

TOQUERVILLE CITY
ORDINANCE 2026.XX

AN ORDINANCE AMENDING TITLE 10, CHAPTER 3, SECTION 1 OF THE TOQUERVILLE CITY CODE TO ADD PROVISIONS ESTABLISHING A PROCESS FOR THE REMOVAL OF ANY PLANNING COMMISSION MEMBER

RECITALS

WHEREAS, Toquerville City (“City”) is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the Toquerville City Council (“City Council”), as the legislative body of the City, is authorized under Utah Code § 10-20-503 to enact and amend land use regulations to protect the health, safety, and welfare of the community; and

WHEREAS, the City has established a Planning Commission to review land use applications and provide recommendations in accordance with City Code and state law; and

WHEREAS, Utah Code § 10-20-301 requires municipalities to adopt an ordinance establishing procedures for appointment, terms, and removal of Planning Commission members; and

WHEREAS, the City Council finds it necessary and appropriate to amend Section 10-3-1 of the Toquerville City Code to ensure compliance with state law and to provide clear procedures for the removal of Planning Commission members;

ORDINANCE

NOW THEREFORE, be it ordained by the City Council of Toquerville City, Utah as follows:

TITLE 10, CHAPTER 3, SECTION 1 OF THE TOQUERVILLE CITY CODE IS HEREBY AMENDED AS FOLLOWS:

10-3-1: PLANNING COMMISSION:

A. **Membership, Appointment And Quorum:** The City Planning Commission consists of five (5) members and up to two (2) alternate members. Members are appointed by the Mayor with the advice and consent of the City Council. Three (3) members of the five (5) shall be sufficient to constitute a quorum. The alternate member(s) shall attend all meetings. The members of the Planning Commission shall be current residents of the City throughout the duration of their service terms.

B. **Alternate Members:** The alternate members shall attend all meetings and serve and vote in the absence of a member of the Planning Commission under rules established by the commission.

C. Length Of Term: Members of the Planning Commission shall serve terms of four (4) years. The terms shall be staggered so that only one (1) term shall expire each year. Terms expire on December 31. With the advice and consent of the City Council, the Mayor shall appoint an interim Planning Commissioner to fill vacancies that might arise, and such appointments shall be to the end of the vacating member's term.

D. Removal: Any member of the Planning Commission may be removed, with or without cause, by the Mayor. Prior to removal, the Mayor must discuss the proposed removal with the City Council. Such discussion does not require a vote or approval of the City Council.

ED. Absence Deemed Resignation: Any Planning Commission member who is absent from two (2) consecutive or twenty-five percent (25%) of the regularly scheduled Commission meetings without prior notice to the City Recorder and/or Chairperson of the Planning Commission shall be deemed to have resigned from the Commission.

FE. Powers: The Planning Commission shall have all necessary powers conferred on Planning Commissions pursuant to Utah Code Annotated title 10, Chapter 9a, as amended.

GF. Chairperson: The Chairperson shall be elected by the Planning Commission, each calendar year at the first last meeting of the year, to take effect January 1 of the following year, and shall be a full voting member of the body.

HG. Staff: In order to assist the Planning Commission in carrying out its duties, the Planning Commission Chairperson may request the assistance of other employees or agents of the City through an appropriate request made to the Mayor.

IH. Policies And Procedures: The Planning Commission shall adopt rules of policy and procedure consistent with this Chapter and State law.

IJ. Compensation: The Chairperson and the members of the Planning Commission shall serve without compensation.

1. REPEALER. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period this Ordinance remains effective. This Repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

2. SEVERABILITY. Should any provision, clause or paragraph of this Ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this Ordinance or the Toquerville City Code to which these amendments apply. The valid part of any provision, clause or paragraph of this Ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this Ordinance, together with the regulations contained therein, are hereby declared to be severable.

3. EFFECTIVENESS. This Ordinance shall become effective immediately upon approval by the City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this ____ day
of _____ 2026, based upon the following vote:

Councilmember:

Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Valerie Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

Attest:

Dan Catlin, Toquerville City Mayor

Emily Teaters, Toquerville City Recorder