

## Chelsea Planning Board Ordinance

**1. Establishment.** Pursuant to Art. VIII, Pt 2, Sec. 1 of the Maine Constitution and 30-A M.R.S.A., the town of Chelsea hereby establishes a planning board. The board which has been acting as a planning board for the town of Chelsea is hereby reestablished as the legal planning board for the purposes of this ordinance. The actions which that board took prior to the adoption of this ordinance are hereby declared to be the acts of the legally constituted planning board of the Town of Chelsea.

**A. QUALIFICATIONS:** To serve on the planning board a person must be 18 years old, a resident of Chelsea and a US citizen.

### 2. Appointment.

**A.** Board members must be ~~appointed by the selectpersons~~ elected at the Town Meeting and sworn by the clerk or other person authorized to administer oaths.

**B.** The board shall consist of five (5) members and two (2) associate members.

**C.** The term of each member shall be five (5) years, except the initial appointments which shall be for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years, one (1) for five (5) years respectively. The term of an associate member shall be five (5) years. Those members currently serving shall finish their terms and may be ~~re-appointed~~ re-elected for subsequent terms.

**D.** When there is a permanent vacancy, ~~the selectpersons shall~~ the select persons, within thirty (30) days of its occurrence, may either appoint a person to ~~serve for the unexpired term~~ fill the vacancy for the remainder of the term or leave the position unfilled. A Permanent vacancy shall occur upon the resignation or death of a member or the member is no longer a citizen of Chelsea or is physically unable to serve. ~~or when a member fails to attend four (4) consecutive regular meetings, or when a member fails to attend at least seventy five percent (75%) of all regular meetings during the past twelve (12) month period. The board may recommend to the selectpersons that the attendance provision be waived for cause, in which case no vacancy will then exist until the selectpersons disapprove the recommendation. The selectpersons may remove members of the planning board by unanimous vote, for cause, after written notice and hearing.~~

**E.** A selectperson may not be a member or associate member.

### **3. Organization and Rules;**

**A.** The board shall elect a chairperson and vice chairperson from among its members. The board may either elect a secretary from among its members or hire a non-board member to serve as secretary. The term of all officers of the board shall be one (1) year with eligibility for re-election.

**B.** When a member is unable to act because of interest, physical incapacity, absence or any other reason satisfactory to the chairperson, the chairperson shall designate an associate member to sit in that members stead.

**C.** An associate member should attend all meetings of the board and participate in the proceedings, but shall vote only when he or she has been designated by the chairperson to sit for a member.

**D.** Any question of whether a member must be disqualified from voting on a particular matter must be decided by a majority vote of the members except the member who is being challenged.

**E.** The chairperson must call at least one regular meeting of the board each month.

**F.** No meeting of the board shall be held without a quorum consisting of three (3) members or associate members authorized to vote. The board must act by majority vote, calculated on the basis of the number of members present and voting.

**G.** The board must adopt rules for transaction of business and the secretary must keep a record of its transactions, correspondence, findings and determinations. All records must be deemed public and may be inspected at reasonable times.

### **4. Duties; Powers;**

**A.** The board shall perform such duties and exercise such powers as are provided by Chelsea ordinance and the laws of the state of Maine

**B.** The board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

**C.** Planning board members shall serve as voting members of the Chelsea budget committee. An associate member may be designated to vote by the budget committee chair in the absence of a planning board member.

**Enacted; September 8, 1998**

**Amended: February 19<sup>th</sup>, 2008**