

ORDINANCE NO. 383

AN ORDINANCE establishing a City Planning Commission, providing for rules and regulations for the government and maintenance of said City Planning Commission within the City of Canby, Oregon, prescribing the powers and duties of said Commission, and providing for the payment of the expenses of said Commission.

The City of Canby ordains as follows:

Section 1. There is hereby created a City Planning Commission for the City of Canby, Oregon.

Section 2. Said City Planning Commission shall consist of the Mayor, the City Attorney, the City Engineer, ex officio, and of seven other members to be appointed by the Mayor, not more than two of whom shall be non-residents of the City. At the first meeting of the City Planning Commission, the seven appointed members shall choose their term of office by lot as follows: One for one year; two for two years; two for three years, and two for four years, and shall immediately thereafter notify the Mayor and City Council in writing of such allotment. Their successors shall hold office for four years. Any vacancy shall be filled by the Mayor for the unexpired portion of the term.

Section 3. The City Planning Commission, at its first meeting, shall elect a President and Vice-President, who shall be members appointed by the Mayor and who shall hold office during the pleasure of the Commission.

Section 4. Members of the City Planning Commission shall receive no compensation. The City Planning Commission shall elect a Secretary who need not be a member of the Commission. Such Secretary shall keep an accurate record of all proceedings of said Commission, and the Commission shall, on the first day of October of each year, make and file with the City Council a report of all transactions of the Commission.

Section 5. Five members of the City Planning Commission shall constitute a quorum; provided, however, that at least four members appointed by the Mayor shall at all times constitute a part of such quorum. The City Planning Commission may make and alter rules and regulations for its government and procedure consistent with the laws of the State of Oregon and with the City Charter and Ordinances, and shall meet at least once a month, at such times and places as may be fixed by said Commission. Special meetings may be called at any time by the President or by three members by written notice served upon each member of the Commission at least three hours before the time specified for the proposed meeting.

Section 6. The City Planning Commission shall have power and authority to employ consulting advice on municipal problems, a Secretary and such Clerks as may be necessary, and to pay for their services and for such other expenses as such Commission may lawfully incur, including the necessary disbursements incurred by its members in the performance of their duties as members of said Commission, out of such funds as are theretofore placed at the disposal of the Commission by the City Council.

Section 7. It shall be the duty of the City Planning Commission, and they shall have power, except as otherwise provided by law, to recommend and make suggestions to the City Council and to all other public authorities concerning the laying out, widening and extending parking and locating of streets, sidewalks and boulevards, the establishment of set-back lines, the relief of traffic congestion, the betterment of housing and sanitation conditions and the establishment of zones and districts limiting the use, height, area and bulk of buildings and structures; to recommend to the City Council and all other public authorities plans for the regulations of the future growth, development and beautification of the municipality in respect to its public and private buildings and works, streets, parks, grounds and vacant lots, and plans consistent with the future growth and development of the City in order to secure to the City and its inhabitants, sanitation, proper service of all public utilities and transportation facilities; to do and perform any and all other acts and things necessary or proper to carry out the provisions of this ordinance; and in general to study and to propose such measures as may be advisable for the promotion of the public interest, health, morals, safety, comfort, convenience and welfare of said City, and of the area for six miles adjacent thereto.

Section 8. All maps, plats, and replats of land laid out for building lots and the streets, alleys, or other portions of the same intended to be dedicated for public use or for the use of purchasers or owners of lots fronting thereon and located within the City limits, and all plans or plats for vacating or laying out, widening or extending parking and locating streets or plans for public buildings shall first be submitted to the City Planning Commission by the City Engineer or other proper municipal officer, and a report thereon from the Commission shall be secured in writing before approval shall be given by the said proper municipal official.

Section 9. All plans, plats, or replats of land laid out in lots or plats within the city, including the streets, alleys and other portions of the same intended to be dedicated to public or private use, and all plats or deeds dedicating land to public use outside the limits of the city of Canby but within six miles of the corporate limits of said city, shall first be submitted to the said planning commission and approved by it before they shall be recorded.

Section 10. Copies of all proposed ordinances for the establishment of the boundaries of any zone or district provided by Section 7 of this ordinance, and of all proposed ordinances regulating or limiting the use, height, area, bulk, and construction of buildings to be submitted to the council shall, before the same are presented to the council, be first submitted by the city recorder to the city planning commission for recommendation, and said city recorder shall immediately so notify the council of such submission to said commission, and said commission shall make its recommendation thereon in writing to the council, provided that the city planning commission shall first hold a public hearing at such time and place as may be directed by the council, and make a careful and appropriate investigation thereon; and hereafter, before final action shall be taken by the council, or any department of the city government, on the location or design of any public building, bridge, statue, park, parkway, street, playground or public grounds the same shall be submitted to the city planning commission for consideration and report; and provided further, that unless the city council definitely names a longer period for the return of a report specified herein, the approval of the city planning commission to any matter so referred to

it in accordance with the provisions of this ordinance, shall be deemed to have been given at the end of thirty days after the receipt of the same unless the city planning commission shall submit a report thereon prior to that time.

Section 11. The city planning commission may make recommendations to any person, co-partnership, corporation or public authority with reference to the location of buildings, structures or works to be erected, constructed or altered by or for such person, co-partnership, corporation or public authority; provided, however, such recommendation shall not have the forces or effect of a law or ordinance, except when so prescribed by the laws of the state of Oregon or by city ordinance. Any person, co-partnership, corporation or public authority having charge of the construction, placing or designing of buildings or other structures and improvements, may call upon the city planning commission for a report thereon.

Section 12. The city planning commission may receive gifts, bequests or devises of property to carry out any of the purposes of this act, and shall have control and disposition over same, unless this ordinance should be repealed in which case such control shall be vested in the council.

Section 13. The city planning commission shall also have all the powers which are now, or may hereafter be given to it under the general laws of the state of Oregon.

Section 14. All recommendations made to the council by the Commission shall be in writing.

Section 15. The city planning commission shall have no authority to make any expenditures on behalf of the city, or to obligate the city for the payment of any sums of money, except as herein provided, and then only after the City council of said city shall have first authorized such expenditures for said purpose from time to time by appropriate resolution, which resolution shall provide the administrative method by which said funds shall be drawn and expended.

Section 16. All other ordinances and parts of ordinances in conflict herewith be, and the same are hereby repealed.

Passed by the Council this 6th day of July, 1954, by the following vote:

Yeas 4

Nays 0

Submitted to the Mayor this 6 day of July 1954.

Approved by the Mayor this 6 day of July, 1954.

Attest:

J. B. Evans
Recorder

R. B. Eversall
Mayor