

## PLANNING COMMISSION ORDINANCE

**Section I. Title/Purpose.** This Ordinance is entitled “Planning Commission Ordinance”. The purpose of this Ordinance is as follows:

To promote safety, health and general welfare  
by creating a Planning Commission for the  
Town of Shelby.

**Section II. Adoption of Ordinance.** The Town Board of the Town of Shelby hereby creates a Planning Commission for the Town of Shelby, which shall consist of up to seven (7) members as follows:

A. Town Board Supervisors. The Town Chair may appoint no more than two (2) Town Board Supervisors, and, at the discretion of the Chair, may include the Chair who may also be the Presiding Officer or Chair of the Planning Commission. Supervisor appointment shall be for one (1) year terms.

B. Town Residents. Subject to confirmation by the Town Board, the Town Chair shall appoint at least three (3) residents who are not Town Board Members.

C. Term. Appointment shall be in the month of April and terms shall be staggered with 3 or 2 members being appointed each April. Terms are generally for three years (3) or at a length to achieve a commission with “staggered terms”. Vacancies, for reason other than and expiring term shall be filled for the balance of the term.

D. Officers. The Planning Commission shall elect a Vice-Chair and Secretary.

E. Oath of Office. All members shall take the official oath in accordance with Section 19.01, Wis. Stats.

F. Organization. The Planning commission shall organize and operate under Roberts Rules of Order, 10<sup>th</sup> Edition, unless otherwise provided for in this Ordinance.

G. Meetings. The meetings shall be held quarterly, and at the call of the Planning Commission Chair or majority of the Planning Commission. All meetings shall be open to the public.

H. Committees. The Chair may appoint standing and/or special subcommittees of the Planning Commission.

## ORDINANCE 5.02

- I. Records. Minutes shall be kept showing all actions, resolutions, transactions and recommendations to the Town Board. A copy of all minutes shall be filed with the Town Clerk.
- J. Compensation. Planning Commission members may receive compensation for service on the Planning Commission as determined by the Town Board.
- K. Powers. The Planning Commission shall have such powers as may be necessary to enable it to perform its designated duties, functions and responsibilities. Such powers shall include, but are not limited to:
1. Subject to Town Board approval, the Planning Commission may employ experts, engineers, consultants or staff, and pay for the services and other expenses as may be necessary and proper, not to exceed regulations and appropriations of the Town Board;
  2. Make reports and recommendations relating to the provisions and requirements of the Ordinance, the Subdivision Control and Platting of Lands Ordinance, Land Use Plan, and development of the Town, to public officials, agencies and other organizations and citizens;
  3. Recommend public improvement plans and financing to the Town Board;
  4. Request available information of any public official, applicant, property owner, resident, etc. that may be deemed appropriate and necessary to review the plans and proposals and to carry out the Planning Commission's duties and responsibilities;
- L. Duties. The Planning Commission shall have all duties granted or assigned by the Town Board or by Ordinance. All duties granted or assigned by statute are granted or assigned to the Planning Commission, and such statutes are adopted by reference herein. The Planning Commission shall also have the following functions and duties:
1. Appear and recommend adoption of comprehensive plans, or elements or components thereof, for the physical development of the Town, and to extend or add to the comprehensive plan in accordance with Wis. Stats;

## ORDINANCE 5.02

2. Make and recommend to the Town Board adoption of an official map in accordance with Section 62.23, Wis. Stats;
3. Prepare and recommend to the Town Board adoption of zoning regulations and amendments thereto;
4. Prepare and recommend to the Town Board adoption of subdivision and land division regulations in accordance with Section 236.45, Wis. Stats;
5. Make recommendations to the Town Board regarding any changes to the Land Use Plan, zoning regulations, Subdivision Control and Platting of Lands Ordinance and other related ordinances;

M. Referrals. The Town Board may refer to the Planning Commission for its consideration and report before final action is taken in the following matters:

1. Proposed or requested changes and amendments to the Town's comprehensive plan or components thereof, official maps, zoning regulations, subdivision regulations and land division ordinances;
2. Subdivision plats, certified survey maps and condominium plats within the Town or over which the Town has jurisdiction;
3. Annexations, incorporations, detachments or consolidations affecting the Town;
4. Location, acceptance, extension, alterations, vacation, change of use, sale, acquisition or lease of land for any street, alley, public way, playground, parking area or public grounds;
5. Location, extension, abandonment or authorization of a public utility; and
6. Other matters requiring to be referred to the Planning Commission as provided by Section 62.23, Wis. Stats. and all other matters requiring to be referred to the Planning Commission by another statute, regulation or ordinance.

**Section III. Severability.** The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed provisions of the Ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of the Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

**Section IV. Effective Date.** This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous Ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: March 22, 2010

\_\_\_\_\_  
Lynnetta P. Kopp, Town Chair

\_\_\_\_\_  
Randall R. Knapp, Town Supervisor

\_\_\_\_\_  
John O. Zahn, Town Supervisor

ATTEST:

\_\_\_\_\_  
Catherine Brott, Town Clerk