

COPY

ORDINANCE NO. 2003-1

**AN ORDINANCE FOR THE CITY OF BEASLEY, TEXAS,
ESTABLISHING A PLANNING COMMISSION.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BEASLEY, TEXAS:**

Section 1. CREATING AND PURPOSE

A Planning Commission is hereby created in order to accomplish the following purposes:

- A. To identify community needs and to advise the City Council of their short-range and long-range implications for the total development of the city;
- B. To recommend achievable community goals as a basis for long-range planning and development programs;
- C. To recommend plans, programs and policies that will aid the entire community in achieving its defined goals; and
- D. To interpret the adopted plans and programs to concerned citizens so that private activities and desires may be accomplished in harmony with public needs and policies.

SECTION 2. MEMBERSHIP AND APPOINTMENT

The Planning Committee shall be composed of six (6)-qualified electors of the City. The City Council will consider for appointment to the Commission only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in planning and availability to prepare for and attend meetings. It is the intent of the City Council that members shall, by reason of diversity of their individual occupations, institute a Commission, which is broadly representative for the Community.

SECTION 3. TERMS OF OFFICE

The terms of three (3) of the members shall expire on September 30, of each odd-numbered years and the terms of three (3) of the members shall expire on September 30, of each even-numbered years. The members of the Commission shall be identified by place numbers one (1) through six (6). The odd-numbered places shall expire in the odd-numbered years; the even-numbered places shall expire in the even-numbered years. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no members shall be appointed for a term in excess of two

years. Newly appointed members shall be installed at the regular Commission meeting after their appointment.

SECTION 4 ORGANIZATION

The Commission shall hold an organizational meeting in October of each year and shall elect a Chairman and vice-Chairman from among its members before proceeding to any other matters of business. The Commission shall elect a Secretary and such other officers, as it deems necessary either from its membership or from staff representatives assigned by the chief executive of the City to work with the Commission. The Commission shall meet regular and shall designate the time and place of its meetings. The Commission shall adopt its own rules of procedure and keep record of its proceedings consistent with the provisions of this ordinance and the requirements of law.

SECTION 5 DUTIES AND POWERS

The Planning Commission is hereby charged with the duty and invested with the authority to:

- A. Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the law of the State of Texas and of the City.
- B. Formulate and recommend to the City Council for its adoption a City Plan for the orderly growth and development of the City and its environs, and from time to time, recommend such changes in the Plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the City.
- C. Exercise all the powers of a Commission as to approval or disapproval of plans, plats, or re-plats and vacations of plans, plats or re-plats set out in Article 970a and 974a, Revised Civil Statutes of Texas. All plats, re-plats, plans and subdivisions hereunder shall first receive the attention of the Planning Commission. Any plan in compliance with local and state law and having met with the approval of the Planning Commission must then meet with City Council approval.
- D. Study and recommend on the location, extension and planning of public right-of-ways, parks or other public places, and on the vacating or closing of same.
- E. Study and recommend on the general design and location of bridges, viaducts, street fixtures and other structures and appurtenances. Study and recommend on the design or alteration and on the location or relocation of works of art, which are, or may become, the property of the City.

- F. Initiate, in the name of the City, for consideration at public hearing all proposals for the opening, vacating or closing of public right-of-ways, parks or other public places. No fee shall be required for the filing of any such proposal in the name of the City.
- G. Formulate and recommend to the City Council for its adoption policies and regulations consistent with the adopted City Plan governing the location and/or operation of utilities, public facilities and services owned or under the control of the City.
- H. Keep itself informed with reference to the progress of City Planning in the United States and other countries and recommend improvements in the adopted plans of the City.
- I. Submit each year at regular September Meeting a progress report to the City Council summarizing its activities, major accomplishments for the past year, and a proposed work program for the coming year. The report shall contain for the year the attendance record of all members and the identity of Commission Officers.
- J. Under the Articles of the State Zoning Enabling Act (Article 1011a) the City Government may designate the Planning Commission as the Zoning Commission.

SECTION 6 Meeting and Quorum

A quorum for the conduct of business shall consist of majority of the members of the Commission. The members of the Commission shall regularly attend meeting and public hearings of the Commission and shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties.

SECTION 7. COMMISSION ACTIONS

- A. Any member other than the presiding officer may make a motion.
- B. A motion to approve any matter before the Commission or to recommend approval of any request requiring Council action shall require a majority of favorable votes of the members present. When fewer than all members are present for the voting and when all motions to recommend on a given application fail to carry by majority vote, consideration of the application shall be continued to the next regular meeting upon motion carried by a majority of those present. Provided further that no request or application shall be continued under this rule beyond the next regular meeting; failure of the Commission to secure a majority of concurring votes to approve or recommend approval at said next regular meeting shall be recorded in the minutes as denial of the proposal under this rule.

SECTION 8. DISQUALIFICATION FROM VOTING

- A. A member shall disqualify himself from voting whenever he finds that he has a personal or monetary interest in the property under appeal or that he will be directly affected by the decision of the Commission.
- B. A member may disqualify himself from voting whenever any applicant, or his agent, has sought to influence the vote of the member on his application, other than in the public hearing.

SECTION 9. REPEAL OF OTHER ORDINANCES


- A. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

SECTION 10. EFFECTIVE DATE


This ordinance shall be effective from and after the date of its passage and approval.

PASSED AND APPROVED this 21 day of January, 2003.

ATTEST:



Frances Smith
Mayor of City of Beasley, Texas



G. B. Michulka
City Secretary