

ORDINANCE NO. 2051

AN ORDINANCE AMENDING SECTION 158.093 TO THE BETHANY CODE OF ORDINANCES TO PERMIT REHEARINGS UPON DEMONSTRATION OF CHANGES OF CIRCUMSTANCES IN ALL MATTERS TIMELY APPEALED AND HEARD BEFORE THE BOARD OF ADJUSTMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BETHANY, OKLAHOMA:

SECTION 1. Section 158.093 currently reads as follows:

No application which has been heard and decided by the Board shall be set for rehearing within six months from the date of decision, and then only where the applicant can show material change in the facts of the case or where new evidence which might affect the decision can be produced, and then only upon proper filing of a new application.

SECTION 2. Section 158.093 is amended as follows:

No application which has been **timely filed**, heard, and decided by the Board shall be set for rehearing ~~within six months from the date of decision, and then only where~~ **unless** the applicant can show material change in the facts of the case or where new evidence which might affect the decision can be produced, and then only upon proper filing of a new application.

SECTION 3:

If any part, article, section, or subsection of this ordinance shall be held invalid or unconstitutional for any reason, such holding shall not be construed to impair or invalidate the remainder of said ordinance, notwithstanding such holding.

SECTION 4. EMERGENCY CLAUSE

It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Bethany and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and its passage and approval.

END

The foregoing ordinance was introduced before the Bethany City Council on the 2nd day of January, 2024, and was duly adopted and approved by the Mayor and City Council on the 2nd day of January, 2024, and after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.)

ATTEST:


CITY CLERK

MAYOR



Approved as to form and legality on January 2nd, 2024.

CITY ATTORNEY



