

CHAPTER 152: PLANNING AND DEVELOPMENT

Section

Extraterritorial Jurisdiction

- 152.01 Boundaries established
- 152.02 Map of boundaries

Planning Board

- 152.15 Establishment
- 152.16 Membership, terms and vacancies
- 152.17 Organization, rules, meetings and records
- 152.18 Compensation
- 152.19 Powers and duties
- 152.20 Annual report and budget request

EXTRATERRITORIAL JURISDICTION

§ 152.01 BOUNDARIES ESTABLISHED.

The Town hereby establishes boundaries for the Extraterritorial Jurisdiction authorized under the provisions of G.S. §160A-60. ('81 Code, §11-1) (Ord. passed 9-8-75)

Statutory reference: Authority of Town to exercise planning and development powers beyond corporate limits, see G.S. §160A-360

§ 152.02 MAP OF BOUNDARIES.

The boundaries established in section §152.01 are delineated on the face of a map entitled "Extraterritorial Jurisdiction of the Town of Franklinton," which is attached to the ordinance from which this section is derived and is hereby adopted as a part of this section by reference. ('81 Code, §11-2) (Ord. passed 9-8-75)

Statutory reference: Authority of Town to draw extraterritorial boundaries on a map, see G.S. §160A-360

PLANNING BOARD

§ 152.15 ESTABLISHMENT.

There shall be a Town Planning Board for the Town of Franklinton, North Carolina, and its Extraterritorial Jurisdiction, established under the authority of the G.S. Ch. 160A, Article 19. (Ord. passed 8-26-85)

Statutory reference: Local planning and regulation of development, see G.S. §160A-360 et seq.

§ 152.16 MEMBERSHIP, TERMS AND VACANCIES.

(A) The Planning Board shall consist of five members, three (3) of whom shall be citizens living within the corporate limits of the Town, and two (2) of whom shall be citizens living within the Town's Extraterritorial Jurisdiction. The in-town members shall be appointed by the Town Board of Commissioners. The extraterritorial members shall be appointed by the Franklin County Board of Commissioners from the recommendation of the Town Board of Commissioners, in accordance with G.S. §160A-362.

(B) Initial terms shall be as follows:

(1) In-town members.

(a) One (1) member shall be appointed for a term of one (1) year.

(b) Two (2) members shall be appointed for terms of two (2) years.

(2) Extraterritorial members. Two (2) members shall be appointed for terms of three (3) years.

(C) Their successors shall be appointed for terms of three (3) years. Terms shall expire on June 30. Members shall serve until the expiration of their terms or until their successors have been appointed.

(D) Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by the Town Board of Commissioners for in-town members and by the Franklin County Board of Commissioners for extraterritorial members.

(E) Faithful attendance at the meetings of the Planning Board is considered a prerequisite for the maintenance of membership on the Board. Unexcused absence from three (3) consecutive meetings shall be deemed adequate reason for termination of membership on the Planning Board by the Town Board of Commissioners.
(Ord. passed 8-26-85)

§ 152.17 ORGANIZATION, RULES, MEETINGS AND RECORDS.

The Planning Board shall elect a Chairperson and may create and fill such other offices as it may deem necessary. The term of officers shall be one (1) year or until successors shall have been elected and installed, with eligibility for reelection. Vacancies in officers' positions prior to expiration of terms shall be filled for the period of the unexpired term by the Planning Board. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and its resolutions, discussions, findings, and recommendations, which record shall be a public record. The Board shall hold at least one (1) meeting monthly unless there is no business to be discussed or acted upon, and all of its meetings shall be in accordance with G.S. Chapter 143, Article 33C. A quorum shall consist of three (3) members for the purpose of taking any official action required by this chapter. All members of the Board shall have voting power on all matters of business. However, any member who is a party of interest to matters under consideration by the Board shall declare such interest prior to a vote of the Board on the question, and shall abstain from voting on the question. This provision shall not prohibit such members from participation in discussions of the Board on such matters prior to a vote. (Ord. passed 8-26-85)

§ 152.18 COMPENSATION.

All members of the Planning Board shall serve as such without compensation. Members or employees of the Planning Board, when authorized by the Planning Board, may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation; and the Planning Board may, by formal and affirmative vote, pay the reasonable traveling expenses incidental to such attendance, within the Planning Board's budget and with the concurrence of the Town Board of Commissioners. (Ord. passed 8-26-85)

§ 152.19 POWERS AND DUTIES.

(A) It shall be the function and duty of the Planning Board to make comprehensive surveys and studies of existing conditions and probable future developments and prepare such plans for physical, social and economic development as will best promote the public health, safety, morals, conveniences or the general welfare as well as efficiency and economy in the development of the Town. The Planning Board shall have powers and duties given it by the General Statutes of North Carolina and the Town Board of Commissioners, including the power to:

- (1) Make studies of the area within its jurisdiction and surrounding areas;
- (2) Determine objectives to be sought in the development of the study area;
- (3) Prepare and adopt plans for achieving objectives;
- (4) Develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
- (5) Advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;
- (6) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Town Board of Commissioners may direct;
- (7) Perform any other related duties that the Town Board of Commissioners may direct;
- (8) Accept, receive, and disburse in furtherance of its function any funds, grants, and services made available by the Federal government and its agencies, the State government and its agencies, any Local Government and its agencies and any private and civic sources, with concurrence of the Town Board of Commissioners; the Planning Board, with concurrence of the Town Board of Commissioners, may enter into and carry out contracts with the State and Federal government or any agencies thereof under which financial or other planning assistance is made available to the municipality and may agree to and comply with any reasonable conditions that reimposed upon such assistance;
- (9) Enter into and carry out contracts, with the concurrence of the Town Board of Commissioners, with any other City, County, or Regional Council or Planning agency under which technical planning assistance is furnished; and, with said concurrence of the Town Board of Commissioners, may enter into and carry out contracts with any other City, County, or Regional Planning agency under which it agrees to pay the other local government or Planning agency for technical planning assistance;

(10) Conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of a development plan for the Town;

(11) Promote public interest in and an understanding of its recommendations, and to that end, it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may deem necessary.

(B) The Planning Board shall have no power to incur any debt or obligation of the Town nor shall it have any power to make any expenditure of funds of the Town, unless such funds are specially provided for in the budget of the Town and appropriation made for such purposes by the Town Board of Commissioners, or unless the incurring of such other obligation is otherwise approved by the Town Board of Commissioners.
(Ord. passed 8-26-85)