

RESOLUTION NO. 13-12-PC

A RESOLUTION TO IMPLEMENT AND FORMALIZE A POLICY THAT THE CITY OF LAUREL PLANNING COMMISSION WILL NOT HEAR AND CONSIDER CASES BEFORE IT WHERE THE SUBJECT PROPERTY HAS AN OUTSTANDING CODE VIOLATION

WHEREAS, THE CITY OF LAUREL PLANNING COMMISSION IS AN INTEGRAL ADMINISTRATOR OF THE IMPLEMENTATION OF THE CITY CODE OF LAUREL, SPECIFICALLY THE ADMINISTRATION OF THE PROVISIONS OF THE CITY OF LAUREL UNIFIED DEVELOPMENT CODE, AS WELL AS ALL CITY CODES, AND

WHEREAS, THE UNIFIED DEVELOPMENT CODE AND ALL OTHER CITY CODES PROVIDE FOR THE ENFORCEMENT OF ITS PROVISIONS BY WAY OF PENALTIES FOR THE VIOLATION OF THIS CODE, WHICH ARE CARRIED OUT BY THE STAFF OF THE CITY, AND

WHEREAS, BOTH THE STAFF AND COMMISSION ARE COMMITTED TO THE RESOLUTION OF VIOLATIONS THROUGH DUE PROCESS, WHICH PROVIDES FOR PENALTIES TO ENSURE THAT ITS PROVISIONS ARE ENFORCED EQUITABLY, AND

WHEREAS, THE CITY OF LAUREL PLANNING COMMISSION IS NOT PRECLUDED FROM TAKING OTHER APPROPRIATE ACTION TO PROVIDE FOR A REMEDIES TO RESTRAIN, CORRECT, OR ABATE VIOLATIONS OF THE UNIFIED DEVELOPMENT OR OTHER CITY CODE, AND

WHEREAS, AS A METHOD OF ASSURING THAT COMPLIANCE WITH ALL APPLICABLE CODES IS MAINTAINED, THE COMMISSION WILL ADOPT A FORMAL POLICY OF ITS RIGHT NOT TO SCHEDULE OR HEAR ZONING CASES THAT HAVE AN OUTSTANDING CODE VIOLATION, AND

WHEREAS, THE COMMISSION WILL NOT HEAR ANY ZONING CASE UNTIL SUCH VIOLATION IS ABATED, CORRECTED OR OTHERWISE BROUGHT INTO COMPLIANCE, AND

WHEREAS, THE PLANNING COMMISSION MAY CONSIDER HEARING A CASE, WHERE IN ITS JUDGEMENT, A PROPERTY WITH A CODE VIOLATION IS PETITIONING THE COMMISSION FOR A HEARING THAT WOULD LEAD TO THE ABATEMENT OR CESSATION OF SUCH VIOLATION.

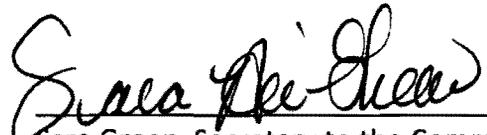
WHEREAS, THE PLANNING COMMISSION WILL ALSO NOT HEAR ANY CASE WHICH IS THE SUBJECT OF AN APPEAL WHICH IS BEING HEARD BY THE CITY OF LAUREL BOARD OF APPEALS, UNTIL SUCH TIME AS THE BOARD HAS REACHED A DECISION ON THE APPEAL ,AND

NOW, THEREFORE BE IT RESOLVED, THAT THE COMMISSION HEREBY DIRECTS STAFF NOT TO SCHEDULE ANY AGENDA ITEM BEFORE IT UNLESS A VIOLATION OF THE UNIFIED DEVELOPMENT OR OTHER CITY CODE IS CONSIDERED CORRECTED, ABATED, OR OTHERWISE BROUGHT INTO COMPLIANCE WITH THE APPROPRIATE CITY CODE.

APPROVED this 14th day of May, 2013.



Donald Williford, Chairman



Sara Green, Secretary to the Commission