

ORDINANCE NO. 77-2

AN ORDINANCE ESTABLISHING A HOLMES COUNTY PLANNING COMMISSION; PROVIDING FOR THE APPOINTMENT AND TERMS OF OFFICE OF THE MEMBERS THEREOF; SETTING FORTH SAID COMMISSION'S DUTIES AND RESPONSIBILITIES; ESTABLISHING SAID COMMISSION'S ORGANIZATION, RULES AND PROCEDURES; REQUIRING THAT ALL MEETINGS BE PUBLIC AND PROVIDING FOR THE KEEPING OF PUBLIC RECORDS; PROVIDING FOR FINANCIAL SUPPORT; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED INVALID; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED by the Board of County Commissioners of Holmes County, Florida, as follows:

SECTION 1. AUTHORITY. This Ordinance is enacted pursuant to and in accordance with, the provisions of Chapter 163, Florida Statutes (Local Government Comprehensive Planning Act of 1975).

SECTION 2. DESIGNATION and ESTABLISHMENT OF LOCAL PLANNING COMMISSION. Pursuant to, and in accordance with, Section 163.3174, Florida Statutes (Local Government Comprehensive Planning Act of 1975) the Holmes County Planning Commission is hereby designated and established as the local planning agency for the unincorporated areas of Holmes County, Florida, and also any incorporated towns or cities within said County, which shall by inter-local agreement, elect to come under the County Plan.

SECTION 3. MEMBERSHIP. The Holmes County Planning Commission shall consist of five members, who shall be residents of Holmes County, and shall be appointed by the County Commission of said County. Each County Commissioner shall nominate one or more persons residing within his commission District, and the Board of County Commissioners shall appoint, from the list of nominees, one person from each Commission District to the Planning Commission. Should a majority of the County Commissioners, sitting as a quorum, fail to agree on a particular nominee, then a new nominee shall be submitted by the Commissioner from that District. The terms of the members shall be for four years, except that in the appointment of the first Planning Commission, the members from District 1 shall be appointed for a term of one year, the member from District 2 shall be appointed for a term of two years, the member from District 3 shall be appointed

for a term of three years, and the members from Districts 4 and 5 shall be appointed for a term of four years, each with eligibility for reappointment. Any vacancy in membership shall be filled for the unexpired term by the County Commission, who shall have the authority to remove any member for cause, upon written charges, after a public hearing. All members shall serve without compensation, but may be reimbursed for actual expenses incurred in their official capacity.

SECTION 4. ORGANIZATION, RULES, STAFF AND FINANCES. The Planning Commission shall elect its Chairman from among its members. The term of the Chairman shall be one year, with eligibility for re-election. The term of the Vice Chairman shall be two years, with eligibility for re-election. The Planning Commission shall appoint a Secretary, who may be an officer or employee of the County. All meetings of the Planning Commission shall be open to the public, and all records of the Planning Commission shall be a public record.

Regular meetings of the Planning Commission shall be held on the \_\_\_\_\_ day of each month at \_\_\_\_\_ o'clock at \_\_\_\_\_.

Special meetings may be called by the Chairman, provided that reasonable advance notice is given each member.

Three members of the Planning Commission shall constitute a quorum for the transaction of business providing, however, that no action shall be taken which is binding upon said Planning Commission unless concurred in by not less than a majority of all members comprising the planning commission.

The order of business at all regular meetings shall be as follows: (a) roll call; (b) approval of minutes of previous meetings; (c) unfinished business; (d) new business; (e) adjournment.

The planning Commission may appoint such employees and staff as it may deem necessary for its work and may contract with the State Planning Agency, city planners and other consultants for such services as it may require. The expenditures of the Planning Commission exclusive of gifts shall be within the amounts appropriated for the purpose by the County Commission, and other municipalities sharing in the plan. The planning commission may, subject to

the approval of the governing body concerned and within the financial limitations set by appropriations made or other funds available, employ such experts, technicians, and staff as may be deemed proper and pay their salaries, contractual charges and fees, and such other expenses as are necessary to conduct the work of the planning commission.

SECTION 5. POWERS and DUTIES. From and after the time when the Planning Commission shall have organized and selected its officers and shall have adopted its rules of procedure then said Planning Commission shall have all the powers, duties, and responsibilities set forth herein.

SECTION 6. COMPREHENSIVE PLAN. The Planning Commission shall have the power and the duty to prepare and recommend to the County Commission for adoption, a comprehensive plan for the physical development of the unincorporated areas of Holmes County and all incorporated areas which, by inter-local agreement, elect to participate, and to perfect it from time to time. In conducting its work the Planning Commission may consider and investigate any subject matter tending to the development and betterment of the County and make recommendations as it may deem advisable concerning the adoption thereof to the County Commission. Such comprehensive plan may show, among other things: existing and proposed streets, highways, expressways, bridges, tunnels and viaducts and approaches thereto; routes of railroads and transit lines; terminals, ports, and airports; parks, playgrounds; forests, reservations and other public open spaces; sites for public buildings and structures; districts for residences, business, industry, recreation, agriculture and forestry; special districts for other purposes; limited development districts for purpose of conservation; water supply, sanitation, drainage, protection against floods and the like; areas for housing developments, slum clearance, urban renewal and redevelopments; location of public utilities whether publicly or privately owned, including but **NOT** limited to sewerage and water supply systems; together with time and priority schedules and cost estimates for the accomplishment of the proposals. The Comprehensive Plan shall be based upon and include appropriate studies of the location and extent of present and anticipated use of land, population, social

and economic resources and problems, and other useful data. The Comprehensive Plan shall be a public record, but its purpose and effect shall be solely to aid the Planning Commission in the performance of its duties.

SECTION 7. CONFLICTING ORDINANCES. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption, and its being filed with the Secretary of State.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of the COUNTY of HOLMES, FLORIDA, this 6<sup>th</sup> day of April, A.D., 1977.

*Charles D. Padgett*

Chairman



Attest:

*Cody Taylor* (SEAL)  
Clerk.