

Ordinance No. 2014-05

AN ORDINANCE AMENDING THE ORDINANCE CREATING A PLANNING COMMISSION FOR THE TOWN OF EDGEWOOD, NEW MEXICO, REPEALING ORDINANCE NO. 1999-S, AND PRESCRIBING THE POWERS, DUTIES AND ORGANIZATION OF SAID COMMISSION.

BE IT ORDAINED BY THE TOWN GOVERNING BODY OF EDGEWOOD:

Section 1. Purpose

The purpose of this ordinance is to establish a municipal organization of appointed officials in order to promote and carry out a continuing process of comprehensive planning within the jurisdiction of the Town of Edgewood, hereinafter called the Town.

Section 2. Planning Board

A. Creation. There is hereby created a Planning Commission for the Town, pursuant to sections 3-19-1 through 3-19-4, NMSA 1978.

B. Membership. The Planning Board shall consist of not less than five (5) members, a minimum of three (3) of whom must reside within the municipal boundaries, and one (1) alternate, and all members shall be appointed by the Mayor with the consent of the Town Council. Members must either reside within the Municipal boundaries, or must certify that they own property within the Municipal boundaries, reside within the extra-territorial zoning limits, or own a business located within the municipal boundaries. Preference shall be given to persons residing within the Town's municipal boundaries.

C. Terms. A majority of the members on the first Planning Commission shall be appointed by the Mayor for one-year terms and the balance of the members shall be appointed for two-year terms. Each subsequent term shall be for two years or less in order to maintain the original staggering. Appointments, reappointments, and vacancies shall be filled by Mayoral appointment with Council approval. Vacancies shall be filled for the remainder of the Commissioners' unexpired term. The Mayor may remove, with Town Council approval and for cause stated in writing and made part of the public record, a member of the Planning Commission.

Section 3. Powers & Duties

A. Delegation of Powers and Duties. The Planning Commission shall have such powers and duties as may be delegated to it by the Town Governing Body. There are hereby delegated the following:

1. The Planning Commission shall promote a comprehensive planning process with general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the Town.
2. The Planning Commission shall make careful and comprehensive surveys and studies of existing conditions and probable future growth of the Town and shall make recommendations on means of protecting and improving the environment.
3. The Planning Commission shall have those powers and duties necessary to perform its function as stated within the provisions of the Town Zoning Ordinance.
4. The Planning Commission may recommend to the Town Governing Body, programs for Public improvements and their financing.
5. The Planning Commission is authorized to confer with other Municipal, County, Regional, State or Federal agencies, as it deems necessary.

Section 4. Organization

- A. Officers. The Planning Commission shall elect from its members a chairman and a vice-chairman and secretary for one-year terms. Officers may be re-elected for an indefinite number of terms. In the absence of both the chairman and the vice-chairman, the remaining members shall choose one of their numbers to act as temporary chairman. In the absence of the secretary, the remaining members shall choose one of their numbers to act as temporary secretary.
- B. Duties of Officers. The chairman shall preside at meetings, appoint appropriate committees, and direct the affairs of the commission. In the absence of the chairman, if the planning commission elected to appoint a vice-chairman, the duties of the chairman shall be performed by the vice-chairman. The secretary shall attest by signature to the minutes as prepared by the Town staff and approved by the Commission. The secretary shall collaborate with Town staff in preparation of meeting minutes. The secretary shall also act as the contact person between the Commission and the Town staff regarding questions or issues regarding the preparation and distribution of minutes and other materials.
- C. Conduct of Business. The Planning Commission shall adopt and publish such rules, regulations, and procedures for the conduct of business as seem appropriate to its members. A quorum shall be a majority of the membership of the Planning Commission.
- D. Meetings. The Planning Commission shall hold regularly scheduled meetings at least once a month and such meetings will be open to the public. The Planning Commission may hold special meetings as may be called by the chairman or vice-chairman with at least 24-hour public notice.
- E. Records. A public record shall be kept of all actions and considerations undertaken by the Planning Commission. The records shall be filed with the Town Clerk and kept available for public inspection in the office of the Town Clerk during normal office hours.

Section 5. Severability

If any section, subsection, paragraph, sentence, clause, phrase, or part hereof are for any reason declared unconstitutional or invalid, the validity of the remaining portions hereof shall not be affected as it is the express intent of the Town that every part hereof be separate and independent of every other part.

Section 6. Effective Date

This Ordinance shall take effect on the 15th day of October, 2014 and shall repeal Ordinance No. 1999-S.

PASSED, APPROVED AND ADOPTED this 15th day of October, 2014

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC
Clerk Treasurer