

Revised 2023-2024

Ordinance 2024-01 – Planning Commission

**Article 1. Planning Commission**

**§ 1-01. Membership**

- A. Continuation and Membership—Pursuant to Title 22, Section 701(a) of the *Delaware Code*, the Town shall continue to maintain a Planning Commission. The Commission shall consist of five (5) members. Members of the Planning Commission shall be elected by the Commissioners of Bellefonte and may be nominated to serve by any Commissioner of Bellefonte holding office at the time of the vacancy on the Planning Commission.
- B. Original Membership—The original members of the Planning Commission shall be appointed by the Commissioners of Bellefonte. One original elected member shall serve a term of 1 year, 2 original elected members shall serve a term of 2 years, and 2 original elected members shall serve a term of 3 years.
- C. Subsequent Membership—Upon the expiration of the initial term of any original member of the Planning Commission, all subsequent persons elected by the Commissioners of Bellefonte to serve on the Planning Commission shall serve a 3-year term.
- D. Removal from Office—Members of the Planning Commission appointed by the Commissioners of Bellefonte shall only be removed by the Commissioners of Bellefonte for cause after a public hearing by a majority vote.
- E. Vacancy—Any vacancy on the Planning Commission occurring other than by expiration of term shall be filled for the unexpired term by appointment of a new member by the Commissioners of Bellefonte.
- F. Compensation—Members of the Planning Commission shall not receive compensation for the performance of their duties.

**§ 1-02. Meetings**

- A. Meetings of the Planning Commission shall be held at the call of the chairperson of the Planning Commission or at such other times as requested by a majority vote of the Commissioners of Bellefonte.
- B. The presence of 3 members of the Planning Commission shall constitute a quorum at any meeting.
- C. All meetings of the Planning Commission shall be held in compliance with the Delaware Freedom of Information Act.
- D. The Planning Commission shall keep minutes of its proceedings showing its action and the vote of each member upon questions requiring a vote or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions.
- E. The Planning Commission shall elect annually a chairperson and a secretary from among its own number.
- F. Any vote of the Planning Commission must pass by a majority of the Planning Commission members present at the hearing, except as otherwise required by State law.

**§ 1-03. Powers and Duties**

- A. The Planning Commission may make and alter rules and regulations for its conduct consistent with the laws of the State of Delaware.
- B. The Planning Commission shall have all powers which are now or hereafter granted to it by ordinances of the Commissioners of Bellefonte or by Title 22, Chapter 7 of the Delaware Code, as amended, or by any other laws of the State of Delaware relating to the powers, governance, rights, responsibilities, or actions of the Planning Commission.
- C. All recommendations of the Planning Commission made to Commissioners of Bellefonte shall be in writing.
- D. Additional duties of the Planning Commission as the Zoning Review Board are found in Article 8.