

## Town of Searsport

### An Ordinance for the Establishment, Organization, and Administration of the Planning Board for the Town of Searsport.

#### ARTICLE 1. General

##### 1.1 Short Title

This Ordinance shall be known as, and may be cited as the "Planning Board Ordinance for the Town of Searsport" and shall be referred to herein as the "Ordinance".

##### 1.2 Authority

Establishment; Reestablishment. Pursuant to Art. VIII, Pt. 2, Sec. 1 of the Maine Constitution and 30-A M.R.S.A. § 3001, the Town of Searsport hereby establishes a planning board. The board which has been acting as a planning board is hereby reestablished as the legal planning board. The members currently serving may continue to do so until the end of the term for which they were appointed without the need to be reappointed or to take a new oath of office. The actions which that board took prior to the adoption of this ordinance are hereby declared to be the acts of the legally constituted planning board of the Town of Searsport.

##### 1.3 Purpose

The purpose of this ordinance is to establish, organize and administer the Planning Board for the Town of Searsport.

##### 1.4 Definitions

1.4.1 The "Planning Board" shall mean that body so constituted by the voters of Searsport and appointed by the Searsport Board of Selectmen and referred to herein as the "board".

1.4.2 "Member" shall mean a person, duly appointed by the Board of Selectmen, who shall have full voting rights on matters before the board.

1.4.3 "Associate Member" shall mean a person, duly appointed by the Board of Selectmen, who shall be without voting rights on matters before the board, except as provided by Article 4, subsection 4.3 and 4.4 of this ordinance.

#### ARTICLE 2. Appointments

##### 2.1 Procedure

2.1.1 The Searsport Board of Selectmen shall make appointments to the board.

##### 2.2 Board Composition

2.2.1 The board shall consist of five (5) members and two (2) associate members.

##### 2.3 Terms of Appointments

2.3.1 The term of each board member shall be five (5) years, with-eligibility for reappointment. The term of each associate member shall also be five (5) years, with the eligibility for reappointment.

##### 2.4 Vacancies

2.4.1 When there is a permanent vacancy on the board, the Board of Selectmen shall, within 60 days of the vacancy, appoint a person to serve the unexpired term.

## ARTICLE 3. Removal

### 3.1 General Provisions

3.1.1 Any member or associate member of the board may be removed from the board, after notice and public hearing, by the Board of Selectmen.

### 3.2 Causes for Removal

3.2.1 Causes for removal of a member, or associate member of the board must be specific and may include any of the following reasons:

1. Consistent and unjustifiable failure or refusal to attend board meetings.
2. Using or attempting to use board membership or associate membership for personal gain.
3. Any action or activity which may bring discredit upon the board, the Board of Selectmen and/or the Town of Searsport.

## ARTICLE 4. Organization and Rules

### 4.1 Chairman, Vice Chairman

4.1.1 The board shall elect a chairman and vice chairman from its membership and such other offices as it may determine. The term of all such offices shall be one year with the eligibility for reappointment.

### 4.2 Secretary

4.2.1 The board shall appoint a secretary either from its membership or from the general public. The term of the secretary shall be one (1) year with eligibility for reappointment. The secretary shall be paid an hourly stipend for attendance at board meetings.

### 4.3 Associate Member Seating

4.3.1 When a board member is unable to act upon an issue because of conflict of interest, physical incapacity, absence, or other reason acceptable to the chairman, the chairman shall designate an associate member to sit in the excused member's stead.

### 4.4 Associate Member Attendance/Voting

4.4.1 An associate member shall attend all meetings of the board and may participate in the board's proceedings, but may vote only when he or she has been designated by the chairman to sit for an excused member.

### 4.5 Disqualification

4.5.1 Any question as to whether a member or associate member shall be disqualified from voting on a particular issue shall be decided by a majority vote of the remaining voting membership.

### 4.6 Meetings

4.6.1 While it may be desirable for the board to meet monthly, as a matter of practicality the chairman should be flexible in calling regular and special meetings as need dictates.

#### 4.7 Quorum

4.7.1 No meeting of the board may be held with a quorum consisting of less than four (4) members, or associate members designated to sit and vote.

#### 4.8 Majority Vote

4.8.1 No vote of the board shall be valid unless at least three authorized voting members shall agree.

#### 4.9 Board Transactions

4.9.1 The board shall adopt rules for the transacting of business and the secretary shall keep a written record of the board's resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at the town office during reasonable hours. To ensure security of such records, the secretary shall photocopy and attest the same, any such transactions, correspondences findings and determinations and maintain these copies in files independent of the board's normal files.

### ARTICLE 5. Duties; Powers

#### 5.1 General

5.1.1 The board, at the request of the Board of Selectmen, or at its own volition, shall propose, draft and review pertinent ordinances and regulations in behalf of the Town of Searsport.

5.1.2 The board shall perform such duties and exercise such powers as shall be provided by pertinent Town of Searsport ordinances and the laws of the State of Maine.

### ARTICLE 6. Construction

#### 6.1 Severability

6.1.1 Severability is intended throughout and within the provisions of this ordinance. Should any provision, including inter alia any exceptions, part, phrase or term, or the application thereof to any person or circumstances be held invalid, the application of other provisions of the Ordinance shall not be affected thereby and the validity of this ordinance in any and all other respects shall not be adversely affected.

#### 6.2 Supersession

6.2.1 This ordinance supersedes and replaces any and all like or comparable ordinances, policies, or decisions previously enacted and in force within the Town of Searsport, and shall remain in effect until or unless revoked or superseded by action of the voters of Searsport.

#### 6.3 Amendments, Revisions

6.3.1 From time to time, circumstances may require that portions or sections of this ordinance be amended, revised or deleted. Such action shall be proposed to the voters at a town meeting by the Board of Selectmen. Approval of any amendments, revisions, or deletions rests exclusively with the voters of Searsport.

ARTICLE 7. Adoption

This Ordinance was submitted to the voters of Searsport and adopted at a Special Town Meeting held on the 19th day of June, 1984.

Amended Tówn Meeting March 5, 2016

This is a true and attested copy by:



Deborah Plourde, Town Clerk