

ORDINANCE 2018-1751

AN ORDINANCE AMENDING CITY OF MURRAY CODE OF ORDINANCE CHAPTER 32: DEPARTMENTS, BOARDS, AND COMMISSIONS, SPECIFICALLY, TO INCLUDE NEW PARAGRAPHS, §32.06: MEMBERSHIP, TERM & VACANCY; §32.07: OFFICERS & MEETINGS; §32.08: BYLAWS AND §32.09: POWERS & DUTIES TO THE ORDINANCE TO INCREASE THE EFFECTIVENESS AND EFFICIENCY OF THE BOARD OF ZONING ADJUSTMENTS.

WHEREAS, the City of Murray desires to amend Chapter 32 in order to include new paragraphs §32.06: MEMBERSHIP, TERM & VACANCY; §32.07: OFFICERS & MEETINGS; §32.08: BYLAWS AND §32.09: POWERS & DUTIES in order to increase effectiveness and efficiency of the Board and ensure compatibility and compliance with other ordinances.

WHEREAS, the Murray City Council has reviewed and discussed the following proposed change to Chapter 32 of the City of Murray Code of Ordinances and believes that the proposed change is reasonable and necessary.

BE IT ORDAINED by the City Council of the City of Murray, as follows:

AMENDMENT: ADDITIONS, ASSERTIONS & CHANGES:

City of Murray Code of Ordinances, Chapter 32 is amended to include the following new paragraphs:

32.06 MEMBERSHIP, TERM AND VACANCY.

(A) The Board of Zoning Adjustments (BZA) shall consist of five (5) members, all of whom must be citizen members. Citizen members may be any citizen who is not an elected official, appointed official, or public employee of the City or County. The number may be increased or decreased by action of the Mayor, subject to approval of the City Council. However, at no time shall the membership be fewer than three members (3) or more than seven (7) members. No more than two (2) members of the BZA may be citizen members of the Planning Commission. The Mayor shall appoint the members of the BZA. All vacancies shall be filled within sixty (60) days by the Mayor or as otherwise provided for in KRS Chapter 100.217(5).

(B) The term of office for the BZA shall be four (4) years, but the term of office of members first appointed shall be staggered so that a proportionate number serve one (1), two (2), three (3) and four (4) years respectively.

(C) The membership of any sitting BZA shall be decreased only by attrition with the first appointed member position of the BZA being the first position to be terminated by attrition.

32.07 OFFICERS & MEETINGS.

The BZA shall, annually, elect a Chairman, Vice Chairman and Secretary and any other officers it deems necessary, and any officer shall be eligible for re-election at the expiration of his term.

The BZA shall conduct meetings at the call of the Chairman in accordance with the rules set forth in KRS 100.221. BZA members shall receive compensation in the amount of \$50.00 per meeting attended.

32.08 BYLAWS.

The BZA shall have the authority pursuant to KRS 100.328 to adopt all bylaws and procedures necessary to carry out the functions of this Chapter.

32.09 POWERS AND DUTIES.

The BZA shall have general powers, duties and responsibilities necessary to carry out its functions in accordance with this ordinance and KRS Chapter 100 and its Bylaws.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

JACK D. ROSE, MAYOR

ATTEST:

DANNETTA CLAYTON, CITY CLERK

Introduced by the City Council on _____, 2018

Adopted by the City Council on _____, 2018

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