

**WILLIAMS COUNTY
BOARD OF COUNTY COMMISSIONERS**

ORDINANCE NO. 2017-05-16.2

**TITLE: AN ORDINANCE AMENDING 2015 ZONING ORDINANCES:
CHAPTER 3-7 - APPEALS**

WHEREAS, the Williams County Board of County Commissioners (hereinafter “the Board”), pursuant to the Williams County Home Rule Charter and North Dakota Century Code Chapter 11-33 and Chapter 11-33.2, adopted the Williams County Zoning Ordinance and Subdivision Regulations on September 15, 2015 (hereinafter “2015 Zoning Ordinance”);

WHEREAS, the 2015 Zoning Ordinance, Chapter 3-6, authorizes the Board from time to time on its own motion, or on the recommendation of the Planning and Zoning Official to amend, supplement, repeal or revise any provision of the 2015 Zoning Ordinance;

WHEREAS, the Planning and Zoning Official came before the Board on May 16, 2017, and recommended that Chapter 3-7 of the 2015 Zoning Ordinance governing appeals be amended to streamline the appeals process;

WHEREAS, Commissioner Katie Matlock | Wayne Aberle moved to approve the recommendation of the Planning and Zoning Official to amend Chapter 3-7 of the 2015 Zoning Ordinance, and Commissioner McKensie Schultz | Martin Hansen seconded the motion, and the motion having been submitted to a roll call vote of the elected County Commissioners:

David Montgomery, Chairman	Yes <u>X</u>	No _____
Wayne Aberle, Commissioner	Yes <u>X</u>	No _____
Martin Hanson, Commissioner	Yes <u>X</u>	No _____
Barry Ramberg, Commissioner	Yes <u>X</u>	No _____
Steve Kemp, Commissioner <u>absent</u>	Yes _____	No _____

NOW, THEREFORE, BE IT ORDAINED by majority vote of the Williams County Board of County Commissioners,

1. Chapter 3-7 of the Williams County Zoning Ordinance and Subdivision Regulations adopted on September 15, 2015, governing appeals is hereby amended as follows:

Chapter 3-7 Appeals

3-7-1 Appeals to the Board of County Commissioners

Appeals may be taken from the decisions of the Planning and Zoning Official, the Director of Development Services, or the Planning and Zoning Commission to the Board of County Commissioners as follows:

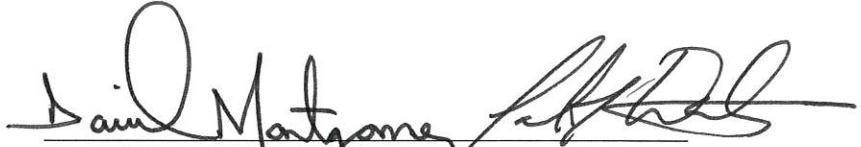
1. Any person aggrieved by a decision of the Planning and Zoning Official, the Director of Development Services, or the Planning and Zoning Commission may appeal such decision to the Board of County Commissioners.
2. Within thirty (30) days of the date of any such decision, the aggrieved person shall notify the Director of Development Services and the County Auditor, in writing, of the intent to appeal such decision and cite the decision being appealed.
3. After receiving written notice of the intent to appeal, the County Auditor shall schedule an appeal hearing before the Board of County Commissioners and shall notify, in writing, the Director of Development Services and the appellant of the date of the hearing.
4. On the date of the hearing, the Board of County Commissioners shall hear the appeal and render its decision. Within seven (7) days of a decision being made by the Board of County Commissioners, the Director of Development Services, or its designee, shall provide written notice of the decision to the appellant.

3-7-2 Appeals from Decisions of the Board of County Commissioners

Any person aggrieved by a decision of the Board of County Commissioners under this Ordinance may appeal to the district court in the manner provided in NDCC Sections 11-11-39 and 28-34-01. The written notice provided by the Director of Development Services under Section 3-7-1, subsection 4 does not extend the time or manner for filing an appeal to the district court as required by law.

2. All other provisions of Chapter 3-7 of the Williams County Zoning Ordinance and Subdivision Regulations adopted on September 15, 2015, are hereby repealed.

The amendments approved herein shall be immediately incorporated into the officially adopted text of the 2015 Williams County Zoning Ordinance and Subdivision Regulations on and shall be effective on this date.


David Montgomery, Chairman
Williams County Board of County Commissioners

Dated: May 16, 2017

ATTESTED:


Beth Innis, County Auditor

Dated: May 16, 2017

First Publication: May 24, 2017

Second Publication: May 31, 2017