

**TOM BEAN**



## **ORDINANCE 2010-04**

**AN ORDINANCE ESTABLISHING A PLANNING AND ZONING COMMISSION FOR THE CITY OF TOM BEAN, TEXAS: SETTING NUMBERS OF MEMBERS AND TERMS FOR THE MEMBERS: DESCRIBING DUTIES OF THE COMMISSION: DESCRIBING PROCEDURES FOR COMMISSION. ALL ORDINANCES/POLICIES OR PARTS THEREOF WHICH ARE IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE AS TO THE EFFECTIVE DATE OF THIS ORDINANCE, ARE HEREBY REPEALED, TO INCLUDE ORDINANCE NO. 82-103A DATED DECEMBER 13, 1982.**

**NOW, THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOM BEAN, TEXAS,**

**WHEREAS:** the City Council of the City of Tom Bean seeks to promote and protect health and welfare of all residents and property owners of the City, and

**WHEREAS:** the City Council wishes to encourage the orderly growth and development of the community; and

**WHEREAS:** a systematic and orderly procedure for identifying and protecting different land uses and their associated interests is necessary to protect the welfare of the City's residents and the value of public and private property within the City; and

**WHEREAS:** a Planning and Zoning Commission can assist the Council in encouraging orderly growth and development and protecting the welfare of residents and property owners;

### **Section 1: Creation**

A Planning and Zoning Commission for the City of Tom Bean is hereby created. The Planning and Zoning board shall be composed of five (5) persons who shall own property within the city limits of Tom Bean and residents of the city. All vacancies occurring shall be filled by appointment by a majority vote of the Council. No member of the City Council or any other person related within the second degree by affinity or the third degree by consanguinity to a member of the City Council shall be appointed to this Commission.

## **Section 2: Terms of Office**

The terms of two (2) of the members shall expire on June 1 of each odd-numbered year and the terms of three (3) of the members shall expire on June 1 of each even numbered year. Newly-appointed members shall be installed at the first regular Commission meeting after their appointment.

## **Section 3: Organization**

The Commission shall hold an organizational meeting within thirty (30) days after its establishment and in June of each succeeding year and shall elect a Chairman, Vice-Chairman and Secretary from among its members. The Commission shall meet at least four (4) times each year at such other times as the Chairman or the majority of the members of the Commission shall direct. The Commission shall designate the time and place of its meetings, in accordance with the relevant laws of the State of Texas. The Commission shall adopt its own rules of procedure and keep a record of its proceedings consistent with the provisions of this ordinance and the requirements of the laws of the State of Texas.

## **Section 4. Powers and Duties**

- a) Perform all functions related to the review and approval of subdivision plans which may be assigned to it by the statutes of the State of Texas and ordinances of the City.
- b) Periodically review and suggest changes, where appropriate, in the city's comprehensive plan.
- c) Advise the Council on matters involving the physical development of the City.

## **Section 5. Quorum**

Three (3) members of the Commission shall constitute a quorum. However, no portion of the comprehensive plan referred to in Section 4A shall be recommended for change by less than the affirmative vote of a majority of the entire Commission.

## **Section 6. Records and Reports**

The Commission shall maintain a record of its meetings, provide the records to the city secretary and shall report to the City Council at least once a year concerning its activities of the past year.

## **Section 7. Removal of a Member**

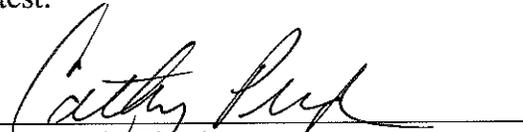
Any member of the Planning and Zoning Commission may be removed from office by the City Council upon written charges and after a public hearing, if required by the member against whom the charges are brought.

**THIS ORDINANCE SHALL BE IN EFFECT UPON its READING AND PASSAGE BY THE CITY COUNCIL OF TOM BEAN, TEXAS.**

Duly passed and approved by the City Council of Tom Bean, Texas this 12<sup>th</sup> day of April, 2010.  
A. D.

  
Sherry Howard, Mayor

Attest:

  
Cathy Pugh, City Secretary