

**MUNICIPAL PLANNING BOARD ORDINANCE  
TOWN OF SULLIVAN  
ADOPTED JUNE 29, 1992  
AMENDED JUNE 26, 2006**

**1. Establishment.** Pursuant VIII, pt 2, Section 1, of the Maine Constitution and 30 MRSA Section 2151-A, the town of Sullivan hereby establishes the Town of Sullivan Planning Board.

**1. Appointment.**

- A. Board members shall be appointed by the municipal officers and sworn by the clerk or other person authorized to administer oaths.
- B. The board shall consist of **5** members and **3** associate members. (amended June 26, 2006)
- C. The term of each member shall be **5** years, except the initial appointments which shall be for **1** year respectively. The term of office of an associate member shall be **5** years, the initial term for each new appointee shall be **1** year.
- D. When there is a permanent vacancy, the municipal officers shall within **60** days of its occurrence appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member or associate, or when a member or associate ceases to be a legal resident of the town, or when a member or associate fails to attend four (**4**) consecutive regular meetings, or fails to attend at least **75%** of all meetings or workshops during the preceding twelve (**12**) month period. When a vacancy occurs, the chairperson of the board shall immediately so advise the municipal officers in writing. The board may recommend to the municipal officers that the attendance provision be waived for cause, in which case no vacancy will then exist until the municipal officers disapprove the recommendation. The municipal officers may remove members of the planning board by unanimous vote, for cause, after notice and hearing.
- E. A municipal officer 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 shall be 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 member's stead.
- C. An associate member must attend all meetings of the board and participate in its proceeding, but may vote only when he or she has been designated by the chairperson to sit for a member.

- D. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who is being challenged.
- E. The chairperson shall 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 4 members or associate members authorized to vote. The board shall act by majority vote, calculated on the basis of the number of members present and voting.
- G. The board shall adopt rules for transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at reasonable times.

#### **4. Duties: Powers.**

- A. The board shall prepare or supervise the preparation of a Comprehensive Plan as defined by 30 MRSA Section 4960-C.
- B. The board shall perform such duties and exercise such powers as provided by the Sullivan ordinance and the laws of the State of Maine.
- C. The board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

#### **5. Conflict of Ordinances and Validity.**

- A. Conflict of Ordinances and Validity. In any case where a provision of this Ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or code of the Town of Sullivan, Maine, existing on the effective date of this Ordinance, the provision which establishes the higher stand for the promotion and protections of the health and safety of the people shall prevail.
- B. Validity. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance are hereby declared to be severable.

#### **6. Amendment of this Ordinance.**

- A. On petition, or on their own motion the Selectmen may present warrants for consideration of the town to amend the regulations and provisions of this ordinance at a regular or special town meeting, a majority vote of the legal voters present is required.
- B. The municipal officers shall fix the time and place of a public hearing on the proposed amendments or amendment and cause notice to be given in accordance with the laws of the State of Maine.