

ORDINANCE NO. 433

AN ORDINANCE ESTABLISHING A TOWN PLANNING COMMISSION
AND PRESCRIBING ITS POWERS AND DUTIES; REPEALING ORDINANCE
NOS. 100 AND 246; AND DECLARING AN EMERGENCY

The Town of Lakeview ordains as follows:

Section 1. There is hereby created a Planning Commission (hereinafter referred to as the Commission) for the Town of Lakeview, Oregon.

Section 2. The Planning Commission shall consist of 7 persons who are appointed by the Mayor and approved by the Council, no more than two of whom may be non residents of the Town, however, all commission members shall reside within the urban growth boundary of the Town of Lakeview. In addition, the Building Inspector, who is a non voting member, shall be an ex officio member.

Any member of the Commission may be removed by the appointing authority, after hearing, for misconduct or nonperformance of duty.

Any vacancy in such Commission shall be filled by the appointing authority for the unexpired term of the predecessor in the office.

Commission members shall serve 4 year staggered terms.

No more than two voting members of the commission may engage principally in the buying, selling or developing real estate for profit as individuals or be members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling or developing of real estate for profit. No more than 2 members shall be engaged in the same kind of occupation, business, trade or profession.

A member of the Planning Commission shall not participate in any Commission proceeding or action in which any of the following has a direct or substantial financial interest; a member of his family, 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 2 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.

Section 3. Commission members shall receive no compensation, except for duly authorized expenses, except for the regular salary and compensation otherwise approved by the Town Council for the ex officio members for the performance of their duties.

The Commission shall select a secretary, who need not be a member of the Commission. The secretary shall keep an accurate

of all Commission proceedings. The Commission shall on or before January 31 of each year, make and file a report of its activities, for the preceeding calendar year, with the Town Council, with budget recommendations for the forthcoming fiscal year.

The Commission may employ consultants to advise them on municipal problems and such other persons including but not limited to hearings officers and secretarial assistants, as may be necessary to perform their duties, and to authorize reimbursement to these persons for their services and expenses from funds authorized by the Council.

Section 4. The Commission, at its first meeting in January, shall elect a chairperson and vice-chairperson who shall be voting members of the Commission, and said officers shall hold office during the pleasure of the Commission.

Four voting members of the Commission shall constitute a quorum.

The Commission may make such rules and regulations as it determines advisable for its government and procedure consistent with the laws of this state, the Town Charter and ordinances.

The Commission shall meet at least once each month, at such times and places as may be determined by the Commission. Special meetings may be called at any time by the President or by three members by written notice served upon each member of the commission at least 3 hours before the time specified for the proposed meeting.

Section 5. The Commission shall have all the powers which are now or hereafter granted to it by the Charter and Ordinances of the Town, or by the general laws of the State of Oregon, including but not limited to the following:

A. Powers and Duties of Commission. Except as otherwise provided by the Town Council, the Town Planning Commission may:

(1) Recommend and make suggestions to the Council and to other public authorities concerning the laying out, widening, extending and locating of public thoroughfares, parking of vehicles, relief of traffic congestion, betterment of housing and sanitation conditions, and establishment of districts for limiting the use, height, area, bulk and other characteristics of buildings and structures related to land development.

(2) Recommend to the council and other public authorities plans for regulating the future growth, development and beautification of the Town 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 town in order

to secure to town city and its inhabitants sanitation, proper service of public utilities, including appropriate public incentives for overall energy conservation, our shipping and transportation facilities.

(3) Recommend to the council and other public authorities plans for promotion, development and regulation of industrial and economic needs of the community in respect to industrial pursuits.

(4) Advertise the industrial advantages and opportunities of the town and availability of real estate within the town for industrial settlement.

(5) Encourage industrial settlement within the town.

(6) Make economic surveys of present and potential industrial needs of the town.

(7) Study needs of local industries with a view to strengthening and developing them and stabilizing employment conditions.

(8) Do and perform all other acts and things necessary or proper to carry out the provisions of ORS 227.010 to 227.170, 227.175 and 227.180.

(9) Study and propose such measures as are advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the town and of the area within six miles thereof.

B. Submission of Plats for Subdivisions and Plans for Street Alterations and Public Buildings to Commission Report. All subdivision plats located within the town limits, and all plans or plats for vacating or laying out, widening, extending, parking and locating streets or plans for public buildings shall first be submitted to the commission by the city engineer or other proper municipal officer, and a report thereon from the commission secured in writing before approval is given by the proper municipal official.

C. Town Approval Required Prior to Recording of Subdivision Plats and Plats or Deeds Dedicating Land to Public Use Within Six Miles of Town.

(1) All subdivision plats and all plats or deeds dedicating land to public use in that portion of a county within six miles outside the limits of any city shall first be submitted to the town planning commission or, if no such commission exists, to the

city engineer of the city and approved by the commission or engineer before they shall be recorded.

D. Procedure and Approval for Renaming Streets. Within six miles of the limits of any town, the commission shall recommend to the Town Council the renaming of any existing street, highway or road, other than a county road or state highway, if in the judgment of the commission, such renaming is in the best interest of the town and the six mile area. Upon receiving such recommendation the council shall afford persons particularly interested, and the general public, an opportunity to be heard, at a time and place to be specified in a notice of hearing published in a newspaper of general circulation with the municipality and the six mile area not less than once within the week prior to the week within which the hearing is to be held. After such opportunity for hearing has been afforded, the town council by ordinance shall rename the street or highway in accordance with the recommendation. A certified copy of each such ordinance shall be filed for record with the county clerk or recorder, and a like copy shall be filed with the county assessor and county surveyor. The county surveyor shall enter the new names of such streets and roads in red ink on any filed plan and tracing thereof which may be affected, together with appropriate notations concerning the same.

E. All decisions of the Commission whether it be on a variance zoning change or proposed amendment, and all recommendations and suggestions made to the Council by the Commission shall be in writing.

Section 6. Any person, firm, corporation or partnership who shall violate any provision of this ordinance or any duly adopted rule or regulation or create a breach of the peace or participates in disorderly conduct at any Commission meeting shall be subject to a fine of not more than \$1,000 or imprisonment of not more than 6 months or both.

Section 7. All provisions of Ordinance No. 433 which are inconsistent herewith are hereby repealed.

WHEREAS, it is considered necessary for the preservation of the public peace, health and safety of the citizens of the Town of Lakeview and its urban growth boundary, it is authorized by Charter, Ordinances of the Town of Lakeview and the laws of the State of Oregon be guided in an orderly manner, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Ordinance No. 629 passed by the unanimous vote of all members of the Council present at the meeting on the 4th day of December, 1979 and approved by the Mayor on said date.