

ORDINANCE NO. 866

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE (SMC) TITLE 2, "ADMINISTRATION AND PERSONNEL" CHAPTER 2.36, PLANNING COMMISSION.

WHEREAS, the Stayton Municipal Code (SMC) Title 2.36 outlines the rules and duties of the Planning Commission;

WHEREAS, on June 14, 2004, the Stayton Planning Commission recommended modifications to SMC 2.36; and

WHEREAS, at the Stayton City Council Meeting of July 6, 2004, staff was directed to bring proposed changes to Chapter 2.36.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Stayton Municipal Code Title 2, Chapter 2.36 is hereby amended and restated to read:

TITLE 2. ADMINISTRATION AND PERSONNEL

CHAPTER 2.36

PLANNING COMMISSION

SECTIONS

- 2.36.910 Established
- 2.36.920 Membership, Terms, Filling of Vacancies, Organization
- 2.36.930 Rules and Regulations
- 2.36.940 Powers and Duties
- 2.36.950 Training and Education
- 2.36.960 Expenditures

2.36.910 ESTABLISHED

There is hereby created a city planning commission referred to as "the Commission" in this chapter. (Ord. 658, section 1[part], 1989; Ord. 642 section 2[part], 1988: prior code section 2.450)

2.36.920

MEMBERSHIP, TERMS, FILLING OF VACANCIES, ORGANIZATION

1. The commission shall consist of seven (7) adult members and one non-voting high school student of junior level academic standing, enrolled at either Stayton Union High School or Regis High School. One (1) member of the City Council, if appointed by the Mayor, shall serve as ex-officio, non-voting representative. Members are appointed in accordance with the Rules of the Stayton City Council. (Ord. 808, January 2000).
2. Terms of office for planning commission members:
 - a. The high school student shall hold office for one (1) year commencing at the Commission's January meeting; (Ord. 808, January 2000)
 - b. The seven adult Commission members shall hold office for three (3) years on staggered terms. (Ord. 808, January 2000)
 - c. Staggered terms shall be accomplished, on a one time basis by reducing the term of one Planning Commission member's position by one year at a time of the January 2001 appointments, (Ord. 808, January 2000)
3. Any vacancy shall be filled by the mayor for the unexpired portion of the term.
4. All new members shall reside inside the Stayton city limits, except one may reside outside the city limits but within the Stayton urban growth boundary.
5. If any commission member is absent from three (3) or more consecutive regular meetings without excuse from the commission, the commission chair shall declare the position vacant and notify the mayor to appoint someone to fill the unexpired portion of the term.
6. At the annual meeting in January, the commission shall elect its own chair and vice-chair, who shall be voting members of the commission and who shall hold office at the pleasure of the commission.
7. Commission members shall receive no compensation but shall be reimbursed for duly authorized expenses. (Ord. 658, section 1[part], 1989; Ord. 642, section 2[part], 1988; prior code section 2.455; Ord. 705, section 1, 1992.

2.36.930

RULES AND REGULATIONS

1. Four members of the commission, including the chair, shall constitute a quorum, but a lesser number may adjourn the meeting to a later date.

2. The commission may make and alter rules and regulations for its government procedure consistent with the laws of this state, with the city charter, and with city ordinances and this code.
3. The commission shall meet at least once a month.
4. Special meetings may be called at any time by the chair of the commission or by any three (3) members by giving notice to each member of the commission and to the media at least twenty-four (24) hours before the time specified for the proposed meeting.
5. An informed public, aware of the deliberations and decisions of the city of Stayton, is beneficial to the community; therefore, the planning commission shall comply with the Oregon Open Meetings Law ORS 192.610 to 192.710. All parliamentary questions which arise, not otherwise provided by rules adopted by the city, shall be governed by Roberts' Rules of Order.
6. The council shall assign to the commission a location in which to hold its meetings, transact its business, and kept its records. A secretary shall be appointed by the city administrator and shall keep an accurate record of all commission proceedings.
7. All recommendations made to the council by the commission shall be in writing. (Ord. 658 section 1[part], 1989; Ord. 642, section 2[part], 1988; prior code section 2.457)

2.36.940 POWERS AND DUTIES

1. The commission has power and authority as follows:
 - a. To employ consulting advice on municipal problems, a secretary and such clerks as may be necessary, and to pay for their services and for such other expenses as the commission may lawfully incur, including the necessary disbursements incurred by its members, out of such funds as are placed at the disposal of the commission by the council
 - b. To make recommendations and suggestions to the council, other public officials, and individuals concerning any matter relating to community planning and development.
2. The commission shall also have all the powers which are now or which hereafter may be granted to it by ordinance of this city or by general laws of the state, including but not limited to ORS Chapter 92 and ORS Chapter 227.

3. The council and administrative officers shall procure the recommendations of the commission where so required by state laws or city ordinances. (Ord. 658, section 1[part], 1989; Ord. 642, section 2[part], 1988; prior code section 2.460)

2.36.950 TRAINING AND EDUCATION

1. It shall be the responsibility of the city council to make sure that all of the commission members receive education on the planning laws of the State of Oregon, County of Marion, County of Linn, and City of Stayton within thirty (30) days of January appointment.
2. Planning commission members shall be provided planning and zoning ordinances of the city such as, but not limited to, ORS Chapters 92 and 227. (Ord. 658, section 1[part], 1989; Ord. 642 section 2[part], 1988; prior code section 2.460)

2.36.960 EXPENDITURES

The commission shall have no authority to make expenditures on behalf of the city or to obligate the city for the payment of any sums of money, except as provided specifically in this chapter, and then only after the council first authorizes such expenditures by appropriate ordinance or resolution, which ordinance or resolution shall provide the administrative method by which such funds shall be drawn and expended. (Ord. 658, section 1[part] 1989; Ord. 642, section 2[part], 1988; prior code section 2.465).

ADOPTED BY THE STAYTON CITY COUNCIL, this 16th day of August, 2004.

CITY OF STAYTON

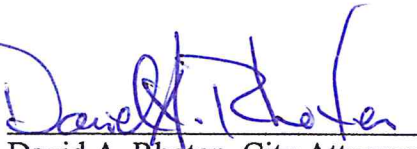
Signed: 08-23-2004, 2004

By: 
GERRY ABOUD, MAYOR

Signed: 8/23/2004, 2004

By: 
Chris Childs, City Administrator

APPROVED AS TO FORM:


David A. Rhoten, City Attorney