

## Town of Bowdoin Planning Board Ordinance

“Shall an ordinance entitled ‘Establishment of Town of Bowdoin Planning Board’ be enacted?”

1. **Establishment:** Pursuant to Art. VIII, Pt. 2, Sec. 1 of the Maine Constitution and 30-A M.R.S.A. §3001, the Town of Bowdoin hereby establishes a Planning Board. The Board that has been acting as a Planning Board for the Town of Bowdoin is hereby reestablished as the legal Planning Board for the purposes of this ordinance. The actions, which the 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 Bowdoin.

### 2. Appointment:

- A. Board members shall be elected by residents of the Town of Bowdoin and sworn in by the clerk or other person authorized to administer the oath of office;
- B. The Board shall consist of 5 members;
- C. The term for each member shall be 3 years, except the initial terms which shall be for 1 for 1 year, 2 for 2 years, and 2 for 3 years respectively;
- D. When there is a permanent vacancy, the municipal officers shall, within 60 days of its occurrence, appoint a person to serve until the next annual town meeting. A vacancy shall occur upon 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 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 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. The municipal officers may disapprove the recommendation. The municipal officers may remove members of the Planning Board by unanimous vote, for cause, after notice and hearing; and
- E. A municipal officer may not be a member of the Planning Board.

### 3. Organization and Rules:

- A. The Board shall elect a chairperson and vice 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 terms of chairperson and vice chairperson shall be 1 year with eligibility for re-election;
- B. 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 member who is being challenged;
- C. The chairperson shall call at least one regular meeting of the Board each month;

- D. No meeting of the Board shall be held without a quorum consisting of 3 members authorized to vote. The Board shall act by majority vote of the members present and voting; and
- E. The Board shall adopt rules for transaction of business and the secretary shall keep a record of resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at reasonable times.

**4. Duties and Powers:**

- A. The Board shall perform such duties and exercise such powers as are provided by Town of Bowdoin 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; and
- C. The Planning Board is empowered to develop and maintain a Comprehensive Plan, to establish and regulate the standards for subdivisions, to establish and regulate ordinances dealing with Shoreland Zoning and other land use regulations, and any other action in relation thereto or that may otherwise be delegated to them by the laws of the State of Maine, Municipal Officers, or vote of the Town's people. All plans and standards developed by the Planning Board must be approved by vote of the Town's people before they can be adopted.
- D. The Board shall refer all complaints and reported violations to the Code Enforcement Officer for investigation and enforcement.

**5. Transition Provision:** The terms of members of the Planning Board at the time of adoption of this ordinance shall continue until the expiration.

**6. Effective Date:** This ordinance shall become effective when enacted by the voters of the Town of Bowdoin.

A True Copy Attested:

Melanie R. Page

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March 11, 2017

Bowdoin Town Clerk