

## **ORDINANCE NO. 671**

### **AN ORDINANCE ESTABLISHING CITY PLANNING COMMISSION; PRESCRIBING ITS POWERS AND DUTIES AND REPEALING ORDINANCE 354.**

#### **The City of Aumsville ordains as follows:**

**Section 1.** Ordinance 354 re-established and recreated the city planning commission ("Commission") for the city of Aumsville, Oregon. This ordinance perpetuates the Commission.

**Section 2.** The Commission shall consist of five members none of whom shall be city officials or employees, one of whom may reside outside the city limits but within the City's urban growth boundary, and one whom may be a current Aumsville business owner residing within or outside of the Aumsville urban growth boundary. All other Commission members must reside within the city limits. Commission members receive no compensation.

**Section 3.** Members of the Commission shall be appointed by the mayor with the consent of the majority of Council, for terms of two (2) years. Terms shall be staggered so two (2) members are appointed in odd-numbered years and three (3) in even-numbered years.

**Section 4.** Appointments to fill vacancies on the Commission shall be for the remainder of an unexpired term in the same manner as set forth in Section 3 above.

**Section 5.** Any member of the Commission may be removed for misconduct or non-performance of duty, following a public hearing. After which their position may be declared vacant. A Commission member absent from three (3) consecutive meetings without an approved excuse from the Commission is presumptively deemed in non-performance of duty. Removal shall be only upon a majority vote of the entire Council.

**Section 6.** At its first meeting of each calendar year, the Commission shall elect a Chair and Vice-Chair from among the Commission members.

**Section 7.** The City shall select a staff member who shall act as the secretary for the Commission. The secretary shall keep an accurate record of all Commission proceedings consistent with State law and Council policy.

**Section 8.** Three members of the Commission constitute a quorum. The Commission shall meet at least once a month unless the Chair cancels the meeting due to the lack of agenda items or the lack of a quorum. Meetings of the Commission shall be

conducted consistent with the Oregon Open Meetings Law and Council policy. Meetings other than at regularly scheduled times shall be announced at a prior meeting and made a part of the minute records.

The Chair upon their own motion, or at the request of three (3) Commission members, may call for a special Commission meeting to be held at a time not earlier than twenty-four (24) hours after public notice is provided consistent with state law. Notice of the special meeting will be given immediately to all Commission members. Notice of the special meeting shall be posted at city hall and to the extent feasible, provided to interested persons.

**Section 9.** It shall be the Commission's duty and authority except as otherwise provided by law to:

- 1) make recommendations to Council for revisions and updates of the city's currently adopted comprehensive plan and development code as provided by the respective ordinances.
- 2) recommend, make suggestions to and advise Council, and with the prior consent of Council, other public authorities concerning:
  - a. the laying out, widening, extension, and location of streets, sidewalks, boulevards, and other public rights-of-way and areas in the city;
  - b. relief from traffic congestion; and
  - c. betterment of zones and/or districts limiting the use, height, area, and bulk of buildings and other structures.
- 3) recommend to Council, and with the consent of Council, other public authorities plans for regulation of future growth, development, and beautification of the city.
- 4) study and propose for Council's consideration measures designed for promotion of the public interest, health safety, comfort, convenience, and welfare of the city and within the urban growth boundary.
- 5) exercise those substantive and procedural duties and obligations imposed on the Commission pursuant to this ordinance, the City's Development Code, or state law, including but not limited to:
  - a. the preparation and establishment of rules for the conduct of Commission meetings, to be effective upon approval by Council;
  - b. making decisions on all applications for planning approval by determining conformance with applicable Development Code and other lawful criteria, and following defined hearing and deliberation procedures set out in the Development Code and state law;
  - c. conducting public hearings and developing recommendations to Council concerning amendments to the Comprehensive Plan text and map, supplemental plans, and Development Code.

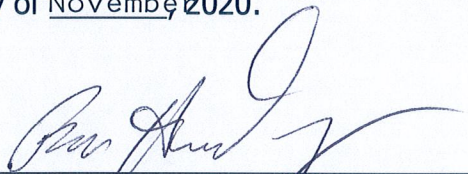
**Section 10.** All recommendations, reports, decisions, and suggestions made to Council by the Commission shall be in writing. Said written reports shall be signed and acknowledged by the Commission's Chair or Vice-Chair.

**Section 11.** The Commission shall have authority to neither make expenditures nor obligate the City for payment of any sums of money except as provided, approved, and authorized by Council. All requests for payment shall be submitted to the Council at a regularly scheduled meeting.

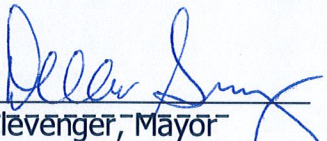
**Section 12. Repeal.** Ordinance 354 is hereby repealed.

**Section 13. EFFECTIVE DATE.** This ordinance shall take effect on the thirtieth day after its enactment.

Read first on the 26<sup>th</sup> day of October, 2020. READ a second time on the 9<sup>th</sup> day of November, 2020. ADOPTED AND PASSED by the Aumsville City Council on the 9<sup>th</sup> day of November 2020.

  
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Ron Harding, City Administrator

SIGNED by the mayor this 12 day of November, 2020

  
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~~Derek Clevenger, Mayor~~  
Della Senev, Mayor Pro-tem