

TOWN OF LANARK
TOWN PLAN COMMISSION ORDINANCE
09-05-00

The Town Board for the Town of Lanark Portage County, Wisconsin, do ordain as follows:

Section One. Title/Purpose.

This Ordinance is entitled Town Plan Commission Ordinance. The purpose of this Ordinance is to create a Plan Commission in order to engage in certain planning and land use activities. The Plan Commission can be of assistance to the town board by involving citizens, developing expertise in planning, and whose policy-making function is advisory to the town board.

Section Two. Authority.

The Town Board of the Town of Lanark has the specific authority, powers and duties pursuant to Sec. 61.35, 62.23(1) and 60_62(4) (1997-1998 Wis. Stats.), and by the Town of Lanark's general authority pursuant to its adoption of Village powers pursuant to Sec. 60.10 (2)(c) Wis. Stats.

Section Three. Adoption of Ordinance.

The Town Board of the Town of Lanark has, by adoption of this ordinance, confirmed the specific authority, powers and duties noted in this ordinance and has established by this ordinance the means to create a Town Plan Commission.

Section Four. Appointment of Members.

The town board chairperson shall appoint the members of the commission and choose the presiding officer (chairperson) of the 5-member commission. The town board chairperson may appoint himself or herself and may appoint town elected and appointed officials to the commission. There must be at least one citizen (resident) member appointed with "recognized experience and qualifications" who is not a town official. Town staff/employees and citizens who will have more than occasional conflicts of interest shall not be considered for membership. One non-voting alternate shall be appointed to succeed any commissioner in case of a vacant seat or long-term absence.

Citizens interested in serving on the Commission shall file a prepared Application Form with the Town Clerk. Interviews with applicants will be scheduled by the town board, but the town chairperson shall make the final appointment. Ratification of appointment of the commission members will be at a scheduled meeting of the town board.

Section Five. Terms of Office & Compensation.

Plan commissioners are appointed for 3-year terms. Only the initial members shall have staggered terms so that there is not a complete turnover at the end of the term. Three initial members shall have 3-year terms with the remaining two and alternate having 2-year terms. Town board or elected officials appointed to the commission shall serve terms only as long as their term of office. Sec. 66.11(2).

Members, alternate and Secretary shall be granted a per diem that shall be reviewed every 3 years by the town board at Budget time and become effective January 1st the following year. Any on site property inspections shall be scheduled with regular meetings so as to minimize the occurrence of meetings.

In the event that a commission member fails to adhere to the terms of this Ordinance, shows conflicts of interest, or fails to regularly attend meetings then he/she may be dismissed from the commission. Such dismissal shall occur upon a recommendation with due cause by a majority vote of the commission members followed by a majority vote of the Town Board.

Section Six. Duties of Officers & Members.

The Commission Chairperson, appointed by the Town Board Chairperson, will have duties that include:

1. Plan and conduct meetings.
2. Provide resources to members.
3. Prepare and mail agendas to members/alternate at least one week before a meeting.
4. Provide an agenda to the Town Clerk (and leave a message on the Town voice mail to that effect) at least 5 days before the meeting date, to be posted and mailed to the media in accordance with Wisconsin's Open Meeting Laws.
5. Utilize planning agencies and the Town Board to assist in decision-making.

By majority vote of the Commission at their first meeting and every 3 years thereafter, a Vice Chairperson shall be appointed whose duties will include:

1. Perform the duties of the Chairperson in his/her absence.
2. Perform any other duties delegated by the Chairperson.

The Town Board Chairperson will appoint a Secretary for the plan commission. The Secretary will not be a member of the commission and shall have duties that include:

1. Record minutes of the meetings.
2. Mail copies of minutes to all members/alternate, Town Clerk and Town Board.
3. Perform along with Chairperson items 3. & 4. of the Chairperson duties.
4. Conduct official correspondence of the commission.

The Plan Commission may adopt rules for its transaction of business and must keep a record of its actions. Minutes of the Plan Commission will be reviewed and adopted by the Town Board. Members of the town plan commission are considered town officials and are subject to laws such as the open meetings and public records laws, and ethics and conflicts of interest laws. They are also protected by certain laws when they exercise their official duties. Plan commissioners must be unbiased and apply the existing legal standards to the evidence in the record. Decisions should not be based on personal opinion or information obtained outside of the record. All recommendations shall list the criteria by which such decision was determined.

Section Seven. General Powers and Duties.

The plan commission in general has the powers necessary to perform its functions and promote planning as per Sec. 62.23 Wis. Stats. Overall, the commission shall promote good planning practices in the town and keep the public and town board well-informed on planning issues. The commission shall make reports and recommendations regarding planning issues to the town board or other public agencies and the public. It shall be expected that commissioners will take responsibility in attending training sessions, workshops or conferences that will assist them in their decision making. In the performance of their duties, the commission and its employees may enter upon land, make examinations-and surveys, and place and maintain necessary monuments and surveys.

Comprehensive Plan. The town plan commission shall develop and amend a comprehensive plan as designated under the Comprehensive Planning & Smart Growth Law. It has nine required elements that emphasize broad comprehensive planning, citizen participation and intergovernmental communication and coordination. The plan commission will recommend by resolution the proposed comprehensive plan to the town board, and the town board adopts the plan as an ordinance. Implementation of the comprehensive plan shall be an on-going responsibility of the commission.

Zoning. The town plan commission may advise the town board on county zoning matters that affect the town under general & special county zoning ordinances. Sees. 59.69, 59.692 & 87.30.

Town actions under county zoning may include applications for zoning amendments, variances and conditional use permits. The commission will work with county zoning on the development and implementation of a zoning map for the town.

Subdivision & Land Division Review. The town plan commission shall review subdivision or land division plats and make recommendations to the town board. Sec. 62.23(5). The commission shall work with property owners dividing their land to meet the specifications under the Town Land Use Plan.

Referrals. The town board may refer other land use matters to the commission for review and recommendations.

Section Eight. Effective Date.

This Ordinance shall take effect after adoption by the Town Board and publication or posting as provided by law.

Approved: September 5, 2000

Recorded: September 6, 2000