

CHAPTER 3A-03. BOARDS AND COMMITTEES

3A-03A-010. Boards and Committees.

3A-03A-020. Governmental Immunity.

3A-03A-030. Planning Commission.

3A-03A-040. Board of Adjustment.

3A-03A-050. Citizen Corps Council.

3A-03A-060. Trails Committee.

3A-03A-010. Boards and Committees.

The City Council may create any agencies, boards, bureaus, committees or commissions deemed necessary or appropriate for the administration of the City and shall prescribe by resolution or ordinance the organization, powers and duties of such bodies.

3A-03A-020. Governmental Immunity.

Members of any City board, committee or commission shall be deemed included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in *Utah Code Ann.* §63G-7-101, *et seq.*, as amended.

3A-03A-030. Planning Commission. Update June 17,2025

(a) Purpose: A planning commission is hereby created pursuant to the terms hereof. It is the intent of the city council that the commission represent the concerns of diverse citizen groups, as well as the broad interests of the community as a whole; that membership of the planning commission represents a fair cross section of the community and provide balanced representation in terms of geographic, professional, neighborhood and community interest; and that a wide range of expertise relating to development of a healthy and well planned community be sought when establishing or altering the composition of the membership of the planning commission. It is also the intent of this title that the activities of the planning commission and of its subcommittees, if any, be conducted to maximize the convenience and accessibility to the citizens of the city.

(b) For the purpose of the Planning Commission, Fruit Heights City is divided into 4 districts - with one planning commissioner representing each district, plus one at-large position. See Planning Commission District Map.

(c) Appointment: The planning commission shall be constituted and appointed as follows: shall consist of five (5) members, who shall be appointed by the mayor with the advice and consent of the city council.

(d) Term And Term Limitation: Members of the planning commission shall serve a term of three (3) years and shall not serve more than two (2) consecutive terms. A member may extend up to 6 months if no candidate is available to fill vacancy. Filling a vacated term does not count towards 2 consecutive terms.

(1) Each term shall begin on July 1 of the year of appointment and shall end on June 30 of the year when the appointment term expires.

(2) The terms of planning commission members shall be staggered. A planning commission member may be appointed for a term of less than three (3) years to provide for staggered terms or to complete a vacated, unexpired term.

(d) Residency Requirement: All members of the planning commission must be bona fide residents and qualified electors of the city.

(e) Compensation: Each member of the planning commission shall receive compensation per meeting and as reimbursement for expenses incurred in the performance of their official duties. Adopted in city budget. Compensation set by city manager.

(f) Removal And Vacancies: Members of the planning commission may be removed for cause by the mayor with the advice and consent of the city council, upon written charges and after a public hearing (if a public hearing is requested by the member being removed). Cause shall include, but not be limited to, violations of the Utah Municipal Officers' and Employees' Ethics Act, Utah Code Annotated Section 10-3-1301 et seq., or its successor. Any vacancy occurring on the planning commission by reason of death, moving out of the City, resignation or removal shall be promptly filled by the mayor with advice and consent of the city council for the unexpired term of such member. Any vacancy occurring on the planning commission by reason of expiration of term shall be promptly filled by the mayor with the advice and consent of the city council.

(g) Officers: The mayor shall appoint a chairperson and such other officers it deems advisable from among its members. The chairperson and such other officers shall serve for a term of one year and shall not hold the position of chair for more than two (2) consecutive one year terms.

(h) Quorum: No action of the planning commission shall be official or of any effect except when a quorum of the members is present. Three (3) members of the planning commission shall constitute a quorum. A passing vote/recommendation requires a minimum of three votes regardless of how many commission members are present.

(i) Procedure: The planning commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the planning commission.

(j) Powers And Duties:

- (1) Prepare and recommend a general plan and amendments to the general plan to the city council;
- (2) Recommend land use ordinances and zoning maps, official maps, and amendments to land use ordinances and maps to the city council;
- (3) Act as a land use authority as provided in this title;
- (4) Act as an appeal authority as provided in this title;
- (5) Advise the city council on matters as the city council directs;
- (6) Exercise any other powers necessary to enable it to perform functions delegated to it by the city council, or conferred upon it by state statutes.

(k) Meetings:

- (1) The planning commission could meet at least once each month. Any member who cannot attend any meeting of the planning commission shall so notify the chair of the planning commission and/or the city manager. Any planning commission member shall be removed if unable to attend a minimum of 60% of meetings per year.
- (2) All meetings, including any necessary public hearings, shall be held after the regular working hours of the city.
- (3) All meetings and public hearings of the planning commission shall be public meetings, and shall comply with the provisions of Utah Code Annotated section 52-4-1 et seq., as amended.
- (4) Such meetings shall be held in a public place designated by the planning commission and shall be of sufficient size to ensure public access.
- (5) The planning commission shall keep minutes and a recording of the commission's proceedings as provided in Utah Code Annotated section 52-4-203, as amended.
- (6) The official record of all commission meetings shall be the written and approved minutes.
- (7) Copies of the minutes and any recordings may be provided, if requested, at the expense of the requesting party. If minutes are available but not yet approved by the commission, they shall be clearly identified as "unofficial".

3A-03A-040. Board of Adjustment.

The City Council has previously created the Board of Adjustment to hear and decide variances, appeals and other planning and zoning matters, with such powers and duties as provided by law and applicable provisions of the City Zoning Ordinance.

3A-03A-050. Citizen Corps Council.

The City has previously created the Citizen Corps Council, a local affiliate of the Utah Citizen Corps

Council, as part of the Utah Commission on Volunteers chaired by the Lieutenant Governor, to act as an advisory committee to the City Council for the purpose of promoting community preparedness through communication, coordination and collaboration in emergency and disaster preparedness, response, and recovery through planning, training and exercise. The organization, powers and duties of the Citizen Corps Council shall be as set forth in the By-Laws and applicable governing documents regarding the Citizen Corps Council, as approved by the City Council.

3A-03A-060. Trails Committee.

(a) Creation. There is hereby created the Fruit Heights City Trails Committee to act as an advisory committee to the City Council to recommend and promote the establishment of public trails and related facilities, programs and policies to meet the recreational needs of the citizens of Fruit Heights City. The organization, powers and duties of the Trails Committee shall be as follows.

(b) Members.

(1) Number. The Committee shall be comprised of not more than seven (7) but no less than five (5) regular members who shall be appointed by the Mayor, with the advice and consent of the Council, and shall be residents of Fruit Heights.

(b) Term. The members shall be appointed to staggered terms of three (3) years, provided that members may be appointed to terms shorter than three (3) years when necessary to provide staggered terms. These terms are renewable.

(c) Removal. Members shall serve at the pleasure of the City Council and may be removed at any time with or without cause by action of the City Council.

(d) Vacancies. Vacancies on the Trails Committee occurring of any reason shall be filled by the Mayor, with the advice and consent of the City Council, in accordance with the procedures for appointment, for the unexpired term of such member.

(e) Compensation. Committee members shall receive no compensation for their services but may be reimbursed for reasonable expenses incurred in the performance of their duties.

(c) Organization and Procedure.

(1) Chairperson. The members of the Trails Committee shall appoint one of the members as chairperson. The chairperson shall serve for a term of one year, which term may be renewed. The chairperson shall oversee the proceedings and activities of the Committee.

(2) Rules. The Committee may adopt reasonable rules and regulations for governing the conduct of its business. Any such rules and regulations shall be approved by resolution of the City Council.

(3) Meetings. The Committee may hold meetings at such times as the Committee determines is necessary and as properly called with notice given to each Committee member. To the extent required by law, all meetings of the Committee shall comply with applicable provisions of the Utah Open Meetings Act, as set forth in *Utah Code Ann.* §52-4-101, *et seq.*, as amended.

(d) Duties. It shall be the duty of the Committee to act in an advisory and voluntary capacity in the development of trails and related facilities for Fruit Heights City residents, including but not limited to the following:

(1) recommend to the City Council and the Planning Commission a Trails Master Plan;

(2) review and recommend appropriate changes and updates to the Trails Master Plan to the City Council and Planning Commission;

(3) recommend projects, legislation, policies, funding allocations, and other measures, programs, or activities for the development of trails, parkways and related recreation opportunities for the benefit of City residents;

(4) carry out projects, programs, or activities as directed by the City Council;

(5) initiate, sponsor and promote, as directed by the City Council, involvement, activities and contributions by the private sector for the development of trails and parkways for City residents; and

(6) provide input regarding present or future trails needs in the planning and approval process for development within the City in accordance with the Trails Master Plan.