

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NUMBER 12-2015**

**AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE TO AMEND CHAPTER 20,
BOARDS, COMMITTEES AND COMMISSIONS, OF THE TOWN CODE TO BE IN
COMPLIANCE WITH RECENT CHANGES TO STATE LAW, TO CLARIFY RESIDENCY
REQUIREMENTS FOR MEMBERSHIP ON THE PLANNING COMMISSION AND TO CLARIFY
RESIDENCY REQUIREMENTS FOR MEMBERSHIP ON THE PERSONNEL REVIEW BOARD.**

WHEREAS, Article 23A, Section 2A(a) of the Annotated Code of Maryland enables the Town Council to enact such legislation as it deems necessary to protect the health, comfort and convenience of the citizens of Centreville;

WHEREAS, Article III, Section 301(b)(8) of the Charter of the Town of Centreville authorizes the Town to appoint such boards, commissions and committees as may be necessary to the health, welfare, and safety of the citizens of Centreville, and to prescribe the duties of such boards, commissions and committees in the legislation creating them;

WHEREAS, the Town Council of Centreville believes that it is in the best interests of the citizens of Centreville to amend Chapter 20, by establishing residency requirements for members of the Town of Centreville Planning Commission.

WHEREAS, Maryland State Law Land Use Code 2-102-(c)(1)(i) has recently changed to require Planning Commissioners to be appointed to five (5) year terms and;

WHEREAS, Maryland State Law Land Use Code 2-102-(c)(1)(ii) has recently changed to require Planning Commission members to serve until the member's successor takes office, and;

WHEREAS, Maryland State Law Land Use Code 2-201-(d)(1)(iii)(1) has recently changed to provide for removal of the member in the same manner as for a member of a State board or commission, including failure to attend meetings under 8-501 of the State Government Article, and;

WHEREAS, Maryland State Law Land Use Code 2-201-(d)(1)(iii)(2) has recently changed to provide for removal of the member in the same manner as for a member of a State board or commission, including conviction of a crime in accordance under 8-502 of the State Government Article, and;

WHEREAS, Maryland State Law Land Use Code 2-201-(f)(1) Municipal Alternates, provides that the local legislative body may designate one or more alternate members to sit on the planning commission in the absence of any member of the commission, and;

WHEREAS, Maryland State Law Land Use Code 2-201-(f)(2) Municipal Alternates, provides that if an alternate member is absent, the legislative body may designate a temporary alternate member to sit on the planning commission, and;

WHEREAS, currently no municipal residency requirement exists to serve on the Planning Commission.

WHEREAS, currently no municipal residency requirement exists to serve on the Personnel Review Board.

NOW, THEREFORE, be it ordained by the Town Council of Centreville that:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this ordinance.

Section 2. Chapter 20, Article 1, Section 2-A of the Code be, and is hereby amended as follows:

20-2. Membership; terms; removal from office; vacancies, officers; quorum.

A. Membership; terms; expiration of terms; alternate members; removal from office.

(1) The Planning and Zoning Commission shall have eight members, one of whom shall be a member of the Town Council of Centreville, who shall serve in an ex officio capacity concurrent with his/her official term. The member of the Town Council of Centreville shall be a nonvoting member of the Planning and Zoning Commission. The other seven members shall ~~serve three~~ continue to serve based on their current staggered appointment terms and their successors shall be appointed for terms of five years, and shall serve until their successor takes office terms that shall be staggered, beginning in the year 2005 and, shall serve according to the following terms, and the member shall be appointed by resolutions of the Town Council of Centreville. The Town Council of Centreville may appoint one or more alternate members to sit on the Planning Commission in the absence of any member of the commission. Alternate members shall serve until the Thursday following the third Wednesday in April in each year, or until their successor takes office. The Town Council of Centreville may appoint a temporary alternate in the absence of an alternate member. Temporary alternate members shall serve for thirty days.

~~(a) Two members shall serve one year terms expiring in April of 2006, whereupon their successors shall be appointed to serve three year terms (Class I).~~

~~(b) Two members shall serve two year terms expiring in April of 2007, whereupon their successors shall be appointed to serve three year terms (Class II).~~

~~(c) Three members shall serve three year terms expiring in April of 2008, whereupon their successors shall be appointed to serve three year terms (Class III).~~

(2) The terms of Planning and Zoning Commission members appointed pursuant to this section shall expire on the Thursday following the third Wednesday in April in each year.

(3) All members, alternates, and temporary alternates of the Planning Commission must be municipal residents living within the corporate limits of the town for a minimum of 180 days prior to their appointment.

(a) This requirement does not pertain to any currently serving members or alternate members of the Planning Commission as of the date of passage of this ordinance, however, all future appointees, including reappointments, must be municipal residents living within the corporate limits of the town.

(4) Removal from office.

(a) The Town Council of Centreville may remove a member of the Planning Commission for:

(i) incompetence;

(ii) misconduct;

(iii) in the same manner as for a member of a State board or commission:

(a) failure to attend meetings under Section 8-501 of the State Government Article.

(b) conviction of a crime in accordance with Section 8-502 of the State Government Article.

(b) The Town Council of Centreville shall provide to the member:

(a) a written statement of charges stating the grounds for removal

(b) an opportunity for a public hearing to contest the charges.

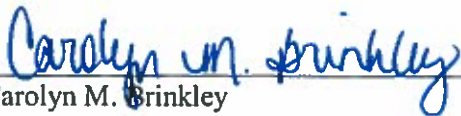
Section 3. Chapter 20, Article II, Section 5-A of the Code be, and is hereby amended as follows:

20-5 Membership; terms; dismissal.

A. The Personnel Review Board shall consist of five members appointed by the Town Council of Centreville and shall be selected based on their demonstrated interest in, and knowledge of, public personnel administration. All members of the Personnel Review Board must be municipal residents living within the corporate limits of the town for a minimum of 180 days prior to their appointment. If a member of the Personnel Review Board ceases to be a municipal resident living within the corporate limits of the Town of Centreville they shall be considered to have resigned. Initial appointments shall be for staggered terms of not more than three years; thereafter, all appointments shall be for three-year terms, except in the case of the death, resignation, incapacity, ~~or~~ dismissal, or other vacancy of any member of the Board, in which case the Town Council of Centreville shall have the power to appoint a member to fill the unexpired term of such person.

Section 4. All deleted language has been stricken over and all new material has been underlined.

ATTEST

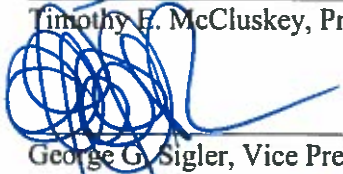


Carolyn M. Brinkley
Town Clerk

THE TOWN COUNCIL OF CENTREVILLE



Timothy E. McCluskey, President



George G. Sigler, Vice President



Jim A. Beauchamp, Member

First Reading: December 3, 2015
Second Reading: January 7, 2016
Adopted: January 21, 2016
Effective: February 11, 2016