

ORDINANCE # 19

CREATING A PLANNING COMMISSION FOR THE TOWN OF BAYSIDE, COUNTY OF REFUGIO,
STATE OF TEXAS.

WHEREAS, it is deemed necessary in order to promote the health and general welfare of the public; to facilitate the adequate provision of water, sewer, parks, streets, fire protection and other public needs; to encourage the most appropriate use of land throughout the city, all in accordance with a comprehensive plan; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF BAYSIDE, TEXAS:

SECTION 1: CREATION OF PLANNING COMMISSION: The city council shall establish a planning commission whose primary duty shall be to advise the city council in carrying out its various duties and functions regarding planning and environmental quality.

SECTION 2: ORGANIZATION AND QUALIFICATIONS: The planning commission shall consist of seven (7) members. The members of said commission shall be appointed by the city council within sixty (60) days of the adoption of this ordinance, for a term of two (2) years. The members of said board at their first meeting shall draw lots to determine those who will serve one year and two year terms beginning on the date of initial appointment of the commission. On expiration of the term of each of the members who have drawn lots, his or her place shall be filled by a member appointed for a two year term. The board shall elect a chairperson from among its membership each year at the first regular meeting in December. The commission shall meet not less than once each sixty (60) days. Vacancies in an unexpired term shall be filled by the city council within thirty (30) days of the date of the vacancy for the remainder of the term.

Members of the planning commission shall be residents of the Town of Bayside for at least eighteen (18) months preceding the date of appointment. Members must be a qualified voter in said Town and be knowledgeable in the affairs of the Town. Members must be knowledgeable in the functions and activities provided for in this ordinance.

SECTION 3: DUTIES AND POWERS OF THE COMMISSION:
The planning commission shall;

1. Make and recommend to the city council a master plan for the orderly development of the town. The commission shall not less than every five years, review and recommend to the city council amendments to the master plan.
2. Recommend to the city council proposed ordinances and amendments to ordinances regarding planning and environmental quality and review ordinances and amendments proposed by the city council relative to the city council's planning function. Such review and recommendation by the planning commission must be received by the city council prior to action on the proposed ordinance or amendment. In case of disapproval by the commission, the commission shall communicate its reasons to the city council, which shall have the power to overrule such disapproval by an affirmative vote of not less than three members of the city council. Commission recommendations shall be made to the council at the earliest date possible. If the recommendation requested by the council is not received in thirty (30) days the commission chairperson shall report the cause of the delay to the council at the next regular meeting.
3. Receive and review all platting and subdivision proposals and make its recommendations to the city council for appropriate action.
4. Submit annually, at least sixty (60) days prior to the adoption of a budget, to the Mayor recommendations regarding capital improvements desired and needed in the town during the next five (5) year period.
5. Request information relative to its work, and as necessary, and within budget appropriations, retain professional and consultant services to aid in carrying out its duties.
6. Hold public hearings to determine the needs and wishes of the public.
7. Maintain records of its meetings and hearings for the use of the city council and the public.
8. Report to the city council at least once each year concerning its activities for the past year and its intended activities for the ensuing year.

SECTION 4: MASTER PLAN: Within eighteen (18) months from the date of adoption of this ordinance, the master plan, as recommended by the planning commission, shall be delivered to the city council for its review and action. The city council may adopt in whole, or in part, the master plan and may amend it. The city council shall act on any recommended master plan, part, or amendment within sixty (60) days of its delivery by the planning commission. No action, whether public or private, in conflict

with the master plan shall be approved by the city council without first having been reviewed by the planning commission and submitted to the city council with its recommendations.


SECTION 6: SEVERABILITY: It is hereby declared to be the intentions of the city council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are separable, and if any phrase, clause, sentence, paragraph or section shall be declared unconstitutional or invalid by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

PASSED by the GOVERNING BODY and APPROVED by the MAYOR of the TOWN OF BAYSIDE, TEXAS, this 27th day of November, 1984.



Mayor

ATTEST:



City Secretary