

ORDINANCE 2020-15

**ORDINANCE AMENDING FAIRMONT CITY CODE CHAPTER 26, ARTICLE II,
DIVISION 3, SECTION 26-56 BOARD OF APPEALS AND ADJUSTMENTS**

WHEREAS, currently the board of appeals and adjustments consists of six (6) members and two (2) nonvoting council liaison; and,

WHEREAS, three (3) members of the board of appeals and adjustments constitute a quorum; and,

WHEREAS, as the city code is currently written, three members is a quorum and the affirmative vote of a quorum is needed to pass an action; and,

WHEREAS, this means that in the event of a tie vote, the action would pass; and,

WHEREAS, it is in the best interest of the City to reduce the number of members of the board of appeals and adjustments to five (5) in order to pass an action by the majority of the members.

NOW THEREFORE THE CITY OF FAIRMONT DOES ORDAIN, that Fairmont City Code Chapter 26, Article II, Division 3, Section 26-56 shall be amended as follows:

Sec. 26-56. – Board of appeals and adjustments.

(a) The board of appeals and adjustments is created and shall consist of six (6) five (5) members and two (2) nonvoting council liaison. All voting members shall be appointed by the city council and shall serve three-year terms. No member shall serve more than two (2) consecutive terms.

(b) Three (3) members of the board constitute a quorum, and all action by the board requires the affirmative majority vote of a quorum. The board shall serve without compensation. The board shall elect from its voting members a chairman and vice chairman. The community development director shall provide secretarial and staff services to the board and shall serve as an ex-officio nonvoting member.

Motion by: Council Member Bruce Peters

Seconded by: Council Member Michele Miller


All in Favor: Council Members Britney Kawecki, Randy Lubenow, Michele Miller, Bruce Peters and Wayne Hasek

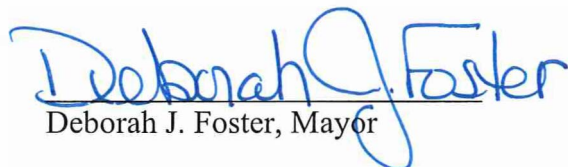
Opposed: None

Abstained: None

Absent: None

PASSED, APPROVED AND ADOPTED THIS 11th day of January 2021.


Patricia J. Monsen, City Clerk


Deborah J. Foster, Mayor

1st Reading: December 14, 2020

2nd Reading: January 11, 2021