

TOWN OF ETNA

original ord.

"Reestablishment of Etna Planning Board"

1. Establishment. Pursuant to Art. VIII, Pt. 2, Sec. 1 of the Maine Constitution and 30-A MRSA 3001, the Town of Etna hereby establishes a Planning Board. The Board which has been acting as a Planning Board for the Town of Etna is hereby reestablished as the legal Planning Board for the purpose of this ordinance. The actions which that Board took prior to the adoption of this ordinance are hereby declared to be the acts of the legally constituted Planning Board of the Town of Etna.

2. Appointment

A. Board members shall be elected at Annual Town Meeting and sworn by the clerk or other person authorized to administer oaths.

B. The Board shall consist of 3 members and 1 associate member.

C. The term of each member shall be 1 year. The term of office of an associate member shall be 1 year.

D. When there is a permanent vacancy, the municipal officers shall, within 14 days of notification, appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a legal resident of the town, or when a member fails to attend three (3) consecutive regular meetings, or fails to attend at least 75% of all meetings during the preceding twelve (12) month period. When a vacancy occurs, the Chairperson of the board shall immediately so advise the municipal officers in writing. The Board may recommend to the municipal officers that the attendance provision be waived for cause, in which case 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.

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

3. Organization and Rules

A. The Board shall elect a Chairperson from among its members. The Board may either elect a secretary from among its members or hire a non-board member to serve as secretary. The term of all offices shall be one year with eligibility for re-election.

B. When a member is unable to act because of interest, physical incapacity, absence or any other reason satisfactory to the Chairperson, the Chairperson shall designate an associate member to sit in that member's stead.

C. An associate member may attend all meetings of the Board and participate in its proceedings, but may vote only when he or she has been designated by the Chairperson to sit for a member.

D. Any questions 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.

Reestablishment of Etna Planning Board*****Revised 5/19/99

E. The Chairperson shall call at least on regular meeting of the Board each month.

F. No meeting of the Board shall be held without a quorum consisting of 3 members or associate members authorized to vote. The Board shall act by majority vote, calculated on the basis of the numbers present and voting.

G. The Board shall adopt rules for transaction of its 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.

4. Duties; Powers

A. The Board shall perform such duties and exercise such powers as are provided by Etna ordinance and the laws of the State of Maine.

B. The Board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose. The Board may, when necessary for the exercise of its duties, employ a state licensed Code Enforcement Officer, whose recompense shall be derived solely from permit fees.

C. Pursuant to 30-A MRSA Section 4355, which states that a municipality may set fees for an application for any land use permits issued by the Municipality, as long as they do not exceed the reasonable cost of processing, review, regulation and supervision of the application or permit by the municipality and its consultants and the administration of any requirement for a certificate of compliance with any permit conditions, the Board may establish permits and set fees for such permits, within the following limits:

1. Said permits shall pertain only to state and local ordinances regulating subdivisions, setbacks, shoreland zoning, building codes, land use and amusements.

2. The Board shall give public notice and hold a hearing before setting said permit fees.

3. Severability

The invalidity of any sections or provisions of these Bylaws shall not be held to invalidate any other section or provision of these By laws.

"Attest: A true copy of an ordinance entitled "Emergency Growth Ordinance, town of Etna, Maine", as certified to me by the Municipal Officers of Etna on the _____ day of _____, 1999.

Jane Pitcher, Town Clerk of Etna

Reestablishment of Etna Planning Board*****Revised 5/19/99

Taken from Etna Town
Min
Amendments 56-5
June 5, 1998

1. Amend Section 2.A, first sentence, as follows:

"Board members shall be appointed by the Board of Selectmen and sworn by the clerk or other person authorized to administer oaths."

Accept Article 10

Show of Hands (1 opposed) Motion Passed

2. Amend Section 2.B, as follows:

"The Board shall consist of 5 members and 2 associate members."

Pass-Over Article 11

Show of Hands (1 opposed) Motion Passed

3. Amend Section 2.C, as follows:

"The term of each member shall be 3 years. The term of office for associate members shall be 3 years."
To stagger the terms as follows: for the first year one seat to be elected for a term of 1 year; two seats to be elected for a term of two years; two seats to be elected for a term of three years to be effective at the next annual town meeting.

4. Amend Section 3G, first sentence, as follows:

"The Board shall adopt By-laws not inconsistent of provisions of this ordinance or any governing law for transaction of its business. The secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations."

5. Amend Section 4C 3, as follows:

"The invalidity of any sections or provisions of this ordinance shall not be held to invalidate any other section or provision of this ordinance."

TOWN OF ETNA

PO Box G
Etna, Maine 04434
(207) 269-3551
Fax 269-2678

May 19, 1999

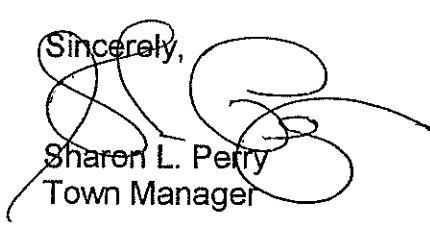
Oliver Brittain
Etna Planning Board
RR 1 Box 221
Etna, Maine 04434

Dear Mr. Brittain,

Please find enclosed a revised copy of the ordinance entitled "Reestablishment of Etna Planning Board. Public Hearing will be held May 27th and June 2nd, 1999 at 6:00 p.m. at the Etna Community Hall. An ad will appear in the 5/24 edition of the Rolling Thunder.

If you have any questions do not hesitate to contact me at the town office.
Thank you for your assistance.

Sincerely,



Sharon L. Perry
Town Manager