

## **CHAPTER 2: PLANNING AND ZONING COMMISSION**

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### **2.1. PLANNING AND ZONING COMMISSION, NUMBER OF MEMBERS, APPOINTMENT<sup>1</sup>**

The Virgin Town Planning and Zoning Commission shall consist of five (5) seat members appointed by the Virgin Town Mayor with the advice and consent of the Virgin Town Council. The Virgin Town Council may designate, by resolution, the composition of the Virgin Town Planning and Zoning Commission. It is the intent of this ordinance that seat members are not all from the same field of expertise. All seat members of the Virgin Town Planning and Zoning Commission shall be residents of Virgin Town. At least three (3) of the five (5) regular seat members shall hold no other public office or position within the Town of Virgin. The Mayor may appoint, with the advice and consent of the Town Council, one (1) or two (2) alternate members of the planning commission, who shall serve in the absence of a member from the commission, at the request of a member who wishes to abstain from a particular item due to a conflict of interest, or as chairman of an appointed committee at the request of the chair of the Planning Commission, and whose terms shall be staggered, and of the same length as regular members. The Virgin Town Council shall appoint a representative from among its members to act as a liaison between the Virgin Town Council and the Virgin Town Planning and Zoning Commission.

### **2.2. TERMS OF OFFICE**

The regular terms of office for seat #1, seat #3, and seat #5 shall be for four (4) years, and for seat #2 and seat #4 shall be for two (2) years. The Virgin Town planning and Zoning Commission member's terms shall be staggered so that the terms of no more than three members may expire at one time. A Planning and Zoning Commission member may be appointed for a term of less than their seat's term to provide for staggered terms or to complete a vacated, unexpired term. For each new appointment, reaffirmation, or vacancy, it shall be done by written resolution, which shall state the member's name, the seat number being appointed, date of appointment, and date of seat expiration. Each term shall begin on January 1 of the year of appointment and shall end on December 31 of the year when the appointment term expires. The term of office for the Virgin Town Council member designated liaison for the Virgin Town Planning and Zoning Commission shall correspond to his or her tenure of office as the Virgin Town Council member. The Town Clerk shall keep a membership ledger for each member appointed, which shall contain the members full name, seat number appointed, date of appointment, and date of seat expiration.

### **2.3. VACANCIES AND REMOVALS FOR CAUSE**

Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term by appointment of the Virgin Town Council. The Virgin Town Council shall have the right to remove any member of the Virgin Town Planning and Zoning Commission for misconduct and may remove any member for nonperformance of duty. Non-performance of duty shall include a repeated failure to attend Virgin Town Planning and Zoning Commission meetings.

### **2.4. COMPENSATION**

The legislative body may fix per diem compensation for the members of the planning commission, based on necessary and reasonable expenses and on meetings actually attended.

### **2.5. OFFICERS**

The Virgin Town Planning and Zoning Commission shall elect from its appointed members, a Chairperson and Chairperson Pro-Tem, whose term shall be for one (1) year.

<sup>1</sup>As amended February 24, 2016 pursuant to ordinance #2016-022416-1

**2.6. MEETINGS**

The Virgin Town Planning and Zoning Commission shall conduct regularly scheduled meetings. All meetings of the Virgin Town Planning and Zoning Commission shall be open to the public.

**2.7. RULES AND PROCEDURES**

The Virgin Town Planning and Zoning Commission may adopt such rules and regulations governing its procedure as it may consider necessary or advisable, consistent with State Law, and shall keep a record of its proceedings, such record shall be open to inspection by the public at all reasonable times.

**2.8. QUORUM AND VOTE**

A quorum shall consist of two (2) members and a Chairperson or Chairperson Pro Tem. Evidence shall not be presented unless a quorum is present. A majority vote shall consist of at least a majority of members present.

**2.9. EMPLOYEES; EXPENDITURES**

The Virgin Town Planning and Zoning Commission may, upon the approval of the Virgin Town Council, employ experts and a staff, including consultants and a secretary, and to pay such expenses as may be deemed reasonable and necessary for carrying out its responsibilities, upon presentation of proper receipts and vouchers, but not in excess of such sums as may be appropriated by the Virgin Town Council.

**2.10. DUTIES AND POWERS**

The Virgin Town Planning and Zoning Commission shall have the duty to exercise all powers and functions conferred upon it by the statutes of the State of Utah and the ordinances of the Town of Virgin relating to planning and zoning.