

Kanab City Ordinance 10-1-12 O

An Ordinance Amending the Kanab City Heritage Council

Whereas, Utah Code Annotated (UCA) 10-8-85.9 provides that Kanab City may preserve, protect, or enhance an historical areas/sites; and,

Whereas, Kanab General Ordinance Section 15-520 et seq. establishes the Kanab Heritage Council to assist in the above purpose as well as assist in the general preservation of Kanab’s heritage; and,

Whereas, the Council desires to amend the membership requirements and other provisions related to the function of the board

NOW THEREFORE,

BE IT HEREBY ORDAINED BY THE KANAB CITY COUNCIL the Kanab City General Ordinance Sections 15-520 et seq. are amended to state as reflected in the attachments affixed to this ordinance.

All former codes or parts thereof conflicting or inconsistent with provisions of this Ordinance or of the Code hereby adopted are hereby repealed.

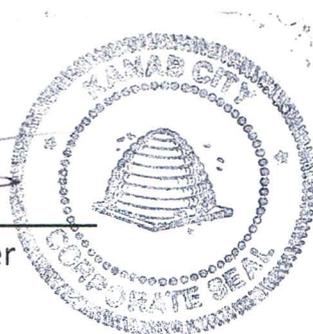
The provisions of the code shall be severable, and if any provision thereof, of the application of such provision under any circumstance is held invalid, it shall not affect any other provisions of this code or the application in a different circumstance.

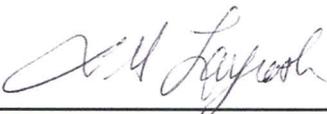
This ordinance shall be effective upon the required posting

Passed by the Kanab City Council this 9th day of October, 2012.



Duane Huffman, Recorder





Nina Laycook, Mayor

Section 15: PARKS, RECREATION AND CULTURAL DEVELOPMENT

Section 15-518 Review by City Council

The City Council shall have the right to review the conduct, acts, and decisions of the Utah Arts Council. Any person may appeal any ruling or order of the Utah Arts Council to the City Council who may hear the matter and make a final decision.

Section 15-519 Definitions

Visual arts means art forms that create works which are primarily visual in nature, such as ceramics, drawing, painting, sculpture, printmaking, and modern visual arts (photography, video, and filmmaking)

Performing arts means arts, such as dance, drama, and music that are performed before an audience.

Folk arts means art originating among the common people of a nation or region and usually reflecting their traditional culture, especially everyday or festive items produced or decorated by unschooled artists.

Design arts means art that is both functional and aesthetically pleasing including, but not limited to, all forms of commercial art, product design and architecture.

Literary arts mean written works such as fiction, poetry, or non-fiction that go outside the bounds of normal professional, journalistic, academic, and technical forms of literature. Works which fall into this category include novels, epics, short stories, poems, screenwriting and playwriting.

Section 15-520 Kanab Heritage ~~Council~~[Board](#)

Section 15-521 Name

The name shall be the Kanab City Heritage and Historic Preservation Board

Section 15: PARKS, RECREATION AND CULTURAL DEVELOPMENT

(Kanab Heritage Board), and shall also be known as the Heritage Advisory Board. Its duties and responsibilities parallel those other advisory boards to the City.

Section 15-522 Membership

The Heritage Advisory Board shall consist of ~~eight (8)~~nine (9) voting members, and one ~~of which shall be a non-voting ex-officio~~ City Council member. ~~The term for the City Council member, designated as liaison for the Heritage Advisory Board, shall correspond to his/her tenure of office as a Kanab City Council member. This City Council member shall vote only in case of a tie. All~~ At least seven (7) of the nine (9) voting members of the Heritage Advisory Board shall be residents of Kanab City, and all voting members must be residents of Kane County.

The Mayor, with the advice and consent of the City Council, shall ~~initially~~ appoint the ~~other seven (7)~~ members of the Heritage Advisory Board. The nine (9) voting members ~~who~~ shall serve for a term of four (4) years and may be appointed for successive terms. The non-voting City Council member shall serve until the end of his/her term of office, or until the appointment of another City Council member. To ensure some continuity, terms will be staggered so that no more than ~~two (2)~~three (3) members will be appointed at one time. ~~Prospective members will be appointed by the Mayor with the consent of the City Council.~~ The Heritage Advisory Board may be asked for their recommendations for new members.

The Mayor may appoint additional non-voting advisory members to the Heritage Advisory Board. Non-voting advisory members shall serve for four (4) year terms, and may be appointed for successive terms. Non-voting advisory members are not required to be residents of Kanab City.

Appointments to office will be made on or before the second Tuesday in January each year. Vacancies of appointed members occurring other than through the expiration of their term shall be filled for the remainder of the term by appointment of the Mayor with the consent of the City Council. Vacancies shall be published in the local paper for two consecutive weeks.

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The Kanab City Council shall have the right to remove any member of the Heritage Advisory Board for misconduct and may remove any member for non-performance of duty, which may include three (3) consecutive absences from the Heritage Advisory Board monthly meetings.

Section 15-523 Officers

The Heritage Advisory Board shall elect a chairperson and a chairperson pro-tem, the latter to become the acting chairperson during the absence of the chairperson. The Board shall also elect a secretary and appoint all other officers necessary for a term of one (1) year. In the event of a vacancy in any office, a successor shall be appointed for ~~for~~ the unexpired term of the office holder. The Heritage Advisory Board ~~chairperson or acting chairperson~~ officers shall be ~~a~~-voting members. Officers shall be elected during the first meeting of the new year (January). Officers may serve for successive terms.

Section 15-524 Quorum and Vote

A quorum shall consist of five (5) members ~~and one of which must be~~ a chairperson or chairperson pro-tem. The motion shall not be presented unless a quorum is present. An approval or disapproval vote shall require a majority of the members of the quorum.

Section 15-525 Meetings

The Heritage Advisory Board shall meet monthly at such time and place designated by the chairperson or acting chairperson. Additional meetings may be called as necessary. ~~Public notice shall be given for all meetings. They shall be advertised and open to the public. The agenda shall be prepared and posted at the City Office at least 24 hours prior to said meeting~~ The Board shall be in compliance of the Open and Public Meetings Act of May 2008, U.C.A. 52-4-101 et. seq.

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Written records of all proceedings and meetings shall be kept. Copies of such records will be given to the City Manager at least monthly.

Section 15-526 Bylaws

The Heritage Advisory Board may promulgate such rules, regulations and bylaws as deemed necessary to carry out the effective and efficient functions of their office, which shall be approved by the Kanab City Council.

Section 15-527 Duties and Responsibilities

- A. Research, document, and compile information, pictures and artifacts of historical significance to Kanab and adjacent areas.
- B. Survey and inventory historic resources.
- C. Promote awareness of and concern for areas of historical significance.
- D. Provide historical information.
- E. Conduct the operation of the Kanab Heritage House. Prepare and maintain an inventory of all items in the Heritage House with a clear designation of their ownership. All items on loan, and any conditions of the loan shall be clearly documented.
- F. Conduct the operation of the Kanab Heritage Museum. Prepare and maintain an inventory of all items in the Heritage Museum with a clear designation of their ownership. All items on loan and any condition of the loan shall be clearly documented.
- G. Conduct the operation of the Juniper Fine Arts Gallery located in the west room in the lower level of the Kanab Heritage Museum. Prepare and maintain an inventory of items designated to the gallery.
- H. Oversee the maintenance and upkeep of the Kanab Heritage House, the Kanab Heritage Museum and the Juniper Fine Arts Gallery in cooperation with the City Manager.

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- I. Advise the City Manager when the Heritage Advisory Board feel that local and state historic laws and regulations are not being enforced.
- J. Affiliate with the Utah Historical Society and the Utah Heritage Foundation in order to best serve the community.
- K. Develop an annual budget in cooperation with the City Manager.
- L. The City Manager will provide the format and ~~due~~-due dates concerning the preparation and submission of the Heritage Advisory Board's budget.
- M. Solicit and receive donations and generate funds which are deposited pursuant to city procedures in designated Kanab City account(s).
- N. As needed, the fee schedule for the Heritage house, the Heritage Museum, and the Juniper Fine Arts Gallery shall be updated by the City Council with recommendation from the Heritage Advisory Board. The fee schedule is found in Appendix A.
- O. The Heritage Advisory Board will also function as the Kanab Historic Preservation board.
- P. ~~The~~ Heritage Advisory Board shall have no authority to act on behalf of or bind the City except as stated in resolutions or ordinances of the City.

Section 15-528 Additions - Amendments

Additional rules and regulations and/or amendments to this ordinance may be recommended by the Heritage Advisory Board to the City Council as it is appropriate. They will be effective when approved by the City Council.

Section 15-530 Downtown Overlay District Design Review Committee

Section 15-531 Committee Created