

**MILLCREEK, UTAH**  
**ORDINANCE NO. 22-36**

**AN ORDINANCE AMENDING CHAPTER 19.86 OF THE MILLCREEK CODE OF  
ORDINANCES WITH RESPECT TO THE POWERS AND DUTIES OF THE HISTORIC  
PRESERVATION COMMISSION**

**WHEREAS**, the Millcreek Council (“Council”) met in regular session on July 26, 2022, to consider, among other things, approving an ordinance amending Chapter 19.86 of the Millcreek Code of Ordinances with respect to the powers and duties of the Historic Preservation Commission; and

**WHEREAS**, Utah Code Ann. § 10-9a-503 provides in part that the Council may amend any provision of a land use regulation; and

**WHEREAS**, Millcreek (“City”) has adopted a comprehensive zoning ordinance (“Zoning Ordinance”); and

**WHEREAS**, City staff, City consultants, and other persons have recommended that the Council revise the Zoning Ordinance with respect to the powers and duties of the Historic Preservation Commission; and

**WHEREAS**, Utah Code Ann. § 10-9a-502 provides planning commission shall provide notice as required by Subsection 10-9a-205(1)(a) and, if applicable, Subsection 10-9a-205(4) and hold a public hearing on the proposed land use ordinance; and

**WHEREAS**, on May 20, 2022, the required notice was published; and

**WHEREAS**, on June 29, 2022, the proposed amendment was submitted to the planning commission for its recommendation; and

**WHEREAS**, on June 29, 2022, the planning commission held the required public hearing with respect to amending a section of Title 19 of the Millcreek Code of Ordinances; and

**WHEREAS**, at the June 29, 2022, planning commission meeting the Millcreek Planning Commission recommended amending a section of Title 19 of the Millcreek Code of Ordinances; and

**WHEREAS**, the Millcreek Code of Ordinances, provides among other things, that before finally adopting any such amendment, the Council shall consider the application during a public meeting which has been properly noticed in compliance with the provisions of Title 52, Chapter 4, of the Open and Public Meetings Act; and

**WHEREAS**, on July 20, 2022, the Council caused the required notice to be given; and

**WHEREAS**, on July 26, 2022, the Council considered amending various sections of Title 19 of the Millcreek Code of Ordinances.

**NOW THEREFORE, BE IT ORDAINED** by the Council that that Title 19 Zoning be amended as attached (designated by interlineating the words to be deleted and underlining the words to be added).

#### **19.86.040 Powers And Duties Of The Historic Preservation Commission**

The Historic Preservation Commission shall have the following duties:

- A. Issue Certifications of Historical Appropriateness (COA).
- B. Conduct research and collect information on the history of Millcreek, including the establishment of a repository for important documents, artifacts and other items of historical significance.
- C. Provide a written history of Millcreek, as well as an historical program which outlines Millcreek's history for various age groups in the community. This may include, but not be limited to, the use of written summaries of history, visual exhibits, video tapes, displays, and other media.
- D. Increase the awareness of Millcreek's history through the commemoration of historical events.
- E. Designate entries on the National Register of Historic Sites in Utah and recommend to the State Historic Preservation Officer nominations for the National Register of Historic ~~places~~Places, utilizing the criteria for evaluation from the National Register.
- F. Attend at least one informational or educational meeting each year, sponsored by the State Historic Preservation Office, pertaining to the work and functions of the Commission or to historic preservation.
- G. Submit an annual report of the activities of the Commission to the State Historic Preservation Office and to the City Council.
- H. Review all proposed National Register nominations for properties within the boundaries of the City.
- I. Conduct or cause to be conducted a survey of cultural resources in the City which in form and content will be compatible to the Utah inventory of historic and archaeological sites.
- J. Act in an advisory role to other officials and departments of the City regarding the protection of local cultural resources and shall act as a liaison on behalf of the City to individuals and organizations within the City concerned with historic preservation.

K. Support the enforcement of all state and local legislation relating to historic preservation.

This Ordinance assigned Ordinance No. 22-36, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

**PASSED AND APPROVED** this 26<sup>th</sup> day of July 2022.

**MILLCREEK COUNCIL**

By: \_\_\_\_\_  
**Cheri Jackson**, Mayor Pro Tempore Designee

**ATTEST:**

\_\_\_\_\_  
**Elyse Sullivan**, City Recorder

Roll Call Vote:

Silvestrini	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Jackson	Yes	No
Uipi	Yes	No

**CERTIFICATE OF POSTING**

I, the duly appointed recorder for Millcreek, hereby certify that:  
**ORDINANCE 22-36: AN ORDINANCE AMENDING CHAPTER 19.86 OF THE MILLCREEK CODE OF ORDINANCES WITH RESPECT TO THE POWERS AND DUTIES OF THE HISTORIC PRESERVATION COMMISSION** was passed and adopted the 26<sup>th</sup> day of July 2022 and certifies that copies of the foregoing Ordinance 22-36 were posted in the following locations within the municipality this \_\_\_\_ day of July, 2022.

1. Millcreek City Office, 3330 S. 1300 E., Millcreek, UT 84106
2. Millcreek Community Center, 2266 E. Evergreen Ave., Millcreek, UT 84109
3. Holladay Lions Recreation Center, 1661 E. Murray Holladay Rd., Millcreek, UT 84117

\_\_\_\_\_  
Elyse Sullivan, City Recorder