

ORDINANCE NO. 3762

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2383
ORDINANCE NO. 2384 AND ORDINANCE NO. 2393 WHICH ESTABLISHES THE
CITY OF FORT SCOTT, KANSAS, PLANNING COMMISSION, AND ORDINANCE
NO. 3497 AMENDING SECTION 2.20.040 MEMBERS APPOINTMENT AND TERMS OF
THE MEMBERS THEREOF AND DEFINING THEIR DUTIES.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS:

Section 1. Created. There is hereby established in the City of Fort Scott, Kansas, a Fort Scott Planning Commission under the authority of K.S.A. 12-744 et seq., for the purpose of recommending and advising the Governing Body of the City on matters pertaining to the planning, zoning, and subdivision administration of all legal territory and property inside the City limits of Fort Scott.

Section 2. Name. The name of the commission shall be the "City of Fort Scott, Kansas, Planning Commission".

Section 3. Planning Area. The planning area shall be defined as all legal territory and property within the legal boundaries of the City.

Section 4. Appointment, Members, Terms, Vacancy filling, Compensation.

1. Members of the Planning Commission shall be appointed by the Governing Body.
2. The Planning Commission shall consist of seven (7) members.
 - (a) Four (4) members shall be residents of the City and reside within the legal boundaries of the City.
 - (b) Two (2) members shall reside outside the legal boundaries of the City, but within a three-mile radius of the City's legal boundaries.
 - (c) One (1) member may reside outside of the legal boundaries of the City, but within a three-mile radius of the City's legal boundaries.
3. Members of the Planning Commission shall serve a term of three (3) years.
 - (a) The expiration of terms shall be staggered so that three (3) members terms of office shall expire during the same year, and the other four (4) members terms of office shall expire the following year and continue in this fashion thereafter.
 - (b) Appointments or terms served by a member of the Planning Commission made prior to the effective date of this ordinance shall not result in forfeiture of office due to conflict in residency, and members shall continue to serve for the unexpired term.
4. Vacancies shall be filled by appointment for the unexpired term only.
5. Board members shall serve without compensation.

Section 5. Removal From Office. A member of the Planning Commission, once appointed, shall not be removed during their term of office except for reasonable cause, and only after a hearing is held before the Governing Body of the City in which a majority vote is made.

Section 6. Election of Chairperson and Vice-Chairperson. Within thirty days after passage hereof and on an annual basis, the board shall meet and organize its membership, electing two of its members as chairperson and vice-chairperson for (1) year of their term. The City Clerk of the City and/or a designated representative as appointed by the City Manager of the City, shall serve as the Secretary for the board. Each officer shall serve until his successor is duly elected and qualified.

Section 7. Bylaws, Record-keeping. The Planning Commission shall adopt bylaws, including rules for the transaction of business, which rules and bylaws shall be approved by the Governing Body of the City. The Planning Commission shall keep a record of its functions and activities, which shall be a public record.

Section 8. Quorum. Four members of the Planning Commission shall constitute a quorum for the transaction of business at any meeting. No action by the Planning Commission shall be taken except by a majority vote of the members present and voting.

Section 9. Meetings. The Planning Commission shall meet bi-monthly at such time and place as may be fixed by resolution. Special meetings may be called at any time by the chairman, or in his absence by the vice-chairman. All meetings shall be open to the public.

Section 10. Powers and Duties. The Planning Commission shall have the functions, duties, and powers as provided by K.S.A. 12-744 et seq.

Section 11. Budget and Expenditures. In the exercise of its functions, duties and powers, the Planning Commission shall prepare an annual budget; shall have authority to make expenditures upon vouchers executed by proper officers of the Planning Commission from funds appropriated by the Governing Body of the City, such funds to be held by the city treasurer, who is designated as fiscal agent of the Planning Commission; shall have authority to receive, accept and expend funds, grants and services from the United States Government or its agencies and instrumentalities in state and local governments, and from private persons or organizations.

Section 12. This ordinance shall be effective after its passage and publication in the official City newspaper.

THIS ORDINANCE IS PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF FORT SCOTT, KANSAS THIS 19th DAY OF MARCH, 2024.



Attest:

Lisa A. Lewis, City Clerk

Tracy Dancer, Mayor