

**CITY OF CENTRAL**

**BY COUNCIL MEMBERS FRENEAUX AND WELLS**

**ORDINANCE NO. 2019-11**

**AN ORDINANCE TO AMEND CHAPTER 5 OF TITLE 1 OF THE CODE OF ORDINANCES RELATIVE TO APPOINTMENT OF MEMBERS TO THE PLANNING COMMISSION AND TO PROVIDE FOR RELATED MATTERS**

WHEREAS, the process for appointing members to the Planning Commission lacks specificity regarding the deadline for receipt of applications;

WHEREAS, the Council seeks to clarify the process for applications to serve on the Planning Commission; and

WHEREAS, the Council seeks to make process for appointments to vacancies consistent with requirements for appointments to expiring terms and applicable provisions of La. R.S. 33:103.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

**Section 1. Amendments to Title 1, Chapter 5 – Boards and Commissions**

Paragraphs c and d of Section 1:501 as enacted by Ordinance No. 2013-7 and as amended by Ordinance No. 2017-01 are hereby amended and reenacted to read as follows:

**Sec. 1:501. – Planning commission; establishment; appointment and removal of members; term of office; vacancies.**

\* \* \*

- (c) On or before October 1<sup>st</sup> of each year the City Clerk shall post an application form for the seat expiring on December 31<sup>st</sup> which shall include the application deadline and a notice of the date, time and location of the council meeting for selection of an applicant to serve on the Planning Commission on the City's website, and at City Hall. Persons interested in serving on the planning commission shall deliver a completed application form to the City Services Office no later than November 30<sup>th</sup>. The City Clerk shall endorse on each application the date and time of receipt. All applicants shall be listed on the agenda for the first council meeting in December. Each applicant shall be granted five minutes to address the City Council. The City Council shall, upon a majority vote of the membership, appoint or reappoint an applicant to the expiring term on or before December 31<sup>st</sup>. In the event no timely applications are received from qualified individuals or no timely appointment is made, the member appointed to serve through December 31<sup>st</sup> shall continue to serve in accordance with R.S. 42:2 until an appointment is made.
- (d) Prior to the appointment of an applicant to fill a vacancy on the planning commission where the seat's term will not expire within 90 days of the vacancy, the City Clerk shall post an application form and a notice of the date, time and location of the council meeting for selection of an applicant to serve on the Planning Commission for the remainder of the unexpired term on the City's website, and at City

Hall. Persons interested in serving on the planning commission shall deliver a completed application form to the City Services Office no later than 14 days from the posting. All applicants shall be listed on the agenda for the first meeting which is at least seven days following the last day for receipt of applications. Each applicant shall be granted five minutes to address the City Council. The City Council shall upon a majority vote of the membership, appoint an applicant to complete the term. In the event no timely applications are received from qualified individuals, the Council may appoint any individual meeting the qualifications.

(e) Applicants shall have the burden of proving timely delivery of applications.

**Section 2. Conflicts**

The specific terms and conditions of this Ordinance shall prevail against other Ordinances of the City to the extent that there may be any conflict.

**Section 3. Severability**

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

**Section 4. Effective Date**

This Ordinance shall be effective upon publication.  
Introduced before the Council on February 26, 2019.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

For: Evans, Freneaux, McKinney, Moak, Roy, Wells  
Against: None  
Absent: Myer

Adopted this 12<sup>th</sup> day of March, 2019.

Signed this 14<sup>th</sup> day of March, 2019.

Delivered to Mayor on the 18<sup>th</sup> day of March, 2019:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Approved:

  
\_\_\_\_\_  
David R. Barrow, Mayor

Received from Mayor on the 18<sup>th</sup> day of March, 2019:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 20<sup>th</sup> day of March, 2019