

# **DIVISION 4. PLANNING & ZONING ADMINISTRATOR/PLANNING COMMISSION**

## **SECTION 14-19. ENFORCEMENT**

- (a) The provisions of this Ordinance shall be administered and enforced by the Office of the Planning & Zoning Administrator. The Zoning Administrator and assistants, in the discharge their duties and upon exhibition of proper credentials, shall have the right to enter at any reasonable hour, upon any premises or in any building under construction or alteration. If the Zoning Administrator shall find that any of the provisions of this Ordinance are being violated, he/she shall notify in writing the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He/she shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.
- (b) When any work has been stopped by the Zoning Administrator for any reason whatsoever, it shall not be resumed until the reason for the work stoppage has been completely removed.
- (c) It shall be the duty of the County Attorney and the County Sheriff, when called upon by the County Board, to perform such duties as may be necessary to enforce the provisions of this Ordinance.

## **SECTION 14-20. DUTIES AND POWERS OF THE OFFICE OF THE PLANNING AND ZONING ADMINISTRATOR.**

- (a) Determine if applications comply with the terms of this Ordinance.
- (b) Maintain permanent and current records of this Ordinance, including but not limited to: maps, amendments, conditional uses, variances, appeals and applications.
- (c) Receive, file, and forward all applications for appeals, variances, conditional uses and amendments to the designated official bodies.
- (d) Institute in the name of the county any appropriate actions or proceedings against a violator as provided for.
- (e) Issue zoning permits and maintain records thereof. A record shall be maintained of finished first floor elevations (including basements) and flood-proofing measures for all new structures in flood districts.
- (f) Provide and maintain a public information bureau relative to matters arising out of this Ordinance.

## **SECTION 14-21. PLANNING COMMISSION**

- (a) The Mower County Board hereby establishes the Mower County Planning Commission. The Planning Commission shall consist of (5) to (7) members, and every attempt shall be made to obtain a cross Section of the county in appointing members to the commission.
- (b) The members of the Planning Commission shall serve for terms of three (3) years each, not to exceed 9 years. Each member may be eligible at the discretion of the County Board for re-appointment, but not for more than three (3) consecutive terms. Terms run from January 1 to December 31. The Board of Commissioners is responsible to make appointments to the Planning Commission before the end of each year in which a term expires, except in the case of an unexpected vacancy in which case the board will make an appointment to fill the remaining term as soon as practical.
- (c) The members of the Commission may be compensated in an amount determined by the County Board and may be paid their necessary expenses in attending meetings of the Commission and in the conduct of the business of the Commission.
- (d) The Planning Commission shall elect a Vice-Chair from among its members annually, at the first meeting of the year. The Zoning Administrator, or their representative, shall act as secretary of the Commission. The Planning Commission shall cooperate with the Planning and Zoning Administrator and other employees of the county in preparing and recommending to the Board for adoption, Comprehensive Plans and recommendations for plan execution in the form of official controls and other measures and amendments thereto. In all instances in which the Planning Commission is not the final authority, the Commission shall review all applications for conditional use permits and plans for subdivisions of land and report thereon to the Board.
- (e) The Board may, by ordinance, assign additional duties and responsibilities to the Planning Commission including but not restricted to the conduct of public hearings, the authority to order the issuance of some or all categories of conditional use permits, the authority to approve some or all categories of subdivisions of land. The Planning Commission may be required by the Board to review any Comprehensive Plans and Official Controls and any plans for public land acquisition and development sent to the county for that purpose by any local units of government or any state or federal agency and shall report thereon in writing to the Board.

## **By-Laws of Mower County Planning Commission**

### **Section I     Establishment**

The operation of the Mower County Planning Commission is governed by the Mower County Zoning Ordinance and by Roberts Rules of Order except as otherwise provided below. Membership and terms of office will be covered by Section 14-21 of the Mower County Zoning Ordinance.

### **Section II    Purpose**

It shall be the function and duty of the Mower County Planning Commission:

- ✓ To assist the local elected officials in developing, reviewing, and analyzing development proposals;
- ✓ To educate the local officials on planning and development matters;
- ✓ To assist in collecting various background data about the County such as populations, employment, housing, land use, and natural features;
- ✓ To assist the local elected officials in developing goals, policies, and programs for future development in the County;
- ✓ To review and/or propose change in local land use ordinances.

### **Section III   Organization**

- A.    Membership - The membership of the Mower County Planning Commission will be determined by the Mower County Board of Commissioners.
- B.    Term of Office - The term of office will be determined by the Mower County Board of Commissioners.
- C.    Officers - The officers of the Mower County Planning Commission shall consist of the Chair, Vice-Chair, and a Secretary. The Vice-Chair shall be elected annually at the regular January meeting.
  - 1.    Chair: It shall be the duty of the Chair to preside over all meetings of the Mower County Planning. He/She shall have the power to call special meetings at reasonable times with reasonable notice when it is deemed such a meeting is necessary to the conduct of the business of the Planning Commission. The Chair will be the member of the Board of Commissioners and will not vote on matters.
  - 2.    Vice-Chair: It shall be the duty of the Vice-Chair to preside over the meeting of the Mower County Planning Commission in the absence of the Chair.
  - 3.    Secretary: It shall be the duty of the Secretary to keep a record of all proceedings of the Mower County Planning Commission, and to perform all other duties normally assigned to the secretary of a deliberative body. The Secretary will be the Mower County Zoning Administrator.
- D.    Voting - Each member of the Mower County Planning Commission will have one (1) vote.

Section IV Meetings

- A. The Mower County Planning Commission shall meet in regular session at a time, date, and location set by the annual public hearing calendar, which is reviewed annually to include prompting for upcoming term vacancies, and is recommended by the Planning Commission to the Board of Commissioners for approval.
- B. Site Investigation Committee shall meet in the week before the Planning Commission meeting, except as modified by the annual calendar, or by Section III, C.
- C. Special meetings may be held under circumstances outlined in Section III, C.
- D. A quorum shall consist of any three (3) members.
- E. The Planning Commission shall have an attendance policy that members, on a yearly basis, shall attend at least 65% of the regular meetings and at least two (2) investigation committee meetings if assigned. If a Planning Commission member fails to achieve this, they will be dropped as a member of the Planning Commission.

Section V Reimbursement

The Planning Commission shall receive a per diem and mileage as established by the Mower County Board of Commissioners.

Section VI Effective Date

The By-Laws shall take effect and be in force after the date of its passage by the Mower County Planning Commission.