

ORDINANCE NO. 184

AN ORDINANCE AMENDING ORDINANCE NO. 56; PROVIDING FOR APPOINTMENT OF ZONING BOARD; SETTING TERMS OF OFFICE, POWERS AND DUTIES AND APPEAL PROCEDURE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

THAT Ordinance No. 56 of the City of Stilwell is amended as follows:

SECTION 1. PLANNING AND ZONING COMMISSION CREATED.

There is hereby created a Planning and Zoning Commission of the City of Stilwell, Oklahoma. Said Commission shall be composed of seven members who shall be residents of the City of Stilwell, nominated by the Mayor and confirmed by the Governing Body. Members of said Commission shall be appointed and hold office from one (1) to four (4) years; said appointees being numbered at the time of their respective appointments as Numbers 1, 2, 3, 4, 5, 6 and 7. Number one (1) and number two (2) shall serve for one year; number three (3) and four (4) shall serve for two years; number five (5) and six (6) shall serve for three years; and number seven (7) shall serve a term of four years. At the expiration of the one (1) year term for number one (1) and number two (2), the number one (1) and number two (2) terms shall be appointed for four years and so on thereafter. Members may be removed by the Mayor with consent of the Governing Body only for inefficiency, neglect of duty or malefaction in office. Vacancies occurring otherwise that through the expiration of term shall be filled only for the unexpired term by the Mayor with confirmation by the Governing Body. Members of said Commission shall serve without pay.

SECTION 2. QUORUM.

Four (4) members of the Planning and Zoning Commission shall constitute a quorum for the transaction of business; providing, however, that no action shall be taken which is binding upon said Commission unless concurred in by not less than a majority of all members comprising said Commission.

SECTION 3. POWERS AND DUTIES

The Planning and Zoning Commission shall have the power and the duty to prepare and recommend to the Governing Body for adoption a comprehensive plan for the physical development of the City of Stilwell, Oklahoma. In conducting its work the Planning and Zoning Commission may consider and investigate any subject matter tending to the development and betterment of such municipality and may make recommendations as it deems advisable concerning the adoption thereof. The Commission may prepare and recommend for adoption rules and regulations governing the subdivision of land within the corporate limit of the Municipality and its environs. The Commission shall also act as the Zoning Commission, which shall have the power and the duty to prepare and recommend for adoption a zoning plan, the location and use of buildings, structures and land for trade, industry, residences and other purposes.

After the City has been zoned by ordinance passed by the City Council, the Zoning Commission shall be vested with the power and authority to hear all requests for permits to erect buildings, structures or additions, or to make use of property in a manner not specified by Ordinance. In such case, the Commission may hear evidence of the proposed use and may or may not grant a variance to the Zoning plan adopted by the City; provided, that any person, firm or corporation affected by such ruling may appeal said ruling to the City Council, who shall hear the evidence presented and shall decide whether such variance shall be granted, de novo; provided, however, that any use in conformance with the Zoning Ordinance of the City of Stilwell requires no permit or variance from the Zoning Commission of the City Council.

SECTION 6. EMERGENCY CLAUSE.

WHEREAS, an immediate necessity exists; therefore, for the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Council this 15th day of June, 1987.

APPROVED by the Mayor this 15th day of June, 1987.

HUGH ZIMMERMAN
Mayor

ATTEST: SUE CATRON
City Clerk

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