

ORDINANCE NUMBER 0-2021-03

PLANNING COMMISSION

AN ORDINANCE AMENDING ORDINANCE W-1-93, CREATING A CITY PLANNING COMMISSION; SETTING TERMS OF MEMBERS; ELECTION OF OFFICERS; RULES; EMPLOYMENT OF ASSISTANCE; EXPENDITURES; POWERS AND DUTIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, A.C.A. § 14-59-401 states the legislative body of the municipality may create a planning commission of not less than five (5) members, of whom at least two-thirds ($\frac{2}{3}$) shall not hold any other municipal office or appointment except membership in the board of adjustment or a joint planning agency.

WHEREAS, Ward Ordinance W-1-93 was passed to create the Planning Commission in 1993.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS THAT ORDINANCE W-1-93 IS HEREBY AMENDED AS FOLLOWS;

SECTION 1: Add the following sentence to the end of Section 1: "Planning Commission members may not be a full or part-time employee of the city. This does not exclude volunteer firefighters, auxiliary police officers, or the like from being a member of the Planning Commission."

SECTION 2: Add the following sentence to the end of the Section 2: "Planning Commission members must be a resident of the City of Ward and must remain so during the duration of their appointment. A member who no longer lives with the city must resign from the Commission by notifying the Chairman as soon as possible so a vacancy can be declared."

SECTION 3: Replace "19-2825 – 19-2833" with "14-56-401 – 14-56-426" in Section 6.

SECTION 2: SEVERABILITY: If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions thereof which are valid, and that such valid portions shall be and remain in full force and effect.

SECTION 3: EMERGENCY: Because of the nature of the current crisis, and with the understanding that emergencies and other issues may hamper scheduled meetings, an emergency is hereby declared to exist and this Ordinance being necessary for the immediate protection of the public peace, health and safety shall take effect immediately up its passage and approval.

PASSED AND ADOPTED THIS 15th DAY OF March, 2021

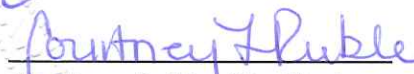
YEAS: 5 NAYS: 0

APPROVED:



Charles Gastineau, Mayor

ATTEST:



Courtney Ruble, City Clerk

CITY SEAL

ORDINANCE #W-1-93

AN ORDINANCE CREATING A CITY PLANNING COMMISSION;
SETTING TERMS OF MEMBERS; ELECTION OF OFFICERS;
RULES; EMPLOYMENT OF ASSISTANCE; EXPENDITURES;
POWERS AND DUTIES; DECLARING AN EMERGENCY; AND
FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF WARD, ARKANSAS:

SECTION 1. There is hereby created a Planning Commission to consist of seven (7) members, at least two-thirds (2/3) of said Commission shall not hold any other elective or appointive municipal office. The members shall be nominated by the Mayor and confirmed by the City Council.

SECTION 2. The original members of the Planning Commission shall be appointed, by the Mayor, to a term of one (1), two (2), three (3), four (4), or five (5) years. When the term of any member shall expire, the Mayor shall make a nomination to fill the vacancy for a period of five (5) years. When a vacancy shall otherwise occur, the Mayor shall nominate a person to serve the remainder of the term.

SECTION 3. At a time and place to be designated by the Mayor, the Planning Commission shall meet and organize by electing from its members a chairman, vice-chairman, and a secretary.

SECTION 4. The Planning Commission shall make and adopt such rules and regulations to govern its proceedings, which shall provide for a regular meeting date at least once each three (3) months and more often if prescribed by the Commission.

SECTION 5. The Planning Commission is authorized to employ such assistance as is deemed necessary in carrying out its duties and responsibilities. It cannot expend or encumber city funds without prior appropriation by the City Council.

SECTION 6. The Commission is vested with all the powers and duties prescribed and set forth in Arkansas Statutes, Sections 19-2825 - 19-2833.

SECTION 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. It is hereby declared to be the intention of the City Council that the sections of this ordinance are severable and if any section of this ordinance shall be declared unconstitutional by the valid judgement or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections.

SECTION 9. Whereas, the citizens of Ward are in desperate need of adequate city planning, an emergency is hereby declared and this ordinance being necessary for the immediate protection of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED:

Terry Phillips
MAYOR

ATTEST:

Joyce A. Feltnes

DATE:

February 16, 1993