

lic hearing, together with the names and addresses of all persons testifying shall be recorded and made a part of the permanent files of the case. Any such hearing may be continued provided that, prior to the adjournment or recess thereof, the Commissioner presiding at such hearing announces the time and place at which such hearing will be continued.

#### F. Findings:

1—Within thirty (30) days after the conclusion of the public hearing, the Planning Commission shall render its decision. If in the opinion of the Planning Commission, the conditions of Paragraph B of this Section apply in fact to the property referred to in the application or motion, it shall grant the variance, either with or without conditions, otherwise it shall deny the same. The findings of the Commission shall be reported to the City Council. The failure of the Planning Commission to render such decision within forty-five (45) days after the conclusion of the hearing shall be deemed to constitute a denial unless such time limit be extended by common consent and agreement, duly signed by both the applicant and the Planning Commission and made a part of the permanent record of the case.

2—The granting, either with or without conditions, or the denial of an application by the Planning Commission shall be final unless within ten (10) days thereafter the applicant, or some owner of property located within three hundred (300) feet of the exterior boundaries of the property described in such application shall appeal to the City Council by presenting such appeal to the City Clerk. At its next regular meeting after the filing of such appeal with the City Clerk, the City Council shall set a date for the hearing thereof not less than fifteen (15) days nor more than forty (40) days thereafter, and shall cause notice thereof to be given as provided in sub-paragraph 1 of paragraph E of this Section. The City Council shall proceed to hear any person or persons interested. After hearing such appeal, the City Council may, sustain the action of the Commission by a majority vote or may reverse or modify the decision by four-fifths vote.

#### SECTIONS 15. AMENDMENTS AND CHANGES OF DISTRICT BOUNDARIES.

A. The City Council may from time to time after report thereon by the Planning Commission and after public hearings as required by law, amend, supplement, or change the regulations and districts herein or subsequently established. An amendment, supplement, or change may be initiated by the City Council, by the Planning Commission, or by petition of property owners.

B. Whenever the owner of any land or building desires a reclassification of his property, he shall present to the City Council a petition duly signed and acknowledged by him requesting an amendment, supplement or change of regulations prescribed for such property. The City Council shall refer the petition to the Planning Commission for such hearings as may be required by law for amendments, extensions or additions to the Official Land Use Plan, for recommendations upon the boundaries of the district to be changed and such other matters as may be related to said petition and shall take final action upon said petition within ninety (90) days after the filing thereof.

C. The City Council after receipt of report and recommendation from the Planning Commission, shall hold a final hearing thereon, duly advertised as required by law. A uniform fee of fifteen (\$15.00) dollars shall be paid to the City upon the filing of each such petition or request for change, to cover the cost of making maps, sending out notices and other incidental administrative expenses involved.

#### SECTION 16. ENFORCEMENT, LEGAL PROCEDURE, PENALTIES.

A. It shall be the duty of the Building Inspector to enforce the provisions of this Ordinance, pertaining to the erection, construction, reconstruction, moving, conversion or alteration of any building or any addition thereto. It shall be the duty of the

