

# PLANNING BOARD ORDINANCE

## Newry, Maine

1. **Establishment:** Pursuant to Article VIII, Part 2, Section 1 of the Maine Constitution and Title 30-A MRSA Sections 3001 *et seq.*, the Town of Newry hereby establishes the Newry Planning Board.
2. **Appointment:**
  - A. Planning Board members shall be appointed by the Board of Selectmen and sworn by the Clerk or other person authorized to administer oaths.
  - B. The Planning Board shall consist of 3 regular members and 2 alternate members. [(AMD), R-06.08.21, ART. 3]
  - C. The term of each member shall be three (3) years and run from July 1 to June 31.
  - D. When there is a permanent vacancy, the Board of Selectmen shall within sixty (60) days of its occurrence 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 fails to attend four (4) 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 Planning Board shall immediately so advise the Board of Selectmen in writing. The Planning Board may recommend to the Board of Selectmen that the attendance provision be waived for good cause, in which case no vacancy will then exist unless the Board of Selectmen disapprove the recommendation. The Board of Selectmen may remove members of the Planning Board by unanimous vote, for cause, after notice and hearing.
  - E. A Municipal Officer shall not be a member or alternate member.
3. **Organization and Rules:**
  - A. The Planning Board shall elect a chairperson, vice chairperson and a secretary from among its members. The term of all officers shall be one year with eligibility for re-election. A member may hold more than one officer position if there is no one else available to hold the position. [(AMD), R-06.08.21, ART. 3]
  - 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 alternate member to sit in his or her stead.
  - C. An alternate member should attend all meetings of the Planning Board and participate in its proceedings, but may vote only when he or she has been designated by the chairman to sit for a member.
  - D. Any question 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 one who is being challenged.

- E. The chairperson shall call at least one regular meeting of the Planning Board each month.
  - F. No meeting of the Planning Board shall be held without a quorum consisting of two (2) members or alternate members authorized to vote. The Planning Board shall act by a majority vote of the full board. [(AMD), R-06.08.21, ART. 3]
  - G. The Planning Board shall adopt rules for transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations.
- 4. Duties and Powers:**
- A. The Planning Board, or a part thereof, may be designated by the Board of Selectmen as part of the local planning committee whose general responsibility is for the development and maintenance of a Comprehensive Plan (as defined by Title 30-A MRSA, Sections 4301-4344). The Planning Board shall thereafter periodically review and make recommendations to the Board of Selectmen for revisions to the Comprehensive Plan.
  - B. The Planning Board shall perform such duties and exercise such powers as are provided by Town of Newry Ordinances and the Laws of the State of Maine.
  - C. The Planning Board may obtain goods and services necessary to its proper function within the limits of appropriation made for the purpose.
- 5. Amendments to this Ordinance:**
- A. This Ordinance may be amended by a majority vote of a regular or special town meeting. Amendments may be initiated by a majority vote of the Board of Selectmen, by request of the Planning Board, or by a petition signed by a number of registered voters greater than 10% of the votes cast in the last gubernatorial election in the Town. The Board of Selectmen shall conduct a public hearing on the amendments.

ENACTED: September 21, 1987

Amendments to Sections 1, 2.B., 2.C., 2.D., 2.F., 4. A. and 5 adopted at Town Meeting March 3, 2015

Amendments to sections 1, 2 A-D, 3.A,B,C,E,F,G, 4.A-C adopted at Town Meeting November 5, 2019

Amendments to Sections 2B, 3A, 3F adopted by Referendum June 8, 2021.