

## EDGECOMB PLANNING BOARD ORDINANCE

Town of Edgecomb  
Enacted May 19, 1990  
Amended: May 20, 2014

### 1. Establishment

Pursuant to Article VIII, Part 2, Section 1 of the Maine Constitution and 30-A M.R.S.A., Section 3001, the Town of Edgecomb hereby establishes the Edgecomb Planning Board.

### 2. Election and Appointment

a. The Planning Board shall consist of five elected members and two appointed alternate members.

b. The term of each member shall be three years with the terms of individual members staggered so that no more than two member terms will expire in any given year, except that the term of one member elected in 1992 shall be two years; current members shall serve out the term for which they were elected. The term of alternate members shall be one year.

c. Members of the Planning Board shall be elected at the annual Town Meeting. Alternate members shall be appointed by the Selectmen Board each year following the Annual Town Meeting.

d. When there is an alternate vacancy, the Select Board shall, within 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 alternate member. The Select Board may remove any appointed member of the Planning Board for cause, including the failure of an alternate member to attend four consecutive meetings or 75% of all meetings during the preceding twelve months, after notice and hearing.

e. Neither a municipal officer nor his/her spouse may be appointed to serve as an alternate member.

f. Pursuant to 30-A M.R.S.A. section 2602, no elected Planning Board member can be removed from office either by the municipal officers or the voters prior to the expiration of his or her term unless the municipality has adopted a recall provision by charter or by ordinance."

### 3. Organization and Rules

a. At the first meeting of the Planning Board following the annual Town Meeting, the Board shall elect a chairperson and a 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 term of these officers shall be one (1) year with eligibility for reelection.

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

c. An alternate member shall attend all meetings of the Planning Board and participate in its proceedings, but may only vote when designated by the chairperson to sit for an elected 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 those members present and voting except the member who is being challenged.
- e. The chairperson shall call at least one regular meeting of the Planning Board each month. Special meetings may be called upon three (3) days' notice to the members.
- f. No meeting of the Planning Board shall be held without a quorum of four (4) elected members or alternate members authorized to vote. The Board shall act by majority vote, calculated on the basis of the number of members present and voting.
- g. The Planning Board shall adopt rules for the transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations. All records and proceedings of the Board are subject to the Maine "Right to Know Law," 1 M.R.S.A. 401 et seq.

#### 4. Duties and Powers

- a. The Planning Board shall perform such duties and exercise such powers as are provided by Edgecomb ordinances and the laws of the State of Maine.
- b. The Planning Board shall have the power to establish by rules and regulations procedural requirements related to duties imposed upon it by Section 4 of this ordinance. The public shall be given an opportunity to review such rules and regulations at a public hearing held with seven (7) days' notice prior to the establishment of such rules and regulations.
- c. The Planning Board shall prepare ordinances or changes, additions or deletions to existing ordinances as it determines such ordinances or changes to be in the interest of promoting the health, safety and general welfare of the Town of Edgecomb. The Planning Board shall review new ordinances or proposed amendments to existing ordinances when requested by the Select Board or by a written petition to the Select Board of ten (10) percent of the number of registered voters of the Town who voted in the last gubernatorial election and make known their recommendations to the Select Board and the Town.
- d. The Planning Board may obtain goods and services necessary to its proper function within the limits of appropriation made for the purpose.