

CHAPTER 17.96

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CHAPTER 17.96

BOARDS, COMMISSIONS AND COMMITTEES

17.96.010 INTENT

The intent of this section is to define the roles of all boards, commission, committees and other resources that will assist with reviewing developments, zoning compliance with this title and other ordinances, resolutions and the adopted International Fire Code, International Building Code, and compliance with the Growth Policy of the City of Dillon.

Enc Ord 433 December 5, 2012

17.96.020 PURPOSE

It is the purpose of this chapter to encourage government through its boards, commissions and committees and administrative officials to improve the present health, safety and general welfare of its citizens and plan for the future development of the community. To accomplish these purposes the following boards, commissions and committees and administrative official(s) are charged with the roles to serve in their capacity to achieve this purpose.

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17.96.030 ADMINISTRATIVE OFFICIAL

The Administration Official is the designated person within the City Administration to provide individuals, developers, property owners, and tenants the information and applications necessary to comply with this title. The Administrative Official may be assisted by staff, experts, boards, commissions, and committees to carry out the duties of this position. Upon receipt of an application, the Administrative Official will review for compliance with all information required, inspect the site and issue appropriate certificates or permits. If required the application shall be referred to the appropriate board or committee for review. During the course of the project, the Administrative Official will inspect the site to determine if standards are being satisfied. If the standards are not being satisfied, a stop work order will be issued. Upon completion of the project, the Administrative Official, the Fire Marshall/Fire Chief, and Police Chief will inspect the premises to determine if the public health, safety, and general welfare has been protected before a Certificate of Occupancy is issued. The Administrative Official attends Planning Board, Zoning Commission and Board of Adjustment hearings and meetings.

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17.96.040 BOARD AND COMMISSION QUALIFICATIONS AND APPOINTMENT

When a vacancy is open on any board or commission established under this title an advertisement in the local newspaper shall be published once a week for two consecutive weeks requesting applications from residents of the City of Dillon, The educational, employment, volunteer services and experience background of the applicant shall be considered. The mayor shall appoint with the approval of the City Council all appointments. Any member of the Planning Board, Zoning Commission, and Board of Adjustment may be removed from the Board

or Commission for cause by a two-thirds vote of the total members of the City Council. Vacancies of any appointment that occur during the term shall follow the guidelines as stated for regular appointments.

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17.96.050 OFFICE

The office of all boards and commissions shall be at City Hall. All meetings shall be conducted at City Hall unless circumstances dictate that more room may be required and then an alternate site may be selected. Notice should clearly identify a location change and notices posted at City Hall and the City Library.

- A. A majority of the existing members of the Planning Board must be present to constitute a quorum to conduct and take action on any business before the Planning Board.
- B. A majority of the existing members of the Zoning Commission must be present to constitute a quorum to conduct and take action on any business before the Zoning Commission.
- C. A quorum of the appointed members is required to conduct Board actions.
- D. The concurring vote of four (4) members of the Board of Adjustment shall be necessary to reverse any administrative order, requirement, decision, or determination of any such designated Administrative Official.

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17.96.060 PLANNING BOARD

- A. If requested by the governing body, the Planning Board shall prepare a Growth Policy and shall serve in an advisory capacity to the City Council.
- B. The Planning Board may propose policies for:
 - 1. subdivision plats;
 - 2. the development of public ways, public places, public structures, and public and private utilities;
 - 3. the issuance of improvement location permits on platted and unplatted lands;
 - 4. the laying out and development of public ways and services to platted and unplatted lands.
- C. The Board may propose resolutions and ordinances related to the responsibilities of the board.

D. The Board will perform any planning duties assigned by the City Council.
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17.96.070 APPOINTMENT OF PLANNING BOARD

The City of Dillon Planning Board shall be established by the City Council and will consist of seven (7) members all residents of the City except one appointed by Beaverhead County Commissioners who may reside in the City or County. The President of the Board must be a resident of the City and elected by the Board at the first meeting each year.

The members of the Planning Board shall be appointed as follows:

1. Two (2) members to be appointed by the Mayor from the City Council and approved by the City Council.
2. One (1) member to be selected by the County Commissioners and appointed by the Mayor and approved by the City Council.
3. Four (4) member residents of the City to be appointed by the Mayor and approved by the City Council.

Enc Ord 433 December 5, 2012

17.96.080 TERM OF OFFICE

The members of the Planning Board, in office upon passage of this title, shall serve the balance of their respective terms. Thereafter, the term of members selected by the City Council shall be two (2) years with no member serving more than four (4) consecutive terms and the initial term of the member selected by the County Commissioners shall be two (2) years with such person serving no more than four (4) consecutive terms of one (1) year each thereafter provided such person is reappointed by the County Commissioners. Vacancies shall be filled for the unexpired term of the position that became vacant.

Enc Ord 433 December 5, 2012

17.96.090 ORDER OF MEETINGS

At the first meeting in January the board will elect a President, Vice-President and other offices as needed to conduct board business.

By-Laws and by-law amendments shall outline the method of how meetings and the business of the board are conducted and will be submitted to the City Council for approval.

All meetings formal or informal will be open to the public. The Agenda shall be posted 48 hours prior to any meeting including work sessions.

It is mandatory that the Planning Board meet at least once in January, April, July, and October.

The Board shall make an annual report to the City Council in June each year.

The Planning Board will review all subdivisions, non-subdivision development plans and site plans and the designated Administrative Official shall make his recommendations to the board for consideration before any decisions. Development and Site Plans shall be reviewed within ninety (90) business days of submittal. Subdivisions are reviewed by Title 16 requirements. The Planning Board will have public hearings when required and provide the required notice of hearings. The Planning Board shall make a written use report on non-subdivision plans within ten (10) business days after submittal which shall include its recommendations to the City Council to approve, approve with conditions, or deny the proposed action. The use report shall be on the agenda at the next regular scheduled city council meeting.

Enc Ord 433 December 5, 2012

17.96.100 ZONING COMMISSION

Municipal Zoning.

For the purpose of promoting health, safety, morals, or the general welfare of the community, the city or town council or other legislative body of cities and incorporated towns is hereby empowered to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of lot that may be occupied; the size of yards, courts, and other open spaces; the density of population; and the location and use of buildings, structures and land for trade, industry residence, or other purposes. The Zoning Commission with the Administrative Official shall review all Conditional Use applications.

Enc Ord 433 December 5, 2012

17.96.110 APPOINTMENT OF ZONING COMMISSION

A. The City of Dillon Zoning Commission shall be established by the City Council and consist of seven (7) members all residents of the City. The members of the Zoning Commission may be the same as the members of the Planning Board or a combination of Planning Board appointees and other appointments.

B. The members of the Zoning Commission shall be appointed as follows:

1. Two (2) members to be appointed by the Mayor from the City Council and approved by the City Council.
2. Five (5) member residents of the City to be appointed by the Mayor and approved by the City Council.

Enc Ord 433 December 5, 2012

17.96.120 TERM OF OFFICE

The members of the Zoning Commission, in office upon passage of this title, shall serve the balance of their respective terms. Thereafter, the term of members shall be two (2) years with no

member serving more than four (4) consecutive terms. Vacancies shall be filled for the unexpired term of the position that became vacant.
Enc Ord 433 December 5, 2012

17.96.130 ORDER OF BUSINESS

At the first meeting in January the board will elect a Chairperson, Vice-Chairperson, and other officers as needed to conduct board business.

By-Laws and by-law amendments to By-Laws shall outline the method of how meetings and the business of the board are to be conducted and submitted to the City Council for approval. All meetings formal or informal shall be open to the public. The Agenda shall be posted 48 hours prior to any meeting including work sessions.

The Zoning Commission will determine zoning districts, regulations and procedures to administer annexations and zoning laws, in accordance with the Growth Policy. The designated Administrative Official shall make his/her recommendations to the Commission. All applications to the Zoning Commission shall be reviewed within a period of ninety (90) days from receipt. The Commission shall provide a written report within ten (10) business days after the hearing(s) before the Zoning Commission to the City Council to approve, approve with conditions, or deny. The report shall be on the agenda at the next regular scheduled City Council meeting.

Enc Ord 433 December 5, 2012

17.96.140 COUNCIL COMMITTEES

There are eight City Council Committees of (3) members each. The Planning Board, Zoning Commission or Board of Adjustment may request a member of the appropriate committee to review an application and attend a Board or Commission meeting as needed to assist and make recommendations.

Enc Ord 433 December 5, 2012

17.96.150 FIRE DEPARTMENT AND POLICE DEPARTMENT

For the public health and safety and general welfare of the public, the Fire Marshall/Fire Chief will inspect and determine if the development complies with International Fire Code. The Police Chief will inspect lighting, parking, and street visibility and other conditions for public safety issues.

Enc Ord 433 December 5, 2012

17.96.160 BOARD OF ADJUSTMENT

- A. The City Council may create a Board of Adjustment and in the regulations and restrictions adopted pursuant to the authority of this part may provide that the Board of Adjustment may, in appropriate cases and subject to appropriate conditions and

safeguards, make special exceptions to the terms of the ordinance in harmony with its general purpose and intent.

- B. If a Board of Adjustment is created, the Board shall adopt rules in accordance with the provisions of this title. Meetings of the board shall be held at the call of the Chairman and at other times as the board may determine.
- C. The Board shall hold mandatory meetings in January, April, July and October for educational purposes or attend educational seminars to keep current with zoning changes. The Agenda will be posted 48 hours prior to meetings including work sessions. A public hearing shall follow Chapter 17.100, Noticing and Hearing Procedure.
- D. By-Laws and by-law amendments shall be submitted to the City Council for approval.
- E. The Chairperson and Vice-Chairperson shall be selected at a meeting held in January each year. In the absence of the Chairman the Vice-Chairman shall preside and administer oaths and compel the attendance of witnesses.
- F. The Board of Adjustment is hereby established to act on variance applications as herein detailed. Said board shall consist of a minimum of five (5) and a maximum of seven (7) members, all residents of the City of Dillon. The requirements and procedures for variances are outlined in. Chapter 17.36, Variances.
- G. Applications for a variance will be heard within sixty (60) business days receipt of the application .
- H. The members of the Board of Adjustment shall be appointed as follows:
 - 1. Two (2) members of the City Council appointed by the Mayor and approved by the City Council.
 - 2. One (1) member of the Zoning Commission appointed by the Mayor and approved by the City Council.
 - 3. Two (2) to four(4) members who are residents of the City to be appointed by the Mayor and approved by the City Council.
- I. At the first meeting in January, the Board of Adjustment will elect a Chairperson, Vice-Chairperson, and other officers as needed to conduct board business.

Enc Ord 433 December 5, 2012

17.96.170 TERM OF OFFICE

The members of the Board of Adjustment, in office upon passage of this title, shall serve the balance of their respective terms. Thereafter, the term of members shall be three (3) years with

no member serving more than two (2) consecutive terms. Vacancies shall be filled for the unexpired term of the position that became vacant.
Enc Ord 433 December 5, 2012