

## Appendix G

### Town of Hull Board Ordinance for Creating a Plan Commission

### Town of Hull Comprehensive Plan 2006

## **TOWN PLAN COMMISSION SAMPLE ORDINANCE Towns Over 2,500 Population**

The Town Board of the Town of Hull, Portage County, Wisconsin, does ordain as follows:

### **Section 1. Title**

This ordinance is entitled the "Town of Hull Plan Commission Ordinance."

### **Section 2. Purpose**

The purpose of this ordinance is to establish a Town of Hull Plan Commission and set forth its organization, powers and duties, to further the health, safety, welfare and wise use of resources for the benefit of current and future residents of the Town and affected neighboring jurisdictions, through the adoption and implementation of comprehensive planning with significant citizen involvement.

### **Section 3 Authority; Establishment (7-Members)**

The Town Board of the Town of Hull, having been authorized by the Town meeting to exercise village powers, hereby exercises village powers and establishes a seven (7) member Plan Commission. The Plan Commission shall be considered the "Town Planning Agency" which authorizes, but does not require, Town adoption of a subdivision or other land division ordinance.

### **Section 4. Membership (7-Members)**

The "Town Plan Commission" shall consist of seven members, all of whom shall be appointed by the Town Board Chairperson. The Town Board Chairperson may appoint himself or herself to the Commission and may appoint other Town elected or appointed officials to the Commission, except that the Commission shall always have at least five (5) citizen members who are not Town officials. The Commission may consist of seven (7) citizen members. All appointments are subject to approval of the Town Board. The Chairperson of the Plan Commission may be any of the

seven (7) Plan Commission Members but shall be appointed by the Town Board Chairperson.

### **Section 5. Appointments**

The Town Board Chairperson shall appoint the members of the Plan Commission in the month of April or at any other time that a vacancy occurs during the middle of a term and designate a plan Commission Chairperson. In a year in which any Town Board member is elected at the spring election, any appointment or designation by the Town Board Chairperson shall be made after the election and qualification of the Town Board members elected. Any citizen appointed to the Plan Commission shall take and file the oath of office within five (5) days of notice of appointment (see attached oath). Town Board members on the Plan Commission shall resign their position should they no longer be elected officials on the Town Board.

### **Section 6. Terms of Office (With Citizen Member Terms Staggered)**

The term of office for the Plan Commission Chairperson and each Commission member shall be for a period of three (3) years, ending on April 30, or until a successor is appointed and qualified, except:

(1). Initial Terms. If the initial appointments to the Plan Commission are made during April, the members shall be appointed for staggered terms as follows: two (2) persons for a term that expires in one (1) year; two (2) persons for a term that expires in two (2) years; and three (3) persons for a term that expires in three (3) years. If the initial appointments are made after April, the specified term shall expire as if appointed on the previous April 30.

(2). Town Board Member or Chairperson. The Plan Commission member who is a Town Board member or Town Board Chairperson, including a person designated the Plan Commission Chairperson, shall serve for a period of two (2) years concurrent with his or her term on the Town Board, except an initial

appointment made after April 30 shall be for a term that expires two (2) years from the previous April 30.

**Section 7. Vacancies**

A person who is appointed to fill a vacancy on the Plan Commission shall serve for the remainder of the term of the person replaced.

**Section 8. Compensation; Expenses**

The Town Board of the Town of Hull hereby determines that no per diem allowance is authorized for members of the Plan Commission. However, the Town Board may reimburse reasonable costs and expenses.

**Section 9. Experts & Staff**

The Plan Commission may employ experts and staff, and pay for their services and necessary and proper expenses, within the limits of any appropriation made to the Commission by the Town Board for such purposes, and subject to Town Board budgeting approval.

**Section 10. Rules; Records**

The Plan Commission may adopt rules for the transaction of its business subject to Town ordinances, and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record.

**Section 11. Chairperson & Officers**

- (1) Chairperson. The Plan Commission Chairperson shall be appointed and serve a term as provided in sections 5 and 6 of this ordinance. The Chairperson shall, subject to Town ordinances and Commission rules, provide leadership to the Commission, preside at Commission meetings and hearings, set meeting and hearing dates and agendas, and ensure that the laws are followed.

- (2) Vice Chairperson. The Plan Commission may elect, by open vote or secret ballot a Vice Chairperson to act in the place of the Chairperson when the Chairperson is absent or incapacitated for any cause.
- (3) Secretary. The Plan Commission shall elect, by open vote or secret ballot one of its members to serve as secretary, or, with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as secretary.

### **Section 12. Town Comprehensive Planning; General Authority & Requirements**

The Plan Commission shall make and adopt a comprehensive plan, which shall contain the elements outlined in the Smart Growth law. The plan shall be approved by the Hull Town Board prior to implementation.

### **Section 13. General & Miscellaneous Powers**

The Plan Commission, shall have the power:

- (1) Necessary to enable it to perform its functions and promote Town Planning.
- (2) To make reports and recommendations relating to the plan and development of the Town to the Town Board, other public bodies, citizens, public utilities and organizations.
- (3) To recommend to the Town Board programs for public improvements and the financing of such improvement.
- (4) To receive from public officials, within a reasonable time, available information required for the Commission to do its work.
- (5) For itself, its members and employees, in the performance of their duties, to conduct on-site inspections of land use. However, no entry shall be made upon private land, except to the extent that the private land is held open to the general public, without the permission of the landowner or tenant .

**Section 14. Effective Date**

Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_ (Town Board Chairperson)

Published this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

Attest: \_\_\_\_\_ (Town Clerk)

Note: The Plan Commission duties, functions and responsibilities outlined above are authorized in Wisconsin Statutes Chapters 19, 23, 60, 61, 62 and 66.

**OATH**

State of Wisconsin        )  
  )ss.  
County of Portage        )

I, the undersigned, who have been appointed to the office of Town of Hull  
Plan Commission member, but have not yet entered upon the duties thereof, swear  
(or affirm) that I will support the Constitution of the United States and the  
Constitution of the state of Wisconsin, and will faithfully discharge the duties of said  
office to the best of my ability. So help me God.

\_\_\_\_\_  
(Signature)

Subscribed and sworn to before me this \_\_\_\_\_  
Day of \_\_\_\_\_, 2002

\_\_\_\_\_

Notary Public, Portage County, Wisconsin  
My Commission: \_\_\_\_\_