the county with 2 additional horses per ½ acre. The commission would like the setback from the street to be 100 ft.

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Swine were discussed. It was decided that 2 swine per acre with a maximum of 10 would be allowed in an agricultural zone. **Mr. Sadler moved to table this until the May 14th meeting. Vote: Mr. Seager, Mr. Sadler, Chairwoman Pearce, Mr. Maw and Mr. Neil all ayes. Motion carried.**

Approval of minutes – April 23, 2009

Mr. Seager moved to approve the minutes of April 9, 2009 as discussed, discussion concerning minor issues. Mr. Sadler seconded the motion. Vote: Mr. Seager, Mr. Sadler, Chairwoman Pearce, Mr. Maw, and Mr. Neil all ayes. Motion carried.

Discussion – May 14th agenda

The Affordable Housing Plan is on the next agenda. The commission would like the Land Use Ordinance and the Animal Ordinance on the agenda also.

Public Comments:

No comments.

Commission Comments:

Mr. Sadler would like to put no parking on 2200 N on the May 28th agenda. Chairwoman Pearce would like to see no parking signs on the curve on 1975 N.

Schedule for Attending the City Council Meeting

<u>Pearce</u>	<u>Spencer</u>	<u>Sadler</u>	<u>Maw</u>	<u>Seager</u>	<u>Neil</u>
		May 21	Jun 4	Jun 18	Jul 2
Jul 16	Aug 6	Aug 20	Sept 3	Sept 17	Oct 1
Oct 15	Nov 5	Nov 19	Dec 3	Dec 17 (if held)	

Mr. Sadler moved to adjourn at 9:40 pm. Mr. Maw seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Chairwoman Pearce, Mr. Maw, and Mr. Neil all ayes. Motion carried.

Planning Commission Chair

Planning Commission Secretary