

ORDINANCE NO. 73

AN ORDINANCE REPEALING PECK CITY ORDINANCE #53; DEFINING AND ESTABLISHING A PLANNING AND ZONING COMMISSION; PROVIDING FOR APPOINTMENT, QUALIFICATION, TERM, VACANCIES, AND REMOVAL OF MEMBERS OF SAID COMMISSION; PROVIDING FOR ORGANIZATION, MEETINGS, RULES, AND RECORDS; PRESCRIBING THE DUTIES OF SAID COMMISSION; PROVIDING FOR EMPLOYEES AND EXPENDITURES; SEVERABILITY; AND AN EFFECTIVE DATE. PURSUANT TO CHAPTER 65, TITLE 67, IDAHO CODE.

BE IT ORDAINED by the Mayor and City Council of Peck, Idaho:

Section 1. REPEAL OF EXISTING ORDINANCE

Peck city ordinance #53, establishing a planning commission, is hereby repealed.

Section 2. DEFINITIONS

As used in this Ordinance-

"Commission" means the Planning and Zoning Commission created by this Ordinance.

"Appointive Members" means all members of the Commission.

"Governing Board" means the Mayor and Council of Peck, Idaho.

Section 3. APPOINTMENT - QUALIFICATION - TERM - VACANCIES - REMOVAL OF MEMBERS

The Peck Planning and Zoning Commission, hereinafter called the Commission, shall consist of seven (7) members. They shall be appointed by the City Mayor and confirmed by the City Council. All Commission members must have been residents of Nez Perce County, Idaho, for at least five (5) years, while serving on the commission. Initial terms of office shall be three (3) years for three (3) members, four (4) years for two (2) members and five (5) years for two (2) members. Thereafter all terms shall be for three (3) years. All vacancies shall be filled for the duration of the term in the same manner as original appointments. Members may be removed for non-attendance or other cause after public hearing by a majority vote of the Governing Board. Members shall be selected without respect to political affiliations, and shall serve without compensation.

Section 4. ORGANIZATION - MEETINGS - RULES - RECORDS

The Commission shall elect its own chairman and create and fill such offices as it may determine necessary for the proper conduct of the affairs and business of the commission. Meetings of the commission shall be held when duly called by the chairman by written or oral notice. At least one (1) regular meeting shall be held each month for not less than

nine (9) months in a year. A majority of members of the commission shall constitute a quorum. All meetings shall be open to the public. Written rules consistent with this Ordinance and the laws of the State of Idaho for the transaction of the business of the commission shall be adopted. Written records of meetings, hearings, resolutions, findings, studies, permits, and actions shall be maintained and open to the public.

Section 5. DUTIES

It shall be the duty of the planning and zoning commission to:

1. Conduct a planning process designed to prepare, implement, review and update a comprehensive plan that includes all lands within the corporate limits of Peck and its area of city impact.
2. Hold public hearings prior to recommending the comprehensive plan, changes to the plan and ordinances.
3. Provide ways and means to obtain citizen participation in the planning process;
4. Recommend subdivision and zoning ordinances;
5. Recommend changes to a comprehensive plan and zoning ordinance prior to annexation of an unincorporated area; and
6. Recommend changes to the area of city impact and its governing ordinances as necessary.
7. Provide ways and means to obtain citizen participation in the administration of ordinances;
8. Prepare a procedure for processing zoning permits; namely: special use permits, rezone applications, planned unit development proposals and variance applications;
9. Hear all requests for amendment to the zoning ordinance, hold at least one (1) public hearing and make its recommendation to the governing board; and
10. Recommend changes to the zoning ordinance (if needed) to the governing board.
11. Carry out all other functions and exercise all powers conferred by Chapter 65, Title 67, Idaho Code.

Section 6. EMPLOYEES AND EXPENDITURES

Any expenditure of the commission shall be within the amounts appropriated and set aside by the governing board for the purpose of the commission as set forth in this ordinance within such limits, the commission is authorized to hire such employees and technical advisors as it deems necessary for the

accomplishment of its authorized purposes and work.

Section 7. SEVERABILITY

The provisions of the Ordinance are hereby declared to be severable and if any provisions of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this Ordinance.

Section 8.

This Ordinance shall be in full force and effect the 14th day of July, 1978.

Passed by the Council of Peck, Idaho on this 10th day of July, 1978.

ATTEST:

Carmel Hesson
(City Clerk)

Mary Lou Deys
(Mayor)

