

ORDINANCE NO. 1151

AN ORDINANCE RE-ESTABLISHING A PLANNING COMMISSION FOR THE CITY OF NEWPORT AND REPEALING ORDINANCE NO. 999 AND ORDINANCE NO. 1101; AND DECLARING AN EMERGENCY.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

**Section 1. Establishment.** There is hereby re-established a City Planning Commission for the City of Newport, Oregon. The Planning Commission created and functioning pursuant to Ordinance No. 999 and Ordinance No. 1101 is hereby abolished.

**Section 2. Membership.** The Commission shall consist of seven (7) members who are not officials or employees of the City. All voting members shall be residents of the City of Newport. The Mayor, City Manager, the City Attorney, City Planner or other such City personnel as the City Manager may from time to time designate shall be entitled to sit with the Commission and take part in its discussions but shall not have the right to vote.

**Section 3. Term of Office.** Of the members first appointed, two members shall be appointed for a term of one year, two members for a term of two years, three members for a term of three years. Subsequent appointments shall be for a term of three years or until successors are appointed. Terms of office shall commence on the first day of the calendar year, except that the terms of office for members first appointed under this ordinance shall commence on the date of their appointment.

**Section 4. Vacancies and Removal.** The Mayor, with approval by the Council, shall fill vacancies which may occur from death, resignations or other causes by appointment for the unexpired term. The Mayor, with approval of the Council, may remove any member for cause, which may include misconduct or non-performance of duty. A member who is absent from more than two meetings out of any eight meetings without an excuse as approved by the Planning Commission at least one meeting in advance shall be presumed to be in non-performance of duty and shall be requested to resign. If a resignation is not received within two weeks of request by the Mayor, a hearing shall be scheduled before the City Council as required by ORS 227.030(2).

**Section 5. Presiding Members.** The Commission shall elect a chairman and vice-chairman to serve one-year terms. Election of such officers shall be held at the first meeting of the Commission in each calendar year.

**Section 6. Staff Services.** The City shall provide a secretary to the Planning Commission. The City Planner shall serve as an administrative assistant to the Planning Commission under the direction of the City Manager. Other staff and consultation services shall be provided if determined necessary by the City Council or City Manager.

**Section 7. Quorum; Meetings; Rules.** Four members of the Commission shall constitute a quorum. Except as otherwise specifically provided by law, a majority of the quorum may take any action which may be taken by the Commission as a whole. In the event that any member of the Commission who is initially present at the meeting and who has been counted for the purposes of determining whether or not a quorum has been present shall disqualify himself or otherwise abstain from

APPENDIX C

voting upon any matter before the Commission for decision, such disqualified or abstaining member shall nonetheless continue to be considered for the purposes of whether or not a quorum is present, and such decision may be rendered by the remaining members of the quorum. The Commission shall meet at least once a month and all meetings of the Commission shall be open to the public. The Commission may adopt and amend rules and regulations to govern the conduct of its business, consistent with the charter and ordinances of the City and official policies, rules and resolutions promulgated by the City Council.

Section 8. Powers and Duties. The Commission shall have the powers and duties which are now or may hereafter be assigned to it by charter, ordinances or resolutions of this City and general laws of this state.

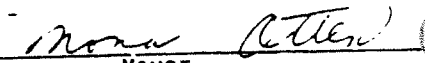
Section 9. Repeal. Ordinance No. 995 enacted March 17, 1975 and Ordinance 1101 enacted January 16, 1978, are repealed.

Section 10. Emergency. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall take effect upon its passage by the Council and approval by the Mayor.

Introduced and passed the first reading at a regular meeting of the Common Council of the City of Newport, Oregon, held on the 3rd day of January, 1979.

Passed the second reading, placed on final passage and adopted at a regular meeting of the Common Council of the City of Newport, Oregon, held on the 15th day of January, 1979.

Approved by the Mayor of the City of Newport, Oregon, on the 15<sup>th</sup> day of January, 1979.

  
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Mayor

ATTEST:

  
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City Recorder

APPENDIX C (con't)

CITY OF NEWPORT  
ORDINANCE NO. 1413

AN ORDINANCE AMENDING ORDINANCE NO. 1151, ENTITLED "AN ORDINANCE RE-ESTABLISHING A PLANNING COMMISSION FOR THE CITY OF NEWPORT AND REPEALING ORDINANCE NO. 999 AND ORDINANCE NO. 1101; AND DECLARING AN EMERGENCY."

The City of Newport ordains:

Section 1. Section 3 of Ordinance No. 1151 is hereby amended to read as follows:


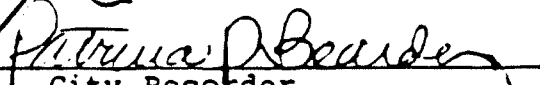
"Section 3. Term of Office. Of the members first appointed, two members shall be appointed for a term expiring January 1, 1980, two members shall be appointed for a term expiring January 1, 1981 and three members shall be appointed for a term expiring January 1, 1982. Subsequent appointments shall be for a term of three years, commencing on January 1 of the first year and ending on December 31 of the third year of appointment. However, any person so appointed shall continue to serve, notwithstanding the expiration of the term of appointment of such person, until a successor shall be appointed and shall accept such appointment. Such successor shall serve such part of the subsequent three year term as is then remaining at the time of appointment of such successor.

Introduced and passed the first reading at a regular meeting of the common council of the City of Newport on November 5, 1984.

Passed the second reading, placed for final passage and adopted at a regular meeting of the common council of the City of Newport, Oregon held on the 19th day of November, 1984.

Approved by the Mayor of the City of Newport, Oregon on the 19th day of November, 1984.

Attest:

  
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Mayor  
  
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City Recorder