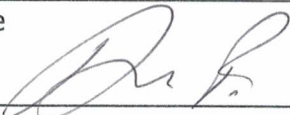


# PLANNING BOARD ORDINANCE

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## TOWN OF BROOKSVILLE, MAINE

ENACTED: March 5, 2018  
Date

CERTIFIED BY:   
Signature

CERTIFIED BY: Amber Bakeman  
Print Name

Town Clerk  
Title

Affix Seal



# PLANNING BOARD ORDINANCE

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## TOWN OF BROOKSVILLE, MAINE MARCH 5, 2018

### **Section 1: ESTABLISHMENT**

1.1 Pursuant to the Maine Constitution Art. VIII-A, the Town of Brooksville hereby establishes the Town of Brooksville Planning Board.

1.2 This Ordinance shall be subordinate to existing Federal and State Laws governing the same matters. Where found to be in conflict with higher Federal or State authority that portion of the Ordinance would be null and void; otherwise the Ordinance will stay in full force.

### **Section 2: EFFECTIVE DATES**

2.1 The Establishment of the Town of Brooksville Planning Board in 1988 is hereby repealed.

2.2 This Ordinance and any subsequent amendment shall take effect and be in force from the date of its adoption by the Town.

### **Section 3: MEMBERSHIP**

3.1 The Board shall consist of five members and may have two associate members.

3.2 Board members shall be elected by secret ballot on the Annual Town Warrant and sworn by the clerk or other person authorized to administer oaths.

3.3 The term of a Board member shall be three years, with members elected on a three-year successive cycle of two (2) members, two (2) members, and one (1) member.

3.4 The associate members shall be appointed by the municipal officers for a term of three years.

3.5 When there is a permanent vacancy, the municipal officers shall, within 60 days of its occurrence, appoint a person to serve until the next regularly scheduled election. A vacancy shall occur upon the resignation or death of any member, or when a member fails to attend four consecutive regularly scheduled meetings or fails to attend at least 75% of all meetings during the preceding 12-month period. When a vacancy occurs, the chairman shall immediately so advise the municipal officers in writing. The Board may recommend that the attendance provision be waived for cause, in which no vacancy will then exist until the municipal officers disapprove the recommendation. The municipal officers may remove members of the Planning Board by unanimous vote, for cause, after notice and hearing.

3.6 A municipal officer may not be a member or an associate member.

#### **Section 4: ORGANIZATION AND RULES**

4.1 The Board shall elect a chairman and a secretary from among its members and create and fill such offices as it may determine. The term of all officers shall be one year with eligibility for re-election.

4.2 When a member is unable to act because of interest, physical incapacity, absence or any other reason satisfactory to the chairman, the chairman shall designate an associate member to sit in his/her stead.

4.3 An associate member may attend all meetings of the Board and participate in all its proceedings, but may vote only when designated by the chairman to sit for a member.

4.4 Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members, except the member who is being challenged.

4.5 The chairman shall call at least one regular meeting of the Board each month.

4.6 No meeting of the Board shall be held without a quorum consisting of at least four members or associate members authorized to vote.

4.7 The Board shall adopt rules for the transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at reasonable times.

#### **Section 5: DUTIES AND POWERS**

5.1 The Board shall perform such duties and exercise such powers as are provided by the ordinances of the Town and the laws of the State of Maine.

5.2 The Board may obtain goods and services necessary to its proper function within the limits of appropriations made for this purpose.

#### **Section 6: VALIDITY AND SEVERABILITY**

Should any section or part of a section or any provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.