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CHAPTER 1
PLANNING AND ZONING COMMISSION

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2-1-1: CREATED:

There is hereby created an official planning and zoning commission to promote the health, safety, morals, order, convenience, prosperity, general welfare as well as efficiency and economy in the process of development. (Ord. 986, 8-27-1992)

2-1-2: COMPOSITION:

The planning and zoning commission shall consist of five (5) members who shall be qualified electors of and reside in the town. (Ord. 986, 8-27-1992)

2-1-3: EX OFFICIO MEMBER:

The mayor shall be an ex officio member of the planning and zoning commission. (Ord. 986, 8-27-1992)

2-1-4: APPOINTMENT:

The members of the planning and zoning commission shall be appointed by the mayor with the advice and consent of the town council. (Ord. 986, 8-27-1992)

2-1-5: TERMS:

The members of the planning and zoning commission shall be appointed for terms of three (3) years; provided, however, that of the appointments first made, one shall be appointed for a one year term, two (2) for a two (2) year term, and two (2) for a three (3) year term. Members may be reappointed. All members will hold office until their successors are appointed and qualified. (Ord. 986, 8-27-1992)

2-1-6: REMOVAL OF MEMBERS:

Any member of the planning and zoning commission may, after a hearing before the town council, be removed by the mayor, by and with the consent of the majority vote of the town council, for inefficiency, neglect of duty, or malfeasance in office. (Ord. 986, 8-27-1992)

2-1-7: FILLING VACANCIES:

Vacancies occurring in the membership of the planning and zoning commission, other than through the expiration of terms, shall be filled for the unexpired term by the mayor, by and with the approval of a majority vote of the town council. (Ord. 986, 8-27-1992)

2-1-8: CHAIRPERSON; OTHER OFFICERS:

The planning and zoning commission shall elect its own chairperson and shall create and fill other officers as it may determine it requires for the proper conduct of the affairs and business of the commission. The chairperson shall be eligible for reelection. (Ord. 986, 8-27-1992)

2-1-9: MEETINGS:

The planning and zoning commission shall hold at least one regular meeting in each month at such time and place as shall be fixed by the commission. Special meetings of the commission may be called by the chairperson, or in his absence,

by any of the members of the commission. All meetings of the commission shall be open to the public. (Ord. 986, 8-27-1992)

2-1-10: QUORUM:

A majority of the members of the planning and zoning commission shall constitute a quorum for the transaction of business. (Ord. 986, 8-27-1992)

2-1-11: CONFLICT OF INTEREST:

Any member of the planning and zoning commission shall automatically disqualify himself/herself from voting on any decision in which he/she might have a personal interest by virtue of the ownership of land to be affected by zoning or other similar situations. (Ord. 986, 8-27-1992)

2-1-12: RULES, REGULATIONS:

The planning and zoning commission shall adopt such other rules and regulations governing its organization and procedures as it may deem necessary, which rules and regulations shall not be inconsistent with the provisions of this chapter or with state law. (Ord. 986, 8-27-1992)

2-1-13: RECORD OF PROCEEDINGS:

The planning and zoning commission shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record. (Ord. 986, 8-27-1992)

2-1-14: ANNUAL REPORT:

Each year the planning and zoning commission shall make a report to the mayor and town council of its proceedings with a full statement of its receipts, disbursements, and the progress of its work during the preceding fiscal year. (Ord. 986, 8-27-1992)

2-1-15: EMPLOYEES:

The planning and zoning commission may, by and with the consent of the town council, appoint employees to perform necessary duties and may also, with the approval of the town council, contract with municipal planners, engineers, landscape architects and other consultants for such services as may be required. (Ord. 986, 8-27-1992)

2-1-16: FEDERAL GRANT RECOMMENDATIONS:

The planning and zoning commission shall, when it deems necessary or appropriate, recommend to the town council that it contract for, accept and expend grants from the federal government available for the purpose of urban planning and renewal and from any agency of the state or county which may have funds available for such purposes. (Ord. 986, 8-27-1992)

2-1-17: EXPENDITURE OF FUNDS:

All monies appropriated by the town council, and all monies received from grants, gifts, and other sources for the use and benefit of the planning and zoning commission shall be deposited with the town clerk-treasurer for deposit into the town treasury and administered as a separate department or fund established for this purpose. (Ord. 986, 8-27-1992)

2-1-18: ESTIMATE OF EXPENDITURES AND BUDGET REQUESTS:

The planning and zoning commission shall, on or before the first day of each fiscal year, prepare and file with the town clerk-treasurer an estimate of the expenditures of the commission for the ensuing fiscal year, outlining the expenses, the amounts and the purposes. (Ord. 986, 8-27-1992)

2-1-19: GENERAL FUNCTION AND DUTY:

It shall be the duty and function of the planning and zoning commission to advise the municipal government in urban planning, land use studies, urban renewal plans, technical services, economic improvements, the creation of a long range master plan and other types of planning studies. The planning and zoning commission is authorized to cooperate with the county planning commission in such plans and shall, when it is deemed necessary and appropriate, recommend to the town council that applications for federal and/or state aid and assistance be made jointly with the county planning commission. (Ord. 986, 8-27-1992)

2-1-20: RECOMMENDATION OF STUDIES, PLANS:

As studies and plans progress, the planning and zoning commission may, from time to time, recommend to the town council that it adopt the master plan, or portions thereof. The commission may, from time to time, recommend that the town council amend, extend or add to the plan. Recommendations of the planning and zoning commission shall be approved or disapproved by the town council; provided, that such disapproval must be by a recorded vote of the majority of the town council.

Failure of the town council to act within sixty (60) days from and after the date of the official submission of a recommendation of the planning and zoning commission shall be deemed approval. Upon approval of a recommendation of the commission, the town council shall, with reasonable promptness, take action to implement the recommendation or plan by appropriate administrative procedure, resolution or ordinance. (Ord. 986, 8-27-1992)

2-1-21: PROCEDURES AFTER ADOPTION OF MASTER PLAN:

Whenever the mayor and town council shall have adopted the long range plan, or any portion thereof, no matter involving change in said plan, or a portion thereof, shall be decided by the mayor and town council until the matter has been submitted and approved by the planning and zoning commission; provided, that in the case of disapproval, the commission shall communicate its reasons to the mayor and town council which shall have the power to overrule such disapproval by a majority vote of the town council. Failure of the commission to act upon any proposed change within thirty (30) days from and after the date of official submission to the commission shall be deemed approval. (Ord. 986, 8-27-1992)