

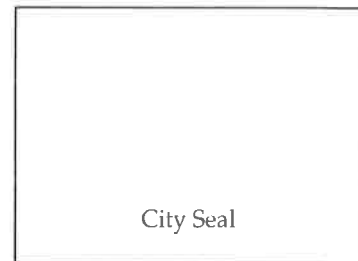
# CHAPTER 43

## CITY OF PRESQUE ISLE


### *Planning Board Ordinance*



Adopted by the City Council: March 2, 1998  
Repassed by the City Council: February 7, 2000  
Repassed by the City Council: January 21, 2004  
Repassed by the City Council: January 7, 2008  
Repassed by the City Council: March 3, 2008  
Repassed by the City Council: January 3, 2012  
Amended by the City Council: November 5, 2012  
Repassed by the City Council: January 4, 2016  
Repassed by the City Council: January 8, 2020  
Amended by the City Council: November 4, 2020  
Amended by the City Council: August 2, 2023



Attest:

  
Kimberly Finnemore, City Clerk

## **CHAPTER 43 PLANNING BOARD ORDINANCE**

### **Article I: Establishment**

Pursuant to Art. VIII, pt. 2, Section 1 of the Maine Constitution and 30-A M.R.S.A. § 3001, the City of Presque Isle hereby established the Municipal Planning Board.

### **Article II: Appointment**

1. Board members shall be appointed by the City Council and sworn by the Clerk, or other person authorized to administer oaths.
2. The Board shall consist of seven (7) members and two (2) alternates. Alternates will be supplied all information as other board members and be part of discussions/deliberations in front of the Board however, an alternate can only vote if a member is absent from the meeting or has a conflict of interest.
3. The term of each member shall be four (4) years except the initial appointment, which shall be for the term of each member serving of the Board, as constituted prior to the enactment hereof. Each alternate member shall be reappointed annually.
4. Appointed members shall continue to serve at the expiration of their term until either a new member has been appointed, or the expiration of ninety (90) days from the end of the term, whichever occurs first.
5. Vacancy: When there is a Vacancy, the City Council shall appoint a person to serve for the unexpired term. A vacancy shall be deemed to have occurred upon the happening of any of the following events: resignation, death, or when a member shall fail to attend four (4) consecutive meetings or fails to attend at least 76% of the regular meetings (unexcused by the Chairperson) during the preceding twelve (12) month period. When a vacancy occurs, the Chairperson shall immediately notify the City Council in writing. The City Council may remove any member or members of the board by unanimous vote, after due notice and hearing.
6. A member of the City Council, while serving in that capacity, may not be a member of the Planning Board.

### **Article III: Officers**

An annual meeting shall be held in February and the following officers shall be elected from members of the Board, and shall serve until replaced.

### **A. Chairperson**

1. The chairperson shall preside at all regular, special and executive session meetings of the Board; and shall conduct the meeting.
2. The Chairperson shall appoint members to the committees of the Board, if any, and shall be ex-officio member of any committee.
3. The Chairperson shall determine agenda items and order of business.
4. The Chairperson shall vote at all regular and special meetings of the Board.
5. The Chairperson may call for special ad-hoc committees as needed for smaller group of members and other stakeholders to research, discuss or debate an action item before reporting recommendation for consideration by the entire membership.

### **B. Vice-Chairperson**

The Vice-Chair shall assume the duties of the Chairperson when the Chairperson is absent.

### **C. Secretary**

The Board also shall appoint annually a secretary to prepare an agenda, provide proper public notice of each meeting, and keep the minutes of the proceedings of the Planning Board; eligible appointments to the position of secretary shall not be limited to members of the Planning Board. In the event the secretary is absent from any meeting of the Board, the Chairperson shall appoint a secretary *pro tempore* for that meeting.

## **Article IV: Quorum**

No meeting of the Board shall be held without a quorum of four (4) members in actual attendance of such meeting. A member must be present to vote. All decisions shall be by majority vote of those present and voting.

## **Article V: Meetings**

- A. Regular Meetings:** The Planning Board shall hold its regular scheduled meetings at City Hall during a day and time that is selected by the majority of members, unless there is no business to be brought before the Board.

**B. Special Meetings:** Shall be called by the Chairperson, whenever it is deemed necessary, provided notice thereof is given by publishing in the Star Herald written notice of such meeting, which notices sets forth the subject matter(s) to be addressed at the meeting, the date, and the place of the meeting, at least ten (10) days prior to said meeting; such notice shall also be posted on the Municipal Bulletin Board, City Office, at least ten (10) days prior to said meeting date.

#### Article VI: Rules of Procedure

The Planning Board may establish by-laws separate from this ordinance to govern meeting decorum, rules of procedure and civic participation from the Board.

#### Article VII: Appeals

Appeals of any findings, actions, or determination of the Board shall be to the Superior Court, in accordance with Rule 80-B of the Maine Rules of Civil Procedure. The hearing before Superior Court shall be a trial *de novo* without jury.

#### Article VIII: Amendments

The Planning Board may amend portions of this ordinance by majority (51%) of members present that consist of a quorum with adoption by the majority of the City Council.