

**CITY OF GARIBALDI  
ORDINANCE NO. 285**

**AN ORDINANCE AMENDING THE PLANNING COMMISSION  
ORDINANCE NO. 144.**

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**THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:**

**Section 1. PLANNING COMMISSION:** A Planning Commission for the City of Garibaldi, Oregon is hereby created and is hereafter referred to as "the Commission". The Commission shall consist of five members who shall be known as "Commissioners" and who shall be appointed by and serve at the pleasure of the City Council for the following terms: one for an initial term which expires on January 10, 1988 and for successive 4-year terms; two for initial terms which expire on January 10, 1989 and for successive 4-year terms; and two for initial terms which expire on January 10, 1990 and for successive 4-year terms.

**Section 2. CONTINUED SERVICE, REMOVAL AND VACANCY:** A member of the Commission shall continue to serve after the expiration of his or her term, until the City Council has appointed a successor Commissioner for a successive four-year term. Any number of Commissioners may be removed by the City Council with or without cause. A vacancy shall occur if a Commissioner is unable to qualify as a member as prescribed in Section 3; is removed by the Council; fails to perform his/her duties by missing three consecutive regular Planning Commission meetings; resigns; or dies. Any vacancy in the Commission shall be filled by the City Council for the unexpired term of the replaced

B. Three members of the Commission shall constitute a quorum to conduct business.

C. The Commission shall adopt rules and regulations for its government and procedure consistent with the laws of Oregon and with the City Charter and ordinances.

D. The City Council shall assign to the Commission an office or headquarters in the City Hall, if possible, in which to hold Commission meetings, to transact business and to keep records.

**Section 67. COMMISSION AIDS AND EXPENSES:** Within the budget limits established by the City Council, the Commission may employ: consulting ~~advise~~advise on municipal problems, a secretary and such aids as may be necessary; and pay for such services and for such other expenses as the Commission may lawfully incur out of funds allocated to the Commission.

**Section 78. COMMISSIONER COMPENSATION:** Within the budget limits established by the City Council, the Commissioners may receive compensation for services rendered and for expenses necessarily incurred in the performance of their duties at a rate established by the City Council and out of funds allocated to the Commission.

**Section 89. POWERS AND DUTIES:** Except as otherwise provided by law, the powers and duties of the Commission shall be as follows:

A. Recommend and make suggestions to the City Council and to all other public authorities concerning laying out, widening, extending, parking and locating of streets, sidewalks and boulevards, relief of traffic congestion, betterment of housing and sanitation conditions and establishment of zones and districts limiting the use, height, area and bulk of buildings of structures.

B. Recommend to the City Council and all other public authorities plans for regulation of the future growth, development and beautification of the City in respect to its public and private buildings and works, streets, parks, grounds and vacant lots; and plans consistent with future growth and development of the City in order to secure to the City and its inhabitants sanitation, proper service of all public utilities, harbor, shipping and transportation facilities.

C. Recommend to the City Council and all other public authorities plans for promotion, development and regulation of industrial and economic needs of the City in respect to private and public enterprises engaged in industrial pursuits.

D. Advertise the industrial advantages and opportunities of the City

and availability of real estate within the City for industrial settlement.

E. Encourage industrial settlement within the City.

F. Make an economic survey of present and potential possibilities of the City with a view to ascertaining its industrial needs.

G. Study needs of existing local industries with a view to strengthening and developing local industries and stabilizing employment conditions.

H. Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of persons residing within the City and an area two miles adjacent thereto.

**Section 910. TIME FOR ACTION:** The time within which the Commission shall report on any matter or class of matters referred to it in accordance with the provisions of the Garibaldi Zoning Code shall be in accordance with such Code; and in default of such report within such period, the Commission shall forfeit the right further to suspend action with regard to the particular matter on which it has so defaulted. However, in any specific case, the City Council may grant such longer period as it may deem proper within which the Commission may make its report.

**Section 1011. SUBDIVISIONS AND PUBLIC IMPROVEMENTS:** All plans or plats for subdivisions located within the limits of the City; all plans or plats for vacating, locating, laying out, widening or extending streets or parking therein; and all plans for public buildings therein shall first be submitted to the Commission by the applicant or other proper City officer and a written report thereon shall be secured from the Commission before approval is given by the proper City official.

**Section 1112. REPORTS ON SUBDIVISION PLANS, PLATS ETC.:** Within 60 days after a copy of a subdivision plan or plat has been filed with the Commission, the Commission shall report to the City Council its recommendations in relation thereto. The City Council shall then consider the same and direct the Commission either to certify its approval or denial thereof; and the Commission shall act at once in accordance with such directions.

**Section 1213. REPEALED ORDINANCES:** Ordinance No. 96 and any other ordinance or resolution that is inconsistent with this ordinance is hereby repealed to the extent of such inconsistency.

**Section 1314. EMERGENCY CLAUSE:** Whereas, the peace, health and safety of the people of the City of Garibaldi is involved; therefore, an emergency is declared to exist and this ordinance shall be in full force and effect immediately

Commissioner.

**Section 3. QUALIFICATIONS OF MEMBERS**

~~Members of the Planning Commission may be city officers or City Council members.~~

A. ~~\_\_\_\_\_~~ -No more than two Commissioners shall be engaged principally in the buying, selling or developing of real estate for profit as individuals or be members of any partnership or be officers or employees of any corporation that is engaged principally in the buying, selling or developing of real estate for profit.

~~\_\_\_\_\_ -No more than two Commissioners shall be engaged in the same kind of business, trade or profession.~~

B. ~~\_\_\_\_\_~~ No more than one Commissioner shall live outside the City Limits or Urban Growth Boundary; however a Commissioner living outside the City Limits or Urban Growth Boundary must be listed as a property owner within the City Limits or Urban Growth Boundary according to the County tax assessor.

C. ~~\_\_\_\_\_~~ Commissioners shall serve on no more than one other City committee and not be members of the City Council.

**Section 4. NOTICE, NOMINATION, CONFIRMATION:** Any qualified individual may submit a letter of interest for any open Planning Commission position. Notice of vacancy shall be locally posted for at least three weeks prior to confirmation. Letters of interest in the opening shall be received until five business days prior to nominations being made. Nominations for positions on the Planning Commission shall be introduced by the Mayor, or by any two Councilors, and shall be subject to confirmation by a majority of the Council.

**Section 45. OFFICERS AND REPORTS:** The City Council shall select one Commissioner to serve as chairman of the Commission and the chairman shall hold office during the pleasure of the City Council. The City Recorder shall serve as the Council shall appoint a secretary to the Commission unless otherwise appointed by the Council. The secretary shall keep an accurate record of all Commission proceedings, and on the 5th day of each month, the secretary shall make and file with the City Council a report of all Commission transactions include a copy of the Commission's draft minutes in the City Council's regular meeting packets unless otherwise instructed by counsel.

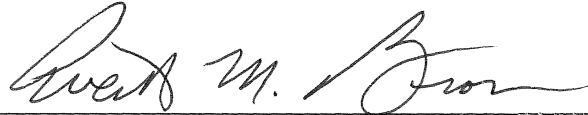
**Section 56. MEETINGS, QUORUM AND PROCEDURES:**

A. The Commission shall meet once a month, *provided*, that the Chair of the Commission shall have the authority to cancel a given month's regularly scheduled meeting if there are no scheduled hearings and a quorum of the Commission does not object to the proposed cancellation.

upon its adoption by the City Council and approval by the Mayor.

~~**Section 14. EFFECTIVE DATE:** This Ordinance shall take effect THIRTY (30) DAYS after its passage by the Council and approval by the Mayor.~~

**Passed by the Common Council and approved by the Mayor of the City of Garibaldi, this 27 day of NOVEMBER, 2005.**



Everett Brown, Mayor

ATTEST:

  
John O'Leary, City Recorder