

AN ORDINANCE CREATING THE CEREDO MUNICIPAL PLANNING COMMISSION

ARTICLE 157. PLANNING COMMISSION

Section 157.01. – Created; members; qualifications; appointment; vacancies.

There is hereby created the Ceredo Municipal Planning Commission, which shall consist of five members. One member of the Ceredo Municipal Planning Commission shall be a member of Council, appointed by the Mayor and confirmed by the Council for a term coextensive with his term as a member of Council. One member shall be a member of the administrative department of the Town or a designee, appointed by the Mayor and confirmed by the Council for a term coextensive with his term of office. The other three members of the Ceredo Municipal Planning Commission shall be residents and taxpayers of the Town, who shall be appointed by the Mayor and confirmed by the Council. All members of the Ceredo Municipal Planning Commission shall be qualified by experience and knowledge in matters pertaining to the development of the municipality, and at least three members shall have resided in Ceredo for at least three years prior to their respective dates of appointment.

The membership of the Ceredo Municipal Planning Commission shall conform to the requirements of West Virginia statutes relating thereto, and to W.Va. Code, 8A-2-2, in particular. Members of the Ceredo Municipal Planning Commission other than the Council member shall be appointed on or before January 1 of each year, to take office on January 1 of the year in which appointed, for staggered terms of three years each and until their successors are duly appointed and qualified, provided, the initial appointments other than the Council member and administrative staff member, shall be for terms of one, two, and three years. Vacancies other than those due to expiration of term shall be filled for the unexpired term only. Members shall serve without compensation but shall be reimbursed for the reasonable and necessary expenses actually incurred in the performance of their duties.

Section 157.02. – Official name; powers and duties.

The official name shall be the “Ceredo Municipal Planning Commission,” and the body is hereby vested with the powers and it shall perform the duties prescribed for municipal planning commissions, with respect to planning as well as to zoning, in W.Va. Code, 8A-2-1 et seq.

Section 157.03. – General purpose.

The general purpose of the Ceredo Municipal Planning Commission shall be to develop a comprehensive plan for future development by making careful and comprehensive surveys and studies of present conditions and future growth of the Town, with due regard its relation to neighboring territory, with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, prevention of urban sprawl, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements, including the preparation of a zoning ordinance for consideration by Council.

Section 157.04. – Planning; approval of commission required.

- (a) The duties of the Ceredo Municipal Planning Commission include the preparing of plans for the development of the whole or any portion of the Town and any land outside thereof, which in the opinion of the Ceredo Municipal Planning Commission bears relation to the planning of the Town; provided, that the power of the Ceredo Municipal Planning Commission shall not extend beyond the territorial limits of the Town except so far as is reasonably necessary to protect the community, both within and without the corporate limits, against inadequate streets, highways and utilities, and inadequately planned and zoned territory. Such plans shall show recommendations for new streets, bridges, parks, and other public areas or public improvements and matters properly pertaining to the purposes of the Ceredo Municipal Planning Commission.
- (b) Before final action is taken by the Town or any department thereof on the location and design of any public building, public memorial, street, alleyway, park, playground or other public area, such question shall be submitted to the Ceredo Municipal Planning Commission for investigation and report.
- (c) The Ceredo Municipal Planning Commission shall have the authority to work in conjunction with the state, county, and neighboring municipalities regarding the planning and development of areas outside the corporate limits of the Town.

Section 157.05. – Employing help; budget; cooperation from other officials.

The Ceredo Municipal Planning Commission shall have the power and authority, subject to approval of Council as hereinafter provided, to employ engineers and clerks, or any other help

necessary and to meet all such expenses. The Commission shall submit to the Mayor and Council its budget requests for each fiscal year, and thereafter shall submit itemized expenses and amounts, and the purposes. The Council shall in its discretion make such budget allowances to the Commission as it deems proper. All officials and employees of the Town shall, so far as practicable, give their services and submit any such data or information as may be required to promote and effectuate the purposes of this Article.

Section 157.06. – President, vice-president and secretary; rules; meetings; records.

The Ceredo Municipal Planning Commission, from its membership, shall elect a president and vice-president and shall appoint a secretary. The Commission shall adopt such rules as may be necessary for the transaction of its business, hold regular meetings open to the public and shall keep a record of its official proceedings which shall be open to the public.

Section 157.07. – Contracts for expenditure of money.

No contract for the expenditure of money by the Ceredo Municipal Planning Commission shall be executed by the Commission or become effective and binding on the Town until such contract has been attested by the secretary of the Commission and approved by the Mayor and Council.

Section 157.08. – Office.

The Ceredo Municipal Planning Commission shall maintain an office in the Town Hall and the office of the Town Clerk is hereby designated as the office of the Ceredo Municipal Planning Commission. All records of the Commission shall be kept in that office, and the mailing address of the Commission shall be the address of Town Hall.

Section 157.09. – Plats or replats of land laid out in building lots.

All plans, plats or replats of land laid out in building lots, and the streets intended to be dedicated to public use, shall be submitted to the Ceredo Municipal Planning Commission for its consideration, and no such plat or replat shall be filed in the office of the Clerk of the County Court, as provided by law in other cases, until such plat or replat has endorsed upon it, the fact that it has first been submitted to the Ceredo Municipal Planning Commission and by the Commission to the Mayor and duly approved by Council.

