

ORDINANCE 2018-09

**ORDINANCE AMENDING FAIRMONT CITY CODE ARTICLE II,
SECTION 26-727 APPLICATION AND ISSUANCE**

WHEREAS, changes have been made to the City of Fairmont organizational chart and management staff since adoption of the Zoning Code in 1986; and,

WHEREAS, zoning applications and processes have changed as a direct result of organizational chart and staffing changes; and,

WHEREAS, prior Councils have not formally changed the City Code on zoning applications and processes; and,

WHEREAS, it is in the best interest of the City to codify the current practice of the Community Development staff.

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, that Fairmont City Code Section 26-727 shall be amended as follows:

Sec. 26-727. – Application and issuance.

(a) Application for a home occupation permit shall be made in the office of the ~~city engineer~~ Community Development Director. Applications for a home occupation permit shall include the following information:

- (1) Name and address of applicant.
- (2) Location and type of proposed occupation.
- (3) Site or building plan (if applicable), showing the facilities to be used for the proposed occupation.

(b) Applications shall be reviewed by the planning commission at its regular monthly meeting. No home occupation shall be permitted that does not meet the performance standards listed in section 26-705. Final action on such applications will be reported to the city council. A fee, as determined by city council, will be charged the home owner to defray the costs associated with the annual review.

(c) Notice of application review shall be mailed to all adjoining property owners within one hundred (100) feet of the applicant's property. The names of adjoining property owners shall be determined from records available to the public. Failure to receive a notice shall not invalidate the review.

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Motion by:
Seconded by:
All in Favor:
Opposed:
Abstained:
Absent:

PASSED, APPROVED AND ADOPTED THIS _____ day of February 2018.

Deborah J. Foster, Mayor

Patricia J. Monsen, City Clerk

1st Reading: January 22, 2018
2nd Reading: February 12, 2018