

AN ORDINANCE TO ESTABLISH A PLANNING BOARD
FOR
CHATHAM COUNTY, NORTH CAROLINA

WHEREAS the General Statutes of North Carolina, Chapter 153 A, Article 18, Part 1, provides for the establishment and operation of County Planning Board, attached hereto and incorporated herein for reference as Exhibit A; and

WHEREAS it appears to be advantageous to the welfare of the County of Chatham that a comprehensive and continuous planning program be undertaken; and

WHEREAS the Board of County Commissioners needs the active assistance and constant cooperation of many concerned citizens in their efforts to serve the best interests of the people and to direct the County's growth according to sound management and planning principles, therefore;

BE IT RESOLVED; that the Board of County Commissioners hereby establish

CHATHAM COUNTY PLANNING BOARD

hereinafter referred to as the "Planning Board" and ordain that it be governed by the following provisions.

Section 1. Appointment and Compensation. The Planning Board shall consist of ~~not less than ten (10)~~ eleven (11) members to serve the terms as set forth herein.

A. Each Commissioner shall have at least two (2) appointments to the Planning Board. At least one of each commissioner's appointments shall be from said commissioner's district with the other appointment from any area within Chatham County. If practical difficulties exist and the Board approves otherwise, then appointments may be from outside a commissioner's district. The full Board of Commissioners shall have one (1) appointment to the Planning Board from any area within the county and who may be recommended by any commissioner. The initial appointment to the Planning Board for the at-large member shall take office effective on the date of appointment. Following appointment said at-large member shall be eligible to serve for a full term of three (3) years beginning July 1, 2007. The at-large member appointment shall follow the procedures for re-appointment as set forth in Section 1(B). In order for an appointment to become effective the appointee must be approved by a vote of the majority of the Board of County Commissioners. Appointments shall be made in such a manner that Planning Board members shall represent insofar as practical, the geographical, socioeconomic, sexual and racial makeup of the county.

B. Eleven (11) members shall be appointed to take office effective July 1, 1977; four (4) shall be appointed for a two-year term and three (3) shall be appointed for a one-year term. All successive appointments, except those necessary to fill an unexpired term, shall be for terms of three (3) years. Appointments to fill an unexpired term shall be for the length of the unexpired term. No member shall serve more than two full terms until after a one- (1) year waiting period. A member may serve an unexpired term and two full terms without a waiting period. Members of the Planning Board serving at the time of adoption of this ordinance shall be eligible for

reappointment for one term beginning July 1, 1977 without a waiting period. Ex-officio members may from time to time be appointed by the Board of Commissioners to serve such terms as are fixed by the Appointing Resolution. (Historical footnote: The original Planning Board had eleven members and the Ordinance provided for the Commissioner(s) representing a zoned area to have a third appointment. This provision was deleted in an amendment adopted May 21, 1990.)

C. Faithful attendance at Planning Board Meetings shall be a prerequisite to continued membership on the Planning Board. The Board of Commissioners may terminate the membership of any member for nonattendance at Planning Board meetings and declare a vacancy in his office.

D. The Director of Planning shall advertise positions available on the Planning Board in local papers. Any person interested in serving as a member of the Planning Board shall provide the County Planning Department with a current resume or summary of personal data. The Planning Department shall maintain a current file of persons interested in filling vacancies on the Planning Board and shall provide such information to the Board of Commissioners when vacancies occur.

E. Members of the Planning Board appointed hereunder shall receive only such compensation as may be hereafter fixed by the Board of Commissioners.

Section 2. Organizations, Rules, Meetings and Records.

A. Within thirty (30) days after the appointment, the Planning Board shall meet and elect a Chairman and create and fill other offices as it may determine. The term of the Chairman and Vice-Chairman shall be for one (1) year, with eligibility for reelection for one (1) term.

B. The Planning Board shall adopt Rules of Procedure for transaction of its business and shall keep a record of its member's attendance, and of its resolutions, discussion, findings, and recommendations, which shall be a public record.

C. A member or members of the Planning Board may have their appointment recommended for termination, with or without cause, to the Board of Commissioners by the appointing commissioner. The at-large Planning Board member appointment may be recommended for termination, with or without cause, by any member of the Board of Commissioners. A vote of a majority of the Board of Commissioners shall be required to terminate any Planning Board member appointment. Upon the termination of any such member or members, the commissioner, or his or her successor in office, who appointed the terminated member or members shall, with the approval of a majority of the Board of Commissioners in accordance with Section 1(A) of this Ordinance, appoint a successor member or members. Any such successor member shall serve for the unexpired term of the terminated member for which he or she is appointed. Such successor member shall thereafter be eligible for appointment to no more than two successive three- (3) year terms, in accordance with Section 1(B) of the Ordinance.

C.D. The Planning Board shall hold at least one (1) meeting monthly, and any other meetings, subcommittee meetings and work sessions which may be necessary to achieve the goals and objectives of the Planning Board. All of its meetings shall be in

compliance with the North Carolina Open Meeting Law, Article 33B of Chapter 143 of the North Carolina General Statutes. There shall be a quorum for the purpose of taking any official action required by this ordinance. A quorum shall constitute a majority of the then current members.

D.E. At the beginning of consideration of a matter before the Planning Board, any member who has an interest, whether direct or indirect shall notify the Planning Board forthwith of said interest. The Chairman shall excuse said member from further participation in the matter. A member's withdrawal from participation shall not be interpreted as voting on the matter.

Section 3. General Powers and Duties. It shall be the duty of the Planning Board working with other local, regional, state, and federal agencies:

A. To acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;

B. To prepare and from time to time amend and revise a comprehensive and coordinated plan for the development of the area;

C. To establish principles for guiding action in the development of the area;

D. To prepare and recommend to the Board of County Commissioners ordinances promoting orderly development along the lines indicated in the comprehensive plan;

E. To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;

F. To keep the Board of County Commissioners and the general public informed and advised as to these matters;

G. To perform any other duties which may lawfully be assigned to it by the Board of county Commissioners;

H. The Planning Board may conduct such public meetings as may be required to gather or disseminate information necessary for the drafting, establishment, and maintenance of the comprehensive plan. Before adopting any such plan, it shall hold at least one public hearing thereon.

I. The Planning Board shall strive to promote public interest in and an understanding of its recommendations, and to that end it may ~~public~~-publish and distribute copies of its recommendations, and may employ such other means of publicity and education as it may determine.

J. Members of the Planning Board may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation.

Section 4. Annual Report of Activities. The Planning Board ~~shall~~ may, in ~~July~~ January of each year, submit in writing to the Board of County Commissioners a written report of its activities, and an analysis of trends and issues with which it has dealt with in the ~~coming~~ previous year, as well as issues that may be forthcoming, pursuant to this ordinance. The Planning Department, as authorized by the Board of County Commissioners and the County Manager, shall serve as staff to the Planning Board.

Section 5. Advisory Council and Special Committees. The Planning Board may recommend the establishment by the Board of County Commissioners of Advisory Councils and may cooperate with these councils to the end that its investigations and plans may receive fullest consideration. When established, the Board may not delegate to such advisory councils any of its official prerogatives. The Planning Board may set up special committees to assist it in the study of specific questions and problems or establish permanent subcommittees to promote the efficient review of proposals and work items.

Section 6. Repeal and Date of Effect. All ordinances, parts thereof, resolutions, and Board of County Commissioner's actions related to the Chatham County Planning Board in existence prior to the adoption of this ordinance are hereby repealed. This resolution and ordinance shall be in full force and effect as an ordinance of Chatham County from and after July 1, 1977.

Section 7. Validity. Should any section, paragraph, sentence, clause or phrase of this resolution and ordinance be declared unconstitutional or invalid for any reason, the remainder of the resolution and ordinance shall not be affected thereby.