

CODIFIED ORDINANCES OF BOLIVAR, WV
Part 1 - Administrative Code

ARTICLE 131
Planning Commission

- 131.01 Membership
- 131.02 Organization, Rules, Staff & Finances
- 131.03 Powers and Duties

CROSS REFERENCES

General Provisions - see WV Code 8A-1-1 et seq.
Authority to Establish - see WV Code 8A-2-1 et seq.

131.01 Membership

- (a) Number: The Commission shall consist of five individuals.
- (b) Requirements: The members of the Commission must be:
 - (1) Residents of Bolivar; and
 - (2) Qualified by knowledge and experience in matters pertaining to the development of Bolivar.
- (c) Residency: At least three fifths of all of the members must have been residents of Bolivar for at least three years prior to nomination or appointment and confirmation.
- (d) Representation: The members of the Commission must fairly represent different areas of interest, knowledge and expertise, including, but not limited to, business, industry, labor, government and other relevant disciplines.
- (e) Composition:
 - (1) One member must be a member of the Council or a designee. The term of membership for this member is the same as her/his term of office.
 - (2) One member must be a member of the administrative department of Bolivar or a designee. The term of membership for this member is the same as her/his term of office.
 - (3) The remaining members of the municipal planning commission first selected shall serve respectively for terms of one year, two years and three years, divided equally or as nearly equally as possible between these terms. Thereafter, members shall serve three-year terms.
- (f) Vacancies: Vacancies shall be filled for the unexpired term and made in the same manner as original selections were made.

CODIFIED ORDINANCES OF BOLIVAR, WV

Part 1 - Administrative Code

131.02 Organization, Rules, Staff & Finances

(a) Meetings:

- (1) The Commission shall meet at least quarterly and may meet more frequently at the request of the president or by two or more members.
- (2) Notice for a special meeting must be in writing, include the date, time and place of the special meeting, and be sent to all members at least two days before the special meeting.
- (3) Written notice of a special meeting is not required if the date, time and place of the special meeting were set in a regular meeting.

(b) Quorum: The Commission must have quorum to conduct a meeting. A majority of the members of the Commission is a quorum. No action of the Commission is official unless authorized by a majority of the members present at a regular or properly called special meeting.

(c) Officers: At its first regular meeting of each municipal fiscal year, the Commission shall elect from its members a president and vice president. The vice president shall have the power and authority to act as president of the Commission during the absence or disability of the president.

(d) Duties of Town Council: Council shall provide the Commission with:

- (1) Suitable offices for the holding of meetings and the preservation of plans, maps, documents and accounts; and
- (2) Appropriate money to defray the reasonable expenses of the Commission.

(e) Removal of Members: The governing body of the municipality may establish procedures for the removal of members of the Commission for inactivity, neglect of duty or malfeasance. The procedures must contain provisions requiring that the person to be removed be provided with a written statement of the reasons for removal and an opportunity to be heard on the matter.

(f) Compensation: The members of the Commission shall serve without compensation, but shall be reimbursed for all reasonable and necessary expenses actually incurred in the performance of their official duties.

131.03 Powers and Duties

(a) Powers and Duties: The Commission has the following powers and duties:

- (1) Exercise general supervision for the administration of the affairs of the Commission;

CODIFIED ORDINANCES OF BOLIVAR, WV

Part 1 - Administrative Code

- (2) Prescribe rules and regulations pertaining to administration, investigations and hearings provided that the rules and regulations are adopted by the Council;
 - (3) Supervise the fiscal affairs and responsibilities of the Commission;
 - (4) With consent from the Council, hire employees necessary to carry out the duties and responsibilities of the Commission provided that the Council sets the salaries;
 - (5) Keep an accurate and complete record of all Commission proceedings;
 - (6) Record and file all bonds and contracts;
 - (7) Take responsibility for the custody and preservation of all papers and documents of the Commission;
 - (8) Make recommendations to the Council concerning planning;
 - (9) Make an annual report to the Council, at the Council's first meeting of the fiscal year, concerning the operation of the Commission and the status of planning within Bolivar;
 - (10) Prepare, publish, and distribute reports, ordinances, and other material relating to the activities authorized under this article;
 - (11) Adopt a seal, and certify all official acts;
 - (12) Invoke any legal, equitable, or special remedy for the enforcement of the provisions of this article or any ordinance, rule and regulation, or any action taken thereunder;
 - (13) Prepare and submit an annual budget to the Council;
 - (14) If necessary, establish advisory committees;
 - (15) Delegate limited powers to a committee composed of one or more members of the Commission; and
 - (16) Contract for special or temporary services and professional counsel with the approval of the Council. Upon request, a county prosecuting attorney, the county surveyor, the county engineer, or any other county employee may render assistance and service to a planning commission without compensation.
- (b) In every aspect of its duties the Commission shall be governed and act in accordance with applicable state law including WV Code 8A et. al., and as may be amended.