

St. Helens – Municipal Code Chapter 2.08 – Planning Commission

In order to clarify expectations for members of the St. Helens Planning Commission, it is proposed that the following changes be made to Municipal Code Chapter 2.08:

A. 2.08.020 Membership.

2.08.020(3) should be updated to comply with the requirements of ORS Chapter 244 to read:

“(3) A member of the planning commission shall not participate in any commission proceeding or action in which any of the following has direct or substantial financial interest: the member or any their relatives as defined by ORS 244.020(16), any member of their household as defined by ORS 244.020(11), or any business the member is associated with as defined by ORS 244.020(2) or (3). Any actual or potential conflict of interest shall be announced by the member publicly in accordance with ORS 244.120 at each meeting of the commission where the matter giving rise to the conflict is before the commission. It is the obligation of each member to properly disclose any conflict of interest and take proper action.”

2.08.020(4) should be added:

“(4) A member of the planning commission shall conform to the code of conduct that the city council adopts and/or modifies that is applicable either specifically to the planning commission or to all city boards, committees and commissions. The city council may remove a member of the planning commission from their position on the commission if their conduct falls below the standards stated in the code of conduct. Before a member is removed for failure to follow the code of conduct, the member will be provided notice of any alleged failure and allowed to submit a written response to be considered by city council before final action is taken.”

B. 2.08.040 Vacancies and removal.

2.08.040 should be revised to read:

“Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the city council after a hearing for misconduct or nonperformance of duty, or after being provided notice of an alleged failure to follow the standards of the code of conduct and allowed to submit a written response. A member who is absent from three consecutive meetings without an excuse as approved by the planning commission is rebuttably presumed to be in nonperformance of duty and the city council shall declare the position vacant unless finding otherwise following the hearing.”

C. 2.08.080 Powers and duties.

2.08.080 should be revised to read:

“The commission shall have the powers and duties, which are now or may hereafter be assigned to it by charter, ordinances or resolutions of this city and general laws of this state. Annually the city council will adopt a work program for the commission that takes into consideration the needs of the community as well as the limitations that the city and the planning department have in terms of staff and financial resources. The commission shall have the opportunity to discuss the annual work program with the city

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council during a work session in order to obtain council direction, seek clarification of council expectations, and submit commission concerns and topics for council consideration for possible inclusion into the work program. Those duties and powers shall include but not be limited to the following within the limitations of the work program:"

Note: all of the eighteen powers and duties listed in the code in this section remain as written.

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