

AN ORDINANCE TO AMEND SECTION 7, OF THE ORDINANCE ADOPTING PROCEDURES FOR THE CALLING AND CONDUCTING OF PUBLIC HEARINGS AND ADOPTING STANDARDS GOVERNING THE EXERCISE OF ZONING POWER, AND FOR OTHER LAWFUL PURPOSES.

I. Section 7 is amended to read as follows:

"All public hearings regarding zoning decisions by the Governing Body shall be held in accordance with any procedures adopted by said body and, in addition, shall be governed by the following procedure:

1. The presiding officer shall open the hearing by stating the specific zoning decision, whether a text amendment or map amendment initiated by the Governing Body, or other zoning decision based upon an application by a party other than the Governing Body, being considered at the public hearing. At this time the presiding officer may summarize the public hearing procedures.
2. The Town Clerk or other staff may present a description of the proposed zoning decision, any applicable background material, his/her recommendation regarding action on said decision as appropriate.
3. Persons who support the zoning decision will be asked to comment first. The petitioner, if applicable, may, upon recognition and upon statement of name and address, present and explain his/her application. The petitioner, or his/her designated agent, is expected to attend the public hearing unless written notice of hardship is received prior to such meeting. A time limitation for the presentation of facts, evidence and opinion may be imposed at the discretion of the presiding officer, but such time limitation shall not be less than ten minutes for the proponents of the zoning decision.
4. Persons who oppose the zoning decision or who have questions about the application will be asked to comment next. All interested parties after being recognized shall be afforded an opportunity to address the proposed zoning decision by standing before the Governing Body and identifying their name, address and interest along with any comments on the proposed zoning decision. A time limitation for the presentation of facts, evidence and opinion may be imposed at the discretion of the presiding officer, but such time limitation shall not be less than ten minutes for the opponents of the zoning decision.
5. The petitioner, if applicable, shall have an opportunity to answer any questions raised by the public, for summary remarks, and rebuttal concerning the proposed application.

6. Upon completion of any comments from interested parties and the petitioner, the public hearing shall be completed and closed to further public comment.
7. All public comments having been heard, the members of the governing body considering the application may discuss the request among themselves. During this discussion period, the members of the body may call on the petitioner, staff or other interested parties to clarify points made previously or to answer questions. Said petitioner, staff or interested parties may respond upon recognition. Additional questions or comments from the general public will not be entertained once the public hearing is closed. Upon completion of discussion the public hearing shall be adjourned.
8. Once the public hearing is adjourned, unrecognized responses from the petitioner, if applicable, shall be ruled out of order by the presiding officer.

NOW, THEREFORE, BE IT ORDAINED, AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME, THAT THE ABOVE AMENDMENT BE ADOPTED AND MADE TO AMEND, REPLACE, AND SUPPLEMENT THE ZONING ORDINANCE.

THIS 2nd DAY OF June, 1997.

Attest: Jerry L. Lewis  
Jerry L. Lewis, Mayor

Witness: Lois H. Harper  
Lois H. Harper, Clerk

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