

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE AMENDMENT OF SANDPOINT CITY CODE 9-9-10; PROVIDING FOR APPEALS FROM PLANNING AND ZONING DECISIONS TO THE CITY COUNCIL WITHIN TEN (10) BUSINESS DAYS; PROVIDING FOR FEES TO BE DETERMINED BY RESOLUTION; PROVIDING THAT APPEALS TO THE COUNCIL BE HEARD AT A REGULARLY SCHEDULED OR SPECIAL MEETING; PROVIDING THAT AN AFFECTED PERSON MAY SEEK JUDICIAL REVIEW WITHIN TWENTY-EIGHT (28) DAYS; PROVIDING THAT ALL REMAINING PROVISIONS OF CHAPTER 9, TITLE 9, SHALL REMAIN IN FULL FORCE AND EFFECT; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDPOINT, IDAHO, AS FOLLOWS:

SECTION 1. That Section 10, Chapter 9, Title 9, of Sandpoint City Code be and the same hereby is amended to read as follows:

9-9-10: APPEALS:

A. Appeal From Planning Commission Decision:

1. Notice of Appeal: An affected person aggrieved by the decision of the planning commission may file a written notice of appeal with the planning department or city council. Such notice must be filed within ten (10) business days after the planning commission's decision and shall clearly state the basis on which such person is an affected person, as defined in Idaho Code 67-6521, and the grounds for the appeal. An appeal from an action of the planning commission shall automatically stay the issuance of a building or other permit until such appeal has been decided by the city council.
2. Fees For Appeal: The fees for an appeal from the planning commission's decision ~~regarding conditional use permits shall be set from time to time at the discretion of the city council~~ by resolution duly passed and adopted by the city council.
3. Public Hearing On Appeal: The city council shall hold a public hearing on an appeal pursuant to the procedures as provided in this chapter at ~~the next~~ a regularly scheduled city council meeting or at a special meeting called for that purpose.

B. Appeal From City Council Decision: The decision by the city council shall constitute the final decision. An affected person aggrieved by the decision may, within ~~sixty (60)~~ twenty-eight (28) days of the decision rendered, seek judicial review of the Council decision under the procedures provided in Title 67, Chapter 65, Sections 67-5215(b) through (g) and 67-5216 of ~~the~~ Idaho Code.

SECTION 2: That all remaining provisions of Chapter 9, Title 9, shall remain in full force and effect.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

ORDINANCE NO. _____

PASSED BY THE CITY COUNCIL AS AN ORDINANCE OF THE CITY OF SANDPOINT
THIS ____ DAY OF _____, 2019.

SHELBY ROGNSTAD, MAYOR

ATTEST:

MELISSA WARD, CITY CLERK

SUMMARY OF ORDINANCE NO. _____
Zoning Decision Appeals

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE AMENDMENT OF SANDPOINT CITY CODE 9-9-10; PROVIDING FOR APPEALS FROM PLANNING AND ZONING DECISIONS TO THE CITY COUNCIL WITHIN TEN (10) BUSINESS DAYS; PROVIDING FOR FEES TO BE DETERMINED BY RESOLUTION; PROVIDING THAT APPEALS TO THE COUNCIL BE HEARD AT A REGULARLY SCHEDULED OR SPECIAL MEETING; PROVIDING THAT AN AFFECTED PERSON MAY SEEK JUDICIAL REVIEW WITHIN TWENTY-EIGHT (28) DAYS; PROVIDING THAT ALL REMAINING PROVISIONS OF CHAPTER 9, TITLE 9, SHALL REMAIN IN FULL FORCE AND EFFECT; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

This full Ordinance is on file with the Sandpoint City Clerk and will be promptly provided during regular hours to any citizens on personal request.

Publication Date: _____

Melissa Ward, City Clerk

STATEMENT OF LEGAL ADVISOR

I, William L. Herrington, legal advisor for the City of Sandpoint, Idaho, have examined the foregoing summary of Sandpoint Ordinance No. _____ and find it to be a true and complete summary of said ordinance, which provides adequate notice to the public of the contents thereof.

William L. Herrington, City Attorney