

ORDINANCE NO. 2, 2014

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE, VIRGINIA, AMENDING CERTAIN SECTIONS OF ARTICLE 4 OF THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS OF THE TOWN OF WISE, VIRGINIA ADOPTED MARCH 23, 1987

WHEREAS, the Wise Town Council wishes to amend various sections of Article 4 of the Zoning Ordinance and Subdivision Regulations of the Town of Wise, Virginia adopted March 23, 1987, to include a minimum size opening for gated and screened refuse storage containers in order to safely and effectively allow access by the Town garbage truck; and

WHEREAS, after public notice as required by statute and ordinance, the Planning Commission of the Town of Wise, Virginia met on Tuesday April 1, 2014 at 6:00 p.m. in Council Chambers of the Wise Municipal Building at 501 West Main Street and held a public hearing for the purpose of consideration of amending various sections of Article 4 to add the following language: "the access opening of the screened or gated refuse container storage area shall be a minimum of 12' x 12' for access by the Town garbage truck"; and

WHEREAS, after public hearing, the Planning Commission recommended that the Town Council amend the various articles and sections of The Zoning Ordinance and Subdivision Regulations of the Town of Wise, Virginia adopted March 23, 1987, as set forth below; and

WHEREAS, after notice as required by statute and ordinance, the Town Council of the Town of Wise, Virginia held a public hearing on the various proposed amendments to said zoning ordinance at their regular meeting on April 22, 2014 at 7:00 p.m.; and

WHEREAS, notice of the time and place of the public hearing of said Town Council was advertised as provided by statute and ordinance in The Coalfield Progress, a newspaper having general circulation in the Town of Wise, Virginia, and said hearing was open to the public, and persons wishing to be heard were given an opportunity to present testimony; and

WHEREAS, the Town Council has duly considered the testimony presented, the recommendation of the Planning Commission, and to the guidelines and standards for amending the text of the Zoning Ordinance as set forth in Article 9 of the Zoning Ordinance and Subdivision Regulations of the Town of Wise, Virginia and to the testimony offered; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Wise, Virginia that the following sections of Article 4 of the Zoning Ordinance and Subdivision Regulations of the Town of Wise, Virginia adopted March 23, 1987 be amended and re-enacted to read as follows:

Article 4 Sections 3.5.7, Section 4.5.3, Section 5.5.3, Section 6.5.5 and Section 7.7.2 : "...The access opening of the screened or gated refuse container storage area shall be a minimum of 12' x 12' for access by the Town garbage truck."

ORDAINED, ENACTED AND EFFECTIVE THIS THE 22nd DAY OF APRIL, 2014

VOTING "AYE": Erra Sutherland, Caynor Smith Jr., Teresa Adkins, Billy Bartlett Jr., Jeff Dotson

VOTING "NAY": - None -

ABSENT FROM MEETING: - None - **ABSTENTIONS:** - None -

TOWN OF WISE COUNCIL

Erra Sutherland
Mayor

ATTEST: Rolinn M. Bryant
Clerk to Council