TOWN OF COUPEVILLE
Coupeville, Washington

ORDINANCE NO. 742

AN ORDINANCE OF THE TOWN OF COUPEVILLE, WASHINGTON, AMENDING CHAPTER 2.28 OF THE COUPEVILLE TOWN CODE, MODIFYING THE PLANNING COMMISSION'S AUTHORITY, ADDING PROVISIONS FOR SELECTION OF OFFICERS, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town of Coupeville is a properly organized Town under Chapter 35.27 RCW; and

WHEREAS, the Town of Coupeville Planning Commission was established under Ordinance 113 in 1956 pursuant to the authority conferred by Chapter 44 of the Session Laws of 1935 of the State of Washington; and

WHEREAS, in 1979, the Planning Commission was re-established with Ordinance 306 pursuant to Chapter 35.63 RCW; and

WHEREAS, the Town of Coupeville Planning Commission has served in an advisory role to the Town Council on land use matters, including holding hearings and making recommendations on Comprehensive Plan amendments, development code amendments, and land use applications; and

WHEREAS, the Town Council finds it in the best interest of the community to transfer the quasi-judicial authority and responsibilities of the Planning Commission to a new Hearing Examiner office and process, while maintaining the Planning Commission’s advisory role for all other land use matters;

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF COUPEVILLE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 2.28 entitled “Planning Commission” is hereby amended as follows:

Chapter 2.28 Planning Commission

2.28.010 Implementing Authority.
2.28.020 Term of office.
2.28.030 Qualifications for members of the planning commission.
2.28.040 Powers and duties.
2.28.050 Recommendations by planning commission to town council.
2.28.060 ((Plats and subdivisions)) Reserved.
2.28.070 Quorum.
2.28.080 Selection of officers.
2.28.010 Implementing authority.

Pursuant to the authority granted by (R.C.W.) Chapter 35.63 RCW, there is created a Coupeville town planning commission, consisting of five members who shall each be appointed by the mayor and the appointment of each member shall be confirmed by a majority of the town council. (Ord. 501 § 1 (part), 1999: Ord. 306 § 1, 1979)

2.28.020 Term of office.

A. The term of office shall be four years. Initially, position no. 1 and position no. 2 shall expire on March 31, 2000, position no. 3 shall expire on March 31, 2001, position no. 4 shall expire on March 31, 2002, and position no. 5 shall expire on March 31, 2003.

B. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired terms. Members may be removed, after public hearing, by the mayor, upon motion by any member of the town council (with the) and approval by a majority of the town council, for inefficiency, neglect of duty or malfeasance in office. Notice of the charge and pendency of the hearing with respect to the removal of a member of the planning commission shall be given by mail addressed to the residence of the accused member at least five days before the date of said hearing. The members shall (be selected without respect to political affiliations and they shall) serve without compensation; provided, however, they may be reimbursed for expenses necessarily incurred in performing their official duties subject to prior approval by the mayor. (Ord. 591 § 1 (part), 1999: Ord. 306 § 2, 1979)

2.28.030 Qualifications for members of the planning commission.

Any and all (persons over the age of eighteen (18)) registered voters of Island County are eligible to be appointed as members of the Coupeville planning commission; however, a minimum of three members shall (reside) maintain their primary residence within the corporate limits of the Town. Any members of the planning commission living outside the Town shall (be registered voters of Island County and) own property or own (and) operate a business within the Town. Any member who ceases to have the qualifications provided in this section shall be deemed to have forfeited his or her office. The members shall be selected without respect to political affiliations. (Ord. 591 § 1 (part), 1999: Ord. 306A § 1, 1987: Ord. 306 § 3, 1979)

2.28.040 Powers and duties.

The Coupeville planning commission shall have all the powers and perform each and all of the duties as set forth in (R.C.W.) 35.63 RCW and Title 16 CTC, as it now reads (constituted and as) or as hereafter amended (in the future), unless otherwise assigned by ordinance to the hearing examiner. (Ord. 591 § 1 (part), 1999: Ord. 306 § 4, 1979)
2.28.050 Recommendations by planning commission to town council.

The town council may refer to the planning commission, for its recommendation and report, any ordinance, resolution or other proposal relating to any of the matters and subjects referred to in R(\(\cdot\))C(\(\cdot\))W(\(\cdot\)) 35.63, and the planning commission shall promptly report to the town council thereon, making such recommendations and giving such counsel as the planning commission deems proper. (Ord. 591 § 1 (part), 1999: Ord. 306 § 5, 1979)

2.28.060 ((Plats and subdivisions))Reserved.

((All plats or plans of subdivisions of real property within the Town, or any proposed additions thereto, as well as dedications of streets and alleys, offered to the town council for acceptance, shall first be submitted to the planning commission for its recommendation and report. Upon submittal of the said subject matter to the planning commission, the planning commission shall act thereon in as prompt and as expeditious a fashion as possible, and the planning commission shall then furnish its report and recommendation to the council at the earliest possible date. (Ord. 591 § 1 (part), 1999: Ord. 306 § 6, 1979)))

2.28.070 Quorum.

A majority of the membership of the planning commission shall constitute a quorum for the transaction of business. Any action taken by a majority of those present when those present constitute a quorum, at any regular or special meeting of the planning commission for which proper public notice has been provided, shall be deemed and taken as the action of the commission. (Ord. 591 § 1 (part), 1999: Ord. 306 § 7, 1979)

2.28.080 Selection of officers.

At the first meeting in April of each calendar year, the Commission shall select from among its members a chair and vice chair. If an office is vacated at a different time of year, the commission, at a regular meeting as soon thereafter as possible, shall select from among its members to fill the vacant office. The term of each office shall be from the date of selection until the first meeting in April of the following calendar year or until the office is vacated, whichever comes first. Subject to annual approval by the commission, the number of consecutive years an officer may serve is not limited.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the Town, and shall take effect and be in full force February 8, 2018.
ADOPTED by the Town Council and APPROVED by the Mayor this 23rd day of January 2018.

TOWN OF COUPEVILLE

By ______________________
Molly Hughes, Mayor

ATTEST:

By ______________________
Kelly Beech, Clerk-Treasurer

APPROVED AS TO FORM:

By ______________________
Grant Weed, Town Attorney

Date of Publication: ________________, 2018