

Town of Albany Plan Commission

Ordinance No. .

The Town Board of the Town of Albany, Green County Wisconsin, does ordain as follows:

Section 1. Title

This ordinance is entitled "Town of Albany Plan Commission Ordinance".

Section 2. Purpose

The purpose of this ordinance is to establish a Town of Albany Plan Commission and to set forth its organization, powers and duties. To provide the methods of informing the public and the Town Board of the actions and recommendations made by the Commission To establish a method of documenting the basis for the recommendations of the Commission to the Town Board.

Section 3. Establishment

The Town Board of the Town of Albany has been authorized by the Town meeting under sec. 60.11 (2) (c), Wis. Stats, to exercise village powers and the Town has a population under 2,500 according to the most recent federal census. The Town Board hereby establishes a five (5) member Plan Commission under sections 60.62(4), 61.35 and 62.23 Wis.Stats. The Plan Commission shall be considered the "Town Planning Agency" under secs. 236.02 (13) and 236.45, Wis. Stats.. The Town Board, shall, by resolution, set an Application Fee to appear before the Planning Commission.

Section 4. Membership

Commission Appointment. The Plan Commission consists of five (5) citizen members, who are not otherwise Town officials, and who shall be persons of recognized experience and qualifications. Every effort shall be made to ensure the appointees are from diverse geographical locations within the Town boundaries and from diverse occupational interests in order to ensure fair representation of the interests of all Town citizens.

The Town Board Chairperson shall appoint the members of the Plan Commission and designate a Plan Commission Chairperson. The terms for the Plan Commission Chairperson and each Commission member shall be staggered. Two members shall be appointed for a term of two (2) years from the previous April 30; and (3) three members shall be appointed for a term of three (3) years from the previous April 30.

Section 5. Officers

- (1) **Chairperson.** The Chairperson shall be responsible for:
 - a. providing leadership to the Commission;
 - b. setting the agenda and providing notice of Commission meetings and hearings in accordance with the requirements of this ordinance, either personally or by a designee;
 - c. presiding at Commission meetings and hearings; and
 - d. ensuring that the ordinances and laws are followed.
- (2) **Vice Chairperson.** The Plan Commission shall elect, by open vote or secret ballot under s. 19.88 (1) Wis.Stats., a Vice Chairperson to act in the place of the Chairperson when the Chairperson is absent or incapacitated for any cause.
- (3) **Secretary.** The Plan Commission shall elect, by open ballot under s. 19.88 (1) Wis. Stats., one of its members to serve as Secretary, or with the approval of the Town Board, designate the Town Clerk or other Town officer or employee as Secretary.

Section 6. Required Attendance.

Every Commission member is required to attend each regularly scheduled meeting. If a member misses

three (3) consecutive meetings, the member will be subject to removal from the Commission by the Town Board, effective on the date of the 3rd missed meeting, except in the following circumstances:

1. The member is absent for any of the three (3) consecutive meetings due to his or her own illness or a family member or other emergency; or
2. If a member knows that he or she will be absent for more than two (2) consecutive meetings, the Town Chair may make a temporary appointment to fill that member's position for the length of the member's absence.

Section 7. Removal of Commission Member.

The Town Board may remove any Commission member from office at any time and for any reason, by majority vote, so long as the reason does not violate the laws of the state or federal government or any Town ordinance. Such office position shall then be deemed vacant and shall be filled as provide herein.

Section 8. Vacancies.

Vacancies shall be filled by appointment for the remainder of the un-expired term in the same manner as appointed for the full term.

Section 9. Compensation.

Each Commission member shall be paid an amount per meeting for each meeting attended, regardless of whether the meeting is a regular or special meeting, as set by resolution of the Town Board. No compensation shall be paid to a member for any meeting that member did not attend, for whatever reason.

Section 10. Organization.

- (1) ***Meetings.*** The Town Plan Commission shall meet the first Wednesday of every month.
- (2) ***Agenda.*** The agenda shall contain specific information related to the purpose of each Commission agenda item, whether informative in nature or required by ordinance or state law. In addition, for specific items related to individual requests the agenda shall contain the following details:
 - Name(s) of those appearing before the Commission;
 - Name(s) of property owner;
 - Location of land division/development (1/4 Section(s) and Section(s) and public/private road name if available)
 - Description and nature of request; and
 - Description of the motion(s) required by the Commission.
- (3) ***Fee.*** The application fee, as set by the Town Board, required escrow fee and maps and supporting documents must be received by the Town Clerk 20 days prior to the next meeting to be placed on the agenda for next Plan Commission Meeting.
- (4) ***Noticing and Publishing.***
 - The agenda for every meeting must be published in the Town's designated newspaper, printed at least one (1) week prior to the meeting.
 - All agendas and meeting notices shall be filed with the Town Clerk who shall cause the notice to be published and posted in full compliance with the Open Meetings Law Requirements of s. 19.81 – 19.89 Wis. Stats. and as required by this ordinance.
 - In addition, an agenda for every meeting shall be emailed to Town citizens and other interested parties who have requested to be part of the Town of Albany's distribution list.
- (5) ***Quorum.*** Shall be five (5) members, with all actions requiring a majority vote of the quorum present.
- (6) ***A Written Record,*** at a minimum, shall be kept showing the following:
 - published agenda;

- written resolutions;
- factual determinations;
- motions made;
- individual votes cast by Commission members or their alternates (except for the election of officers); and
- written recommendations or summary to the Town Board of each agenda item.

A copy shall be filed with the Town Clerk as a public record. In addition, a copy of the written record for every meeting shall be emailed to Town citizens and other interested parties who have requested to be part of the Town of Albany's distribution list.

Section 11. Powers.

The Town Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties. Such powers shall include:

- (1) ***To Make Reports and Recommendations*** to the Town Board and town citizens relating to the town plan and development in the town.
- (2) ***To Request Available Information*** from a developer or other public officials.
- (3) ***To Enter Upon Any Land.*** With the permission of the landowner, the Commission members and others working for the Town may enter upon any land in the performance of its functions to make examinations and surveys.

Section 12. Duties

The Town Plan Commission shall have the following functions and duties:

- (1) ***To Review, Report and Make Recommendations*** to the Town Board relating to development in the Town of Albany (including but not limited to driveway permits, land divisions, compliance of land divisions with the Town's Comprehensive Plan, waivers and special exceptions from local ordinances).
- (2) ***To Review and Recommend Changes*** to the Town of Albany Comprehensive Plan and to the Town of Albany Land Division Ordinance.
- (3) ***To Consider and Report or Recommend*** on all matters referred to the Commission, including the review of County and Regional Plans as they relate to the Town.
- (4) ***To Request and Present*** before the Town Board for their approval, any necessary expenditures related to the functions of the Commission in conjunction with the Town's Budget Hearing.

Section 13. Effective Date

Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by s. 60.80, Wis. Stats.

ADOPTED the _____ day of _____, 20_____.

_____(Town Board Chairperson)

_____(Supervisor)

_____(Supervisor)

[Published/Posted] this _____ day of _____, 20_____.

Attest: _____(Town Clerk)