

ORDINANCE NO. 3619

AN ORDINANCE AMENDING THE BROKEN ARROW CODE OF ORDINANCES, APPENDIX A – ZONING ORDINANCE, CHAPTER 7, REVIEW AND DECISION-MAKING ENTITIES, SECTION 7.4, BOARD OF ADJUSTMENT; REPEALING ALL ORDINANCES TO THE CONTRARY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. That Appendix A – Zoning Ordinance, Chapter 7, Review and Decision-Making Entities, Section 7.4, Board of Adjustment, is hereby amended as follows:

7.4 - Board of adjustment.

- A. *Established.* The board of adjustment is hereby established.
- B. *Review and decision-making responsibilities.* The board of adjustment shall have the review and decision-making responsibilities set forth in Table 6.1-1.
- C. *Appointments, membership, and rules.*
 - 1. *Members and appointment of members.* The board of adjustment shall consist of five members who shall be appointed by each council member subject to confirmation by a majority vote of the entire membership of the council. Beginning in June 2019, vacancies will be nominated by the current council member representing each Ward in the following order: Ward 1, Ward 2, Ward 3, Ward 4, and Member-At-Large. An unexpired term of a sitting Board Member will be filled by the original appointing member for the remainder of the term.
 - 2. *Terms.* Appointments to the board of adjustment shall be for staggered three-year terms.
 - 3. *Chairman and secretary.*
 - a. The board of adjustment shall annually elect one (1) of its members as chairperson.
 - b. The board shall appoint a secretary who may be an officer of the municipality.
 - c. The chairperson, or in his or her absence the acting chairperson, may administer oaths and compel the attendance of witnesses by subpoena.
 - 4. *Removal from office/vacancies.*
 - a. The city council shall have the power to remove any member of the board of adjustment for just cause, upon written charges and after public hearing.
 - b. Vacancies shall be filled by the city council, for the unexpired term of any member whose term becomes vacant.
 - 5. *Quorum.* A quorum of the board of adjustment shall be three members.
 - 6. *Rules of conduct.* The board shall adopt rules in accordance with the provisions of this Ordinance. Meetings of the board shall be held at the call of the chairperson and at such other times as the Board may determine. All meetings shall be open to the public.

7. *Records.* The board shall keep the minutes of its proceedings, showing the attendance and vote of each member upon each question, and shall keep records of its proceedings and the reason for all official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public health, peace, and safety and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this 21st day of January, 2020.

ATTEST:

MAYOR

(Seal) CITY CLERK

APPROVED:

CITY ATTORNEY