

ORDINANCE NO. 6
AN ORDINANCE TO ESTABLISH A PLANNING BOARD FOR THE
VILLAGE OF FLAT ROCK, NORTH CAROLINA

Section 1. Creation.

The Village Council of the Village of Flat Rock hereby establishes the Planning Board under the authority granted by the General Statutes of the State of North Carolina, Chapter 160A-361. The Board shall constitute, function and may be referred to as the Flat Rock Planning Board.

Section 2. Composition and Vacancies.

A. The Planning Board, hereinafter referred to as the "Board" shall consist of five (5) members. The initial appointments to the Board shall be made in the following manner: two (2) members shall be appointed for a term of three (3) years; two (2) members shall be appointed for a term of two (2) years; and one (1) member shall be appointed for a term of one (1) year. As the terms of all members expire, members may be reappointed or new members appointed by the Village Council for terms of three (3) years.

B. In the event of a vacancy on the Board, the Village Council shall appoint a new member to fill the unexpired term of the vacated position.

C. All members of the Board shall have equal rights, privileges and duties. Members shall serve without pay, but may be reimbursed for any expenses incurred while representing the Board. Regular attendance of the meetings of the Board is considered a prerequisite for maintenance and membership on the Board. If a member is absent from more than three (3) consecutive meetings, the member may be replaced at the discretion of the Village Council.

Section 3. Organization, Rules, Meetings and Records.

A. The Board shall meet and elect a chairman and vice chairman from among its regular members, both of whom shall serve for terms of one (1) year or until reelected or until their successors are elected. The Board shall appoint a secretary, who may be an employee of the Village or a member of the Board, and who shall hold office during the term of the chairman and/or until a successor secretary shall have been appointed. The Board may create and fill other offices as it may determine.

B. The Board shall adopt rules for the transaction of its business which are consistent with this Ordinance as well as the General Statutes of the State of North Carolina, and shall keep a record of its members' attendance, and of its resolutions, discussions, findings and recommendations, which record shall be a public record. The Board shall schedule at least four (4) meetings per year and all of its meetings shall be open to the public. There shall be a quorum of three (3) Board members for the purpose of taking any official action required by this ordinance.

Section 4. Expenditures, Incurring Indebtedness, Donations.

The expenditures of the Board, exclusive of gifts or grants, shall be within the amounts appropriated for the purpose by the Village Council, and no indebtedness for which the Village shall be liable shall be contracted or incurred by the said Board unless an appropriation is made by the Village Council for such purpose, as authorized by law, and then only to the extent of such appropriation. The Board shall have the right to accept gifts and donations for the exercise of its functions, and may expend the money received from such gifts and donations in a manner which in the judgment of the Board is consistent with the best interest of the planning program.

Section 5. Powers and Duties.

The Board shall have the power to perform the following duties:

- (1) Makes studies of the area within its jurisdiction and surrounding areas.
- (2) Determine objectives to be sought in the development of the study area.
- (3) Prepare and adopt plans for achieving these objectives.
- (4) Develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
- (5) Advise the Village Council concerning the use and amendment of the means for carrying out plans.
- (6) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Village Council may direct.
- (7) The Planning Board shall work and coordinate with other boards and advisory groups as directed by the Village Council.
- (8) Perform any other related duties that the Village Council may direct.

Section 6. Repeal and Effective Date.

Any ordinances or parts of ordinances in conflict herewith are hereby repealed and this ordinance shall be in full force and effect as an ordinance of the Village of Flat Rock from and after the date of its adoption by the Village Council of the Village of Flat Rock.

Section 7. Validity.

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions, if otherwise valid, shall continue in full force and effect.

Section 8. Adoption.

This Ordinance to Establish a Planning Board for the Village of Flat Rock, North Carolina as set forth above, adopted and enacted, shall be included in the Code of Ordinances of the Village of Flat Rock, North Carolina.

ADOPTED AND PASSED by the Village Council of the Village of Flat Rock, North Carolina, this the _____ day of _____, 1997.

Cyrus Highlander, Mayor

Attest:

Rowena M. Sweezy, Village Clerk

Approved as to Form:

Kenneth Youngblood, Village Attorney