

**Adopted at 4/28/2011 Special Election**

**ORDINANCE COMMITTEE ORDINANCE**  
TOWN OF BROOKSVILLE

**Section 1: TITLE**

This Ordinance shall be known and cited as the "Ordinance Committee Ordinance" of Brooksville, Maine (hereinafter referred to as the "ordinance").

**Section 2: AUTHORITY**

This ordinance is adopted pursuant to the enabling provisions of Title 30-A MRSA Section 3001 (Home Rule).

**Section 3: PURPOSE**

The purpose of this ordinance is to provide a process and procedure for (1) the preparation of Town-initiated new ordinances and (2) the review of voter-initiated ordinances and of amendments to existing ordinances, proposed for enactment by the Town's voters.

**Section 4: MEMBERSHIP**

The Committee shall consist of the members of the Town Planning Board, the members of the Town Comprehensive Planning Committee who have accepted appointment by March 30<sup>th</sup> of each year, and up to four other members appointed by the Selectmen for a two-year term, sitting together as a joint committee.

**Section 5: PROCEDURE**

5.1 The Committee shall annually elect a chairman from among its membership at the first meeting of the Committee following the annual town meeting.

5.2 A majority of the Committee's members shall constitute a quorum for all purposes. All actions and recommendations of the Committee must be approved by a majority vote of those voting.

5.3 Except for ordinances or amendments designated by the Selectmen as emergency measures and development moratorium ordinances proposed under 30-A MRSA section 4356, all proposed new ordinances shall be submitted by the Selectmen to the Committee for preparation if Town-proposed and for review if voter-initiated.

5.4 Amendments to existing ordinances proposed for enactment by the voters by referendum shall be submitted to the Committee for review; those proposed for

enactment at an open town meeting may be submitted to the Committee for review.

5.5 Unless additional time is necessary, the Committee shall complete its preparation and/or review within forty-five (45) days after referral and shall so advise the Selectmen.

5.6 The Town shall conduct at least one public hearing, including public hearings required by law, on each proposed new ordinance and on any ordinance amendment proposed for enactment by referendum, and shall give all required notices for this purpose.

5.7 Following the public hearing, the Committee may issue a recommendation to the Selectmen in writing either for or against adoption of the ordinance and amendment as proposed, together with reasons for the Committee's recommendation. The Committee's report may include suggested amendments to Town-proposed ordinances and amendments and recommended alternative proposals to voter-initiated proposed ordinances.

5.8 Upon approval by the Selectmen, the Committee may engage legal counsel to review and give opinions concerning the legality and enforceability of any proposed ordinance or amendment.

## **Section 6: CONFLICT AND SEVERABILITY**

6.1 Conflicts. Whenever a provision of this ordinance conflicts with or is inconsistent with another provision of this ordinance or of any other ordinance, regulation or statute administered by the municipality, the more restrictive provision shall apply.

6.2 Severability. The invalidity of any part of this ordinance shall not invalidate any other part of this ordinance.

## **Section 7: EFFECTIVE DATE**

This ordinance becomes effective immediately upon passage by the Town.