# Ordinance No. 2021-14-0

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE LINDON CITY CODE, AS IT RELATES TO PUBLIC NOTICING REQUIREMENTS.

WHEREAS, changes in publication practices and distribution rates for many newspapers throughout the state of Utah have resulted in a much lower percentage of citizens receiving and reviewing printed newspapers; and

WHEREAS, Lindon City has established and maintained its own City website where public notices can easily be accessed by the citizens of Lindon City; and

WHEREAS, the State of Utah has established the Utah Public Notice Website which provides easy access to notices published throughout the state; and

WHEREAS, the Utah State Legislature had enacted legislation which removes that requirement that public notifications be published in a newspaper of local circulation from many sections of the state code; and

WHEREAS, the City Council desires to bring the Lindon City Code into conformance with the changes in the state law while still ensuring the citizens of Lindon City have easy and open access to all public notifications;

NOW THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah as follows:

PART ONE: Amendment of Section 2.08.055 of the Lindon City Code.

Section 2.08.055 of the Lindon City Code is amended as follows:

### 2.08.055 ELECTRONIC MEETING POLICY OF THE CITY COUNCIL.

The Lindon City Council may conduct electronic meetings where one or more of its members participates by means of a telephonic or telecommunications conference pursuant to Section 52-4-207 of the Utah Code Annotated as may be amended. The following procedures shall be followed for an electronic meeting of the City Council:

- Members Considered Present. City Council members participating electronically shall
  be considered present at the meeting for all purposes, shall be afforded every opportunity
  to participate in the discussion of the agenda items, and shall be allowed to cast their vote
  on issues coming to the City Council for a vote.
- 2. Anchor Location. The main anchor location as described in State Law is 100 North State Street, Lindon, Utah, 84042. Any additional anchor location (i) shall be identified by the City Council by its proper address; or (ii) shall be the location of the Mayor or Mayor Pro Tem with the proper declaration and shall be identified by its proper address or other identification as defined in the notification requirements of the State Law.
- 3. *Public Notice*. Public notice of an electronic meeting of the City Council shall be given pursuant to Section 52-4-202 of the Utah Code, as may be amended. Annotated by:

  a. posting written notice at all anchor locations;

- b. posting written notice on the Utah Public Notice Website created under Section 63F 1-701; and
- e. providing written or electronic notice to (a) at least one newspaper of general circulation within the County, or (b) a local media correspondent.
- 4. Notice to City Council Members. City staff shall provide notice of an electronic City Council meeting to all Council members at least 24 hours before the meeting so that they may participate in the meeting and be counted as present for all purposes including the determination of whether a quorum is present. This notice shall include a statement that one or more members of the City Council will be participating electronically, a description of how each member participating electronically will be connected to the meeting, and the regularly published agenda for that meeting.
- Mayor Participation. Unless specified otherwise, no City Council meeting may be held electronically unless the Mayor or Mayor Pro Tem is present at an anchor location and conducts the meeting.
- 6. Electronic Communications Line. Immediately prior to opening an electronic City Council meeting, the Mayor or Mayor Pro Tem shall communicate with each Council member who is participating electronically and ensure that he or she is prepared to move forward. From that time forward until the adjournment of the meeting, the electronic communications line shall be kept open unless a Council member participating electronically wishes to withdraw from the meeting.
- 7. Continuing the Meeting. If a City Council member who participates electronically withdraws early from a meeting, any remaining meeting agenda items may be completed if (i) there is still a quorum of the Council present at the main anchor location, or (ii) there are sufficient other Council members who are participating electronically to comprise a quorum with those at the main anchor location.
- 8. *Public Attendance*. The public may attend the open portions of an electronic City Council meeting at the main anchor location. The public may participate to the same extent as with a non-electronic City Council meeting.
- 9. *Electronic Participation*. Prior to taking a vote on any issue, the Mayor or the Mayor Pro Tem:
  - shall inquire of each City Council member participating electronically if he or she
    has been able to adequately monitor the discussion, including comments from the
    public, and
  - b. shall allow each City Council member the opportunity to make any comments that he or she desires.
- 10. Electronic Meeting Minutes. The minutes of an electronic meeting of the City Council shall include the name of each Council member who participated electronically, the nature of the electronic communication, and the duration of the Council member's participation.

# **PART TWO:** Amendment of Section 2.28.080 of the Lindon City Code.

Section 2.28.080 of the Lindon City Code is amended as follows

### 2.28.080 MODIFICTION OF COMPENSATION.

In the event the governing body decides that compensation or compensation schedules should be adopted, changed, or amended, it shall set a time and place for public hearing at which all interested persons shall be given an opportunity to be heard. Notice of the time, place, and purpose of the meeting shall be published at least seven days prior thereto by posting the notice on the Utah Public Notice Website created under Section 63A-12-201 of the Utah Code, and posting the notice on the Lindon City Website. publication at least once in a newspaper published in Utah County and circulated in Lindon City. After the conclusion of the public hearing, the governing body may enact an ordinance fixing, changing, or amending the compensation of any elective or appointive Lindon City officer or adopting a compensation schedule applicable to any officer or officers.

PART THREE: Amendment of Section 2.44.100 of the Lindon City Code.

Section 2.44.100.080 of the Lindon City Code is amended as follows:

# 2.44.100.080 CERTIFCATION OF CANDIDATES—OBJECTION TO CANDIDATES.

- The city recorder shall verify with the county clerk that all candidates are registered voters. Any candidate who is not registered to vote is disqualified and the recorder may not include the candidate's name on the ballot.
- 2. Immediately after expiration of the period for filing a declaration of candidacy, the city recorder shall:
  - a. Cause the names of the candidates as they will appear on the ballot to be
    published <u>pursuant to Section 20A-9-203 of the Utah Code</u>, as may be amended in
    at least two (2) successive publications of a newspaper with general circulation in
    <u>Lindon</u>; and
  - Notify the lieutenant governor of the names of the candidates as they will appear on the ballot.
- 3. A declaration of candidacy or nomination petition is valid unless a written objection is filed with the clerk within five (5) days after the last day for filing. If an objection is made, the clerk shall:
  - Mail or personally deliver notice of the objection to the affected candidate immediately; and
  - b. Decide any objection within forty-eight (48) hours after it is filed.
- 4. If the city recorder sustains the objection, the candidate may correct the problem by amending the declaration or petition within three (3) days after the objection is sustained or by filing a new declaration within three (3) days after the objection is sustained.

5. The city recorder's decision on an objection to form is final. Challenges to the city recorder's decision on substantive matters shall be made pursuant to § 20-9-203, Utah Code (1953, as amended).

PART FOUR: Amendment of Section 3.070.030 of the Lindon City Code.

3.070.030 of the Lindon City Code is amended as follow:

3.070.030 DEFINITIONS.

For purposes of this section, "disposition" shall mean to transfer control of city-owned property to another by any means including, but not limited to, sale, lease, or other type of conveyance of such property.

For purposes of this section, a "reasonable notice" shall mean posting notice of the proposed disposition in at least three public places within the city and <u>posting publishing</u> notice of the proposed disposition <u>on the Utah Public Notice Website created under Section 63A-12-201 of the Utah Code</u>, and <u>posting the notice on the Lindon City Website</u>. in a newspaper of general circulation in the city.

For purposes of this section, a "significant parcel of real property" shall mean a parcel of real property owned by the city with a reasonable value equal to or greater than \$100,000 or reasonable yearly rental value equal to or greater than \$15,000.

PART FIVE: Amendment of Section 10.16.300 of the Lindon City Code.

Section 10.16.300 of the Lindon City Code is amended as follow:

10.16.300 UNCLAIMED VEHICLES—ADVERTISEMENT AND AUCTION. If, at the expiration of 30 days after mailing the notice provided for in Section 10.16.280, an impounded vehicle is not redeemed by the owner or his or her agent, the chief of police or his or her agent shall proceed to sell the same at public auction to the highest bidder after first giving at least 10 days' notice of sale by publishing the notice on the Utah Public Notice Website created under Section 63A-12-201 of the Utah Code, and posting the notice on the Lindon City Website at least once in a newspaper of general circulation in the city. Said notice shall describe the vehicle to be sold with reasonable certainty and shall, if known, state the name of the owner and lien holder, as shown on the records of the office of the Motor Vehicle Division of the State Tax Commission. A copy of said notice shall be mailed, at least 10 days prior to the sale, to the last known address of the owner and all recorded lien holders. Any money received from the sale shall be first applied to the actual cost of towing and storage of the impounded vehicle, then to pay the cost of advertising and conducting the notice of sale, and the balance, if any, shall be paid into the city treasury.

PART SIX: Amendment of Section 13.13.615 of the Lindon City Code.

Section 13.13.615 of the Lindon City Code is amended as follow:

#### 13.13.615 PRETREATMENT.

Users shall provide all necessary wastewater pretreatment as required to comply herewith. Any monitoring equipment and facilities required to pretreat wastewater to a level acceptable to the POTW shall be provided, operated, and maintained at the user's expense. Such facilities required by the POTW may include the requirement for separate systems to handle sanitary and industrial wastewater so that both can be discharged into the POTW collection system independently of each other. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the POTW for review, and shall be approved in writing by the POTW Manager before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the POTW under the provisions hereof. Any subsequent changes in the pretreatment facilities or methods of operation shall be reported to and be acceptable to the POTW prior to the user's initiation of the changes. The POTW shall annually publish in a newspaper of general circulation within the boundaries of the POTW, a list of the users in significant non-compliance (SNC) during the twelve (12) previous months. The notification shall be posted on the Utah Public Notice Website created under Section 63A-12-201 of the Utah Code and on the Lindon City Website. The notification shall also summarize any enforcement actions taken against the user during the same twelve (12) months. All records relating to compliance with pretreatment shall be made available to officials of the EPA or Approval Authority upon request.

**PART SEVEN:** Amendment of Section 13.20.270 of the Lindon City Code.

Section 13.20.270 of the Lindon City Code is amended as follow:

#### 13.20.270 PRETREATMENT.

- 1. Users shall provide all necessary wastewater pretreatment as required to comply herewith. Any monitoring equipment and facilities required to pretreat wastewater to a level acceptable to the city shall be provided, operated/ and maintained at the user's expense. Such facilities required by the city may include the requirement for separate systems to handle sanitary and industrial wastewater so that both can be discharged into the city collection system independently of each other, detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review, and shall be approved in writing by the city before construction of the facility. The review of such plans and operating procedures will in no way relieve the user for the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions hereof. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the city prior to the user's initiation of the changes.
- 2. The city shall annually publish in a newspaper of general circulation within the boundaries of the city, a list of the users which were not in compliance with any

pretreatment requirements or standards at least once during the twelve previous months. The notification shall be posted on the Utah Public Notice Website created under Section 63A-12-201 of the Utah Code and on the Lindon City Website. The notification shall also summarize any enforcement actions taken against the user(s) during the same twelve months. All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or Approval Authority upon request.

PART EIGHT: Amendment of Section 17.08.055 of the Lindon City Code.

Section 17.08.055 of the Lindon City Code is amended as follow:

### 17.08.055 ELECTRONIC MEETING POLICY OF THE PLANNING COMMISSION.

- 1. The Lindon City Planning Commission may conduct electronic meetings where one or more of its members participates by means of a telephonic or telecommunications conference pursuant to Section 52-4-207 of the Utah Code Annotated as may be amended. The following procedures shall be followed for an electronic meeting of the Planning Commission:
  - a. Members Considered Present. Planning Commission members participating electronically shall be considered present at the meeting for all purposes, shall be afforded every opportunity to participate in the discussion of the agenda items, and shall be allowed to cast their vote on issues coming to the Planning Commission for a vote.
  - b. Anchor Location. The main anchor location as described in State Law is 100 North State Street, Lindon, Utah, 84042. Any additional anchor location (i) shall be identified by the Planning Commission by its proper address; or (ii) shall be the location of the Chairperson or Acting Chairperson of the Planning Commission with the proper declaration and shall be identified by its proper address or other identification as defined in the notification requirements of the State Law.
  - Public Notice. Public notice of an electronic meeting of the Planning
     Commission shall be given pursuant to Section 52-4-202 of the Utah Code, as
     may be amended. Annotated by:
    - i. posting written notice at all anchor locations;
    - posting written notice on the Utah Public Notice Website created under Section 63F 1-701; and
    - iii. providing written or electronic notice to (a) at least one newspaper of general circulation within the County, or (b) a local media correspondent.
  - d. Notice to Planning Commission Members. City staff shall provide notice of an electronic Planning Commission meeting to all Commission members at least 24 hours before the meeting so that they may participate in the meeting and be counted as present for all purposes including the determination of whether a quorum is present. This notice shall include a statement that one or more members of the Planning Commission will be participating electronically, a description of how each member participating electronically will be connected to the meeting, and the regularly published agenda for that meeting.

- e. Chairperson Participation. Unless specified otherwise, no Planning Commission meeting may be held electronically unless the Chairperson or Acting Chairperson of the Planning Commission is present at an anchor location and conducts the meeting.
- f. Electronic Communications Line. Immediately prior to opening an electronic Planning Commission meeting, the Chairperson or Acting Chairperson of the Commission shall communicate with each Commission member who is participating electronically and ensure that he or she is prepared to move forward. From that time forward until the adjournment of the meeting, the electronic communications line shall be kept open unless a Commission member participating electronically wishes to withdraw from the meeting.
- g. Continuing the Meeting. If a Planning Commission member who participates electronically withdraws early from a meeting, any remaining meeting agenda items may be completed if (i) there is still a quorum of the Commission present at the main anchor location, or (ii) there are sufficient other members who are participating electronically to comprise a quorum with those at the main anchor location.
- h. Public Attendance and Participation. The public may attend the open portions of an electronic Planning Commission meeting at the main anchor location. The public may participate to the same extent as with a non-electronic Planning Commission meeting.
- i. *Electronic Participation*. Prior to taking a vote on any issue, the Chairperson or Acting Chairperson of the Planning Commission
  - shall inquire of each Commission member participating electronically if he or she has been able to adequately monitor the discussion, including comments from the public, and
  - (ii) shall allow each Commission member the opportunity to make any comments that he or she desires.
- j. *Electronic Meeting Minutes*. The minutes of an electronic meeting of the Planning Commission shall include the name of each Commission member who participated electronically, the nature of the electronic communication, and the duration of the Council member's participation.

PART NINE: Amendment of Section 17.14.010 of the Lindon City Code.

Section 17.14.010 of the Lindon City Code is amended as follow:

### 17.14.010 NOTICE OF PUBLIC MEETING.

- Notice of meetings for a public body shall be in conformance with the "Open and Public Meetings Act" as found in Utah Code 52-4. For use in this chapter of the Lindon City Code, definitions as found in Utah Code 10-9-103 and 52-4-103 are adopted by reference.
- 2. Unless otherwise specified in this Chapter, for all meetings of a public body, an agenda of the meeting shall be posted not less than twenty-four (24) hours before the meeting.
- 3. The agenda shall be posted <u>pursuant to Section 52-4-202 of the Utah Code</u>, as <u>may be</u> amended, at the Lindon City Center and, beginning April 1, 2008, shall be posted on the

Utah Public Notice Website. Said notice shall also be provided to at least one (1) newspaper of general circulation within Lindon City.

 The city may establish additional means of informing the public about city activities and events through citizen enrolled electronic communication or other methods of information distribution.

PART TEN: Amendment of Section 17.14.030 of the Lindon City Code.

Section 17.14.030 of the Lindon City Code is amended as follow:

# 17.14.030 NOTICE OF PUBLIC HEARING AND PUBLIC MEETINGS TO CONSIDER GENERAL PLAN OR MODIFICATIONS.

- 1. The city shall provide notice of public hearings and public meetings to consider the original adoption or any modification of the general plan pursuant to Section 10-9a-204 of the Utah Code, as may be amended.÷
  - Notice of the date, time, and place of the first public hearing to consider the original adoption or any modification of all or any portion of the general plan; and
  - b. Notice of each public meeting on the subject.
- 2. Each notice of public hearing under subsection(1)(a) of this Section shall be at least ten (10) calendar days before the public hearing and shall be:
  - a. Published in a newspaper of general circulation within Lindon City;
  - b. Mailed to each affected entity;
  - e. Posted in at least three (3) public locations with the city or on the city website.
- 3. Each notice of a public meeting under subsection (1)(b) of this section shall be at least twenty four (24) hours before the meeting and shall be:
  - a. Posted in at least three (3) public locations within the city or on the city website; and
  - b. Submitted to a newspaper of general circulation within Lindon City.

### **PART ELEVEN:** Amendment of Section 17.14.040 of the Lindon City Code.

Section 17.14.040 of the Lindon City Code is amended as follow:

# 17.14.040 NOTICE OF PUBLIC HEARING AND PUBLIC MEETINGS ON ADOPTION OR MODIFICATION OF LAND USE ORDINANCE.

- 1. The city shall give provide notice of public hearings and public meetings to consider the adoption or any modification of a land use regulation pursuant to Section 10-9a-205 of the Utah Code, as may be amended.÷
  - Notice of the date, time, and place of the first public hearing to consider the adoption or any modification of a land use ordinance; and
  - b. Notice of each public meeting on the subject.
- 2. Each notice of a public hearing under subsection(1)(a) of this section shall be:
  - Mailed to each affected entity at least ten (10) calendar days before the public hearing;

- b. Posted in at least three (3) public locations within the city or on the city website;
- c. Published in a newspaper of general circulation in the city at least ten (10) calendar days before the public hearing; or
  - i. Mailed at least three (3) calendar days before the public hearing to:
    - A. Each property owner whose land is directly affected by the land use ordinance change; and
    - B. Each adjacent property owner within five hundred feet (500') if the impacted property is residential and eight hundred feet (800') if the impacted property is nonresidential.
- 3. Each notice of public meeting under subsection(1)(b) of this section shall be at least twenty four (24) hours before the meeting and shall be posted in at least three (3) public locations within the city.
- Courtesy notices for proposed zoning map enactments or amendments shall be sent mailed to each owner of private real property whose property is located entirely or partially within said proposal at least ten (10) days before the scheduled day of the public hearing.

The notice shall:

- a. Identify with specificity each owner of record of real property that will be affected by the proposed zoning map or map amendments;
- b. State the current zone in which the real property is located;
- c. State the proposed new zone for the real property;
- d. Provide information regarding or a reference to the proposed regulations, prohibitions, and permitted uses that the property will be subject to if the zoning map or map amendment is adopted;
- e. State that the owner of real property may no later than ten (10) days after the day of the first public hearing file a written objection to the inclusion of the owner's property in the proposed zoning map or map amendment;
- f. State the address where the property owner should file the protest;
- Notify the property owner that each written objection filed with the municipality will be provided to the municipal legislative body; and
- h. State the location, date, and time of the public hearing.

**PART TWELVE:** Amendment of Section 17.14.070 of the Lindon City Code.

Section 17.14.070 of the Lindon City Code is amended as follow:

17.14.070 HEARING AND NOTICE FOR PROPOSAL TO VACATE A PUBLIC STREET, RIGHT-OF-WAY, OR EASEMENT.

For any proposal to vacate, alter, or amend a public street, right-of-way, or easement, the city council shall hold a public hearing in accordance with Section 10-9a-208 of the Utah Code, as may be amended. and shall give at least ten (10) days' notice of the date, place, and time of the hearing by:

1. Mailing notice to the record owner of each parcel that is accessed by the public street, right of way, or easement;

- Notice Mailing notice to each affected entity;
- 3. Publishing notice in a newspaper of general circulation in the City; and
- Posting notice on or near the street, right of way, or easement in a manner that is calculated to alert the public.

**PART THIRTEEN:** Amendment of Section 17.20.080 of the Lindon City Code.

Section 17.20.080 of the Lindon City Code is amended as follow:

### 17.20.080 DESGIN AND IMPROVEMENT STANDARDS-VARIANCE.

Where in the opinion of the governing body, the literal enforcement of the design and improvement standards in this division would result in an unreasonable utilization of land and water or undue hardship due to unique circumstances, variances may be issued from one or more of the design improvement standards according to the following procedure:

- 1. Application for a variance shall be made to the governing body and shall include:
  - a. A description of the land to be developed;
  - b. An identification of the division provision from which the variance is requested;
  - c. A description of the peculiar physical conditions pertaining to the land in question and which do not pertain to other lands in the general area;
  - d. A description of the hardships which will accrue to the detriment of the property owner if the requested variance is not granted;
  - e. A non-refundable variance review fee, payable to the local jurisdiction, in accordance with the currently applicable fee schedule as adopted by resolution of the local governing body.
- 2. The governing body shall submit the variance application to the Planning Commission for review and comments upon receipt of the application.
- 3. The Planning Commission shall review the variance application and shall submit its written recommendations for approval or disapproval and such applications to the governing body, along with written reasons therefor within thirty calendar days from receipt of the application from the governing body at a regularly scheduled meeting of the Planning Commission.
- 4. The governing body shall hold a public hearing before granting the variance. Notice of the public hearing shall be given <u>pursuant to Section 10-9a-204 of the Utah Code</u>, as may be amended, by at least one publication in a newspaper of general circulation in the local jurisdiction. The hearing shall be held no later than thirty (30) calendar days from receipt by the governing body of the recommendations of the Planning Commission and no less than the fifteen (15) calendar days from the publication of notice.
- 5. Subsequent to and within fifteen (15) calendar days of the public hearing, the governing body shall approve or deny the request for a variance. A variance shall be granted only if the governing body makes a finding upon the record submitted to it that the issuance of a variance will be in the interest of the public safety, health, or welfare and the proposed development complies with the local master plan and the local zoning ordinance.

6. A record of all correspondence, recommendations, submissions, and official action regarding all variance applications shall be maintained for a reasonable time by the local jurisdiction as a public record.

# **PART FOURTEEN:** Severability.

Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

# **PART FIFTEEN:** Effective Date.

This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon

City, Utah, this <u>A</u> day of <u>(</u>

Kathryn Moosman City Recorder IEFF ACERSON,

Lindon City Mayor

### CERTIFICATE OF PASSAGE

STATE OF UTAH	}
	}ss
COUNTY OF UTAH	}

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed and adopted by the City Council of Lindon City, Utah on the 21<sup>st</sup> day of June 2021 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING VARIOUS SECTIONS OF THE LINDON CITY CODE AS IT RELATES TO PUBLIC NOTICING REQUIREMENTS AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Lindon City, Utah, this 22<sup>nd</sup> day of June, 2021.

Kathryn A. Moosman, City Recorder



### AFFIDAVIT OF POSTING

STATE OF UTAH	}
	}ss
COUNTY OF UTAH	}

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that I posted the attached ordinance in three public places on the 21<sup>st</sup> day of June 2021.

The three public places are as follows:

- 1. Lindon City Police Department
- 2. Lindon City Community Development Office
- 3. Lindon City Center

I further certify that the agenda of the meeting of the City Council containing notice of public hearing was published and posted according to law, and that copies of the ordinance so posted were true and correct copies of the original.

Kathryn A. Moosman, City Recorder

The foregoing instrument was acknowledged before me this <u>35</u> day of <u>June</u> 2021 by Kathryn A. Moosman.

My Commission expires: January 7, 2025

Residing at: Utah County

Notary Public

BRITNI LAIDLER
Notary Public - State of Utah
Comm. No. 716032
My Commission Expires on
Jan 7, 2025

Section 12 (1960) the Charles Charles Charles 1 the mine comment of the Charles Charle