

<p>A BILL FOR AN ORDINANCE AMENDING TITLE 2.24 OF THE LEBANON MUNICIPAL CODE, PLANNING COMMISSION, CONCERNING THE APPOINTMENT OF ALTERNATE PLANNING COMMISSIONERS</p>	<p>)))))</p>	<p>ORDINANCE BILL NO. <u>5</u> For 2009</p> <p>ORDINANCE NO. <u>2775</u></p>
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THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. Section 2.24.020 of the Lebanon Municipal code is hereby amended to read as follows:

2.24.020 Membership—Appointment.

The commission shall consist of eleven members, nine regular members and two alternates, to be appointed by the mayor.

Section 2. Section 2.24.025 of the Lebanon Municipal code is hereby amended to read as follows:

2.24.025 Appointment or re-appointment of commissioners.

The method for the appointment or re-appointment of regular members and alternates of the planning commission shall be as follows:

- A.** Not later than ninety days prior to the expiration of a member’s term, the City shall advertise the upcoming vacancy on the commission by placing an advertisement in a local newspaper informing the public of the vacancy and inviting interested persons to apply for appointment onto the commission. Appropriate application forms will be provided by the City in advance of the filing deadline which shall be established by the commission no later than fifty days prior to the expiration of the term. The notice of vacancy shall be published at least once per week for four consecutive weeks in a newspaper of local circulation.
- B.** Subject to the provisions of Lebanon Municipal Code Section 2.24.040, Term of office, nothing in this section shall prevent a member of the commission whose term of office is to expire from re-applying for a position on the commission, provided that the member otherwise qualifies for appointment.
- C.** Not later than forty-five days prior to the expiration of the affected terms, an interview committee consisting of no more than four members of the planning commission shall be selected by the commission to interview all new qualified applicants for the planning commission position or positions for which the term of office of a commissioner is to expire. Applicants for re-appointment shall not be required to be interviewed. The interview committee shall make recommendations for appointment or re-appointment of members to the planning commission to the mayor for the mayor’s consideration. Appropriate assistance will be provided by City staff; however, only members of the interview committee who serve on the planning commission shall be entitled to make the recommendation for appointment. Appointment by the mayor for the vacancies

on the commission shall be made at a City Council meeting prior to the expiration of the member's term

D. The failure of giving timely notice or strictly following the procedures set forth in this section shall not invalidate the appointment of any person to the planning commission or of any action taken by the planning commission which would otherwise be lawful.

Section 3. Section 2.24.030 of the Lebanon Municipal code is hereby amended to read as follows:

2.24.030 Occupation and residency.

Not more than two members of the regular commission or alternates shall be engaged principally in the buying, selling or developing of real estate for a profit as individuals or as members of any partnership or as officers or employees of any corporation that is engaged principally in buying, selling or developing real estate for a profit. No more than two members shall be engaged in the same kind of business, trade or profession. At least seven members must reside inside the Urban Growth Boundary of the City, provided that at least five of those members shall reside within the City limits. No more than four members of the commission shall reside outside of the City's Urban Growth Boundary; however, said members must reside within the postal code zones of the Lebanon United States Postal Service; and no more than one of these members shall be engaged principally in the vocation of forestry; and no more than one of these members shall be engaged principally in the vocation of agriculture.

Section 4. Section 2.24.045 of the Lebanon Municipal code is hereby amended to read as follows:

2.24.045 Alternates.

A. The purpose of appointing alternates is to provide a pool to ensure a Commission quorum and to provide a training ground for future Commission membership. Alternates shall be available to serve as regular commission members on a temporary basis in the event of an absence or temporary vacancy of a regular planning commission member. When serving, alternates shall have all of the duties and responsibilities of a regular planning commission member.

B. The mayor shall appointment, or re-appoint, commission alternates pursuant to provisions in Section 2.24.025 and the terms of office for alternates shall comply with provisions in Section 2.24.040. The appointment of an alternate to fill a vacancy shall conform to the procedures in Section 2.24.060.

Section 5. Section 2.24.080 of the Lebanon Municipal code is hereby amended to read as follows:

2.24.080 Secretary--Appointment-- Recordkeeping duties.

The Community Development Manager, or his/her designee, shall serve as secretary to the planning commission and shall keep a record of commission proceedings.

Section 6. Section 2.24.090 of the Lebanon Municipal code is hereby amended to read as follows:

2.24.090 Quorum.

The attendance of five members of the regular planning commission, including alternate planning commission members who are present and acting as planning commission members, at a meeting shall constitute a quorum for the purpose of conducting a planning commission meeting.


Section 7. Section 2.24.095, Vote, is hereby added to the Lebanon Municipal Code to read as follows:

2.24.095 Vote.

The concurrence of a majority of the members of the planning commission present and voting at a meeting shall be necessary to decide any question before the planning commission.

Passed this 8th day of April, 2009 by the Lebanon City Council by a vote of 4 for and 0 against.

CITY COUNCIL OF LEBANON, OREGON



Kenneth I. Toomb, Mayor
Bob Elliott, Council President

ATTEST:



Linda Kaser, City Clerk/Recorder