

DUNES CITY ORDINANCE # 42

AN ORDINANCE ESTABLISHING A PLANNING COMMISSION; DEFINING DUTIES AND FUNCTIONS; ESTABLISHING TERMS OF OFFICE AND GENERAL PROCEDURES; AND DECLARING AN EMERGENCY.

WHEREAS, by resolution adopted February 7, 1972, a Planning Commission was purportedly created by the Board of Dunes City Council, and

WHEREAS, members were appointed to said Planning Commission and have and are now carrying out the functions of a Planning Commission, and

WHEREAS ORS 227.020 provides for creation of a Planning Commission by Ordinance

NOW THEREFORE,

DUNES CITY ORDAINS AS FOLLOWS:

A Planning Commission, hereinafter referred to as the Commission, is hereby established for Dunes City.

I. POWERS AND DUTIES OF COMMISSION:

- 1) Recommend and make suggestions to the City Council and to all other public authorities concerning laying out, widening, extending, parking and locating of streets, sidewalks and boulevards, relief of traffic congestion, betterment of housing and sanitation conditions and establishment of zones of districts limiting the use, height, area and bulk of buildings and structures.
- 2) Recommend to the City Council and all other public authorities plans for regulation of the future growth, development and beautification of the municipality in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of all public utilities, harbor,

- shipping and transportation facilities.
- 3) Recommend to the City Council and all other public authorities plans for promotion, development and regulation of industrial and economic needs of the community in respect to private and public enterprises engaged in industrial pursuits.
 - 4) Make an economic survey of present and potential possibilities of the municipality with a view to ascertaining its industrial needs.
 - 5) Study needs of existing local industries with a view to strengthening and developing local industries and stabilizing employment conditions.
 - 6) Do and perform all other acts and things necessary or proper to carry out the provisions of this ordinance.
 - 7) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City and of the area six miles adjacent thereto.
 - 8) Make recommendations to the Dunes City Council for the adoption of a comprehensive plan for Dunes City, or any part or element thereof. The official comprehensive plan shall be effective only after its formal adoption by the Council.
 - 9) Recommend to the Council ordinances intended to carry out the purposes, principles and proposals expressed in the comprehensive plan.
 - 10) Advise and cooperate with other planning agencies within the state, and upon request, or on its own initiative, furnish advice or reports to any city, county, officer or department on any problem comprehended in city planning.

- 11) Promote public interest in and understanding of the comprehensive plan and of planning and zoning in general.
- 12) Make recommendations and an annual report on October 1, of each year to the Council concerning the operation of the Commission and of the status of planning and zoning within its jurisdiction.
- 13) Make recommendations to the Council with regard to the orderly development of the territory within Dunes City.
- 14) Perform such duties as may be prescribed by Dunes City ordinance or order of the Council.

II. MEMBERSHIP:

- 1) The Dunes City Planning Commission shall consist of five voting members, each of whom shall be a resident of Dunes City and appointed by the Council.
- 2) Advisory, nonvoting members may be designated by the Council to provide technical advice to the voting members.
- 3) The term of office on the Commission shall be 3 years, except as hereinafter provided and no member shall serve for more than 2 consecutive terms. The term of office shall commence January 1, and expire on December 31.
- 4) The voting members first appointed shall serve for the following terms:
 - one member for a term of one year;
 - one member for a term of two years;
 - one member for a term of three years;
 - one member for a term of four years;
 - one member for a term of five years;
- 5) Any vacancy occurring on the Commission shall be filled by the Council, the term shall be the unexpired term of the predecessor in office.
- 6) A member may be removed by the Council during his term for misconduct or non-performance of duty after a public hearing before the Council.

- 7) Members shall serve without compensation other than reimbursement for duly authorized expenses.
- 8) No two or more voting members of the Commission shall have the same occupation, provided, however, that businessmen engaged in different kinds of business shall not be prevented by this section from serving, and further provided that being a housewife or retired shall not be considered an occupation within the meaning of this provision.

III. GENERAL PROCEDURES:

- 1) The Commission shall adopt rules and procedures for the transaction of business and shall keep a record of its resolutions, transactions, findings, recommendations and determinations, which record shall be a public record.
- 2) The Planning Director shall be the Secretary of the Commission and shall provide staff services and recommendations and determinations, which record shall be a public record.
- 3) The Commission shall select from its voting membership a chairman and vice-chairman to serve for one year. No member shall be eligible for more than two consecutive terms as chairman or vice-chairman.
- 4) Any discussion, except as a public hearing of the Commission, between any voting member and an applicant or his representative, or any other person with a direct interest, concerning a specific case while such matter is scheduled or likely to come before the Commission shall be made known, and the substance thereof related by such member, at the beginning of the public hearing before the Commission on such case, all of which shall be entered into the record.
- 5) A member of a planning commission shall not participate in any commission proceeding or action in which any of the


following has a direct or substantial financial interest: The member or his spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which he is then serving or has served within the previous two years, or any business with which he is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the commission where the action is being taken.

- 6) The Commission shall complete its action on all applications and requests coming before it under the zoning and subdivision ordinances, building code and master road plan, within sixty (60) days of the filing thereof, unless a shorter time is provided by other order or ordinance. An application or request not acted upon within sixty (60) days may be presented directly to the Council, provided it involves a matter which otherwise requires final action by the Council.
- 7) Members heretofore appointed and presently serving shall continue in office as though the adoption of this ordinance preceded their appointment.

Because the Planning Commission of Dunes City has been and continues to be a functioning body of the City and it appearing that Resolution 35 does not comport with State Law and that the Planning Commission is a necessary body of the City, and should be created immediately, an emergency is hereby declared to exist and this Ordinance shall take effect immediately upon its passage.

DATED this 13th day of MARCH, 1975.

BOARD OF DUNES CITY COUNCIL


MAYOR


CITY RECORDER

AYES: 7
NAYS: 0