

Town of North Berwick

Establishment of Planning Board Ordinance

1. Establishment. Pursuant to Art. VIII, pt. 2, Section 1 of the Maine Constitution and 30-A M.R.S.A. § 3001, the Town of North Berwick hereby establishes a Planning Board.

2. Appointment.

A. Board members shall be appointed by the municipal officers and sworn by the clerk or other person authorized to administer oaths.

B. The board shall consist of 5 members and 2 associate members.

C. The term of each member and each associate member shall be 3 years, except members and associate members currently serving may continue to do so until the end of the term for which they were appointed without the need to be reappointed or to take a new oath of office. Thereafter, the term for both members and associate members shall be 3 years.

D. When there is a permanent vacancy, the municipal officers shall appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member fails to attend four (4) consecutive regular meetings, or fails to attend at least 75% of all meetings during the preceding twelve (12) month period. When a vacancy occurs, the chairperson of the board shall immediately so advise the municipal officers in writing. The board may recommend to the municipal officers that the attendance provision be waived for cause, in which case no vacancy will then exist until the municipal officers disapprove the recommendation. The municipal officers may remove members of the planning board by unanimous vote, for cause, after notice and hearing.

E. A municipal officer may not be a member or associate member.

3. Organization and Rules.

A. The board shall elect a chairperson and vice chairperson from among its members. The Town shall hire a non-board member to serve as secretary/stenographer. The term of all offices shall be 1 year with eligibility for re-election.

B. When a member is unable to act because of interest, physical incapacity, absence or any other reason satisfactory to the chairperson, the chairperson shall designate an associate member to sit in that member's place.

C. An associate member may attend all meetings of the board and participate in its proceedings, but may vote only when he/she has been designated by the Chairman to sit for a member.

D. Any question of whether a member is disqualified from voting on a particular matter shall be decided by a majority vote of the members except the member who is being challenged.

E. The chairperson shall call at least one regular meeting of the board each month, provided there is business to conduct. Special meetings may be called at any time by the chairperson or by a majority of the members. Notice of regular, special and emergency meetings shall be given in accordance with the Maine Freedom of Access Act.

F. No meeting of the board shall be held without a quorum consisting of 3 members or associate members authorized to vote. The board shall act by majority vote of the members present and voting.

G. The board may adopt rules for transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at reasonable times.

4. Duties; Powers

A. The board shall perform such duties and exercise such powers as are provided by ordinance and the laws of the State of Maine.

B. The board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.