

TOWN OF BADIN ORDINANCE 93-5

AN ORDINANCE TO ESTABLISH A PLANNING BOARD FOR THE TOWN OF BADIN, NORTH CAROLINA

Section 1. Creation.

The Town Council of the Town of Badin hereby establishes the Badin Planning Board under the authority granted by the General Statutes of the State of North Carolina, Chapter 160A-361. The Board shall constitute, function, and may be referred to as the Badin Planning Board.

Section 2. Composition and Vacancies.

The Planning Board, hereinafter referred to as the “Board” shall consist of three (3) members. All members of the Board shall be citizens and residents of the Town of Badin and shall be appointed by the Town Council. The initial appointments to the Board shall be made as follows: Two (2) members shall be appointed for a term of three (3) years, and one (1) member shall be appointed for a term of (2) years. As the terms of these three members expire, new appointments for terms of three (3) years shall be made by the Badin Town Council.

In the event of a vacancy on the Planning Board, the Town Council shall appoint a new member to fill the unexpired term of the vacated position.

All members of the Planning Board shall have equal rights, privileges, and duties. Members shall serve without pay, but may be reimbursed for any expenses incurred while representing the Planning Board. Regular attendance of the meetings of the Board is considered a prerequisite for maintenance of membership of the Board. If a member is absent from more than three (3) consecutive meetings, the member may be replaced at the discretion of the Town Council.

The Badin Zoning Administrator shall serve as a nonvoting, “ex officio” member of the Planning Board.

Section 3. Organization; Rules; Meetings and Records.

The Planning Board shall meet and elect a chairman and vice-chairman from among its regular members, both of whom shall serve for terms of one (1) year or until re-elected or until their successors are elected. The Board shall appoint a secretary, who may be a municipal officer or employee of the Town or a member of the Board, and who shall hold office during the term of the chairman and/or until a successor secretary shall have been appointed. The Board may create and fill other offices as it may determine.

The Board shall adopt rules for the transaction of its business which are consistent with this ordinance as well as with the General Statutes of the State of North Carolina, and shall keep a record of its members’ attendance, and of its resolutions, discussions, findings and recommendations, which record shall be a public record. The Board shall schedule at least one (1) meeting monthly and all of its meetings shall be open to the

public. There shall be a quorum of two (2) Board members for the purpose of taking any kind of official action required by this ordinance.

Section 4. Expenditures; Incurring Indebtedness; Donations.

The expenditures of the Planning Board, exclusive of gifts or grants, shall be within the amounts appropriated for the purpose by the Town Council, and no indebtedness for which the Town shall be liable shall be contracted or incurred by the said Board unless an appropriation is made by the Town Council for such purpose, as authorized by law, and then only to the extent of such appropriation. The Board shall have the right to accept gifts and donations for the exercise of its functions, and may expend the money received from such gifts and donations in a manner which in the judgment of the Board is consistent with the best interest of the planning program.

Section 5. Powers and Duties.

The Board shall have the power to perform the following duties:

- (1) Make studies of the area within its jurisdiction and surrounding areas.
- (2) Determine objectives to be sought in the development of the study area.
- (3) Prepare and adopt plans for achieving these objectives.
- (4) Develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
- (5) Advise the Town Council concerning the use and amendment of means for carrying out plans.
- (6) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Town Council may direct.
- (7) The Planning Board shall review and make recommendations to the Town Council upon the extent, location, and design of all public structures and facilities; on the acquisition and disposal of public properties; on the opening, abandonment, widening, extension, narrowing or other change to streets and other public ways; and on the construction, extension, expansion or abandonment of utilities. The Planning Board shall work with and coordinate other boards and advisory groups as directed by Town Council.
- (8) Perform any other related duties that the Town Council may direct.

Section 6. Repeal and Effective Date.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed, and this ordinance shall be in full force and effective as an ordinance of the Town of Badin from and after the date of its adoption by the Badin Town Council.

Section 7. Validity.

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions, if otherwise valid, shall continue in full force and effect.

Section 8. Adoption.

This Ordinance to Establish a Planning Board in the Town of Badin, North Carolina as hereinabove set forth, adopted and enacted shall be included in the Code of Ordinances of the Town of Badin, North Carolina.

ADOPTED AND PASSED by the Town Council of the Town of Badin, North Carolina, this the 9th day of February, 1993.