

**TOWN OF MAGGIE VALLEY
PLANNING BOARD BYLAWS**

I. Establishment of the Board; Qualifications.

A planning board, consisting of seven (7) members, is hereby established. Five (5) members, appointed by the Town Board of Alderman, shall be citizens and reside within the town limits of Maggie Valley. Two (2) members shall reside within the town's extraterritorial planning jurisdiction, and shall be appointed by the Haywood County Board of Commissioners, however, shall the county board fail to make such appointments within 90 days following receipt of a resolution from the Town Board of Aldermen requesting such appointments, the town board may make such appointments. The members of the board representing the extraterritorial jurisdiction shall have equal rights, duties and privileges with other members of the board. Members shall serve without compensation, but may be reimbursed for actual expenses incidental to the performance of their duties within the limit of funds available to the board.

II. Tenure

Members of the board shall be appointed to serve terms of three (3) years, and until their respective successors have been appointed and qualified. The terms of the original members may be staggered so that all terms do not expire simultaneously. Vacancies shall be filled for the unexpired term only.

III. Officers

The board shall elect one (1) member to serve as chair and preside over its meetings and shall elect one (1) vice chair to perform the duties of the chair when the chair is unable. The term of the chair and vice chair shall be one (1) year, with eligibility for reelection to a second term.

IV. Meetings

The board shall establish a regular meeting schedule, and shall meet at least monthly and more often as it shall determine and require. All meetings of the board shall be open to the public, and reasonable notice of the time and place thereof shall be given to the public, in accord with Chapter 143, Article 33C of the N.C. General Statutes. The board shall keep a record of its meetings, including attendance of its members, its resolutions, findings, recommendations, and actions. In the case of a divided vote on any question on which the board is required to act, the record shall include the vote of each member.

V. Attendance at Meetings

Any member of the board who misses more than three (3) consecutive regular meetings, or more than half the regular meetings in a calendar year, shall lose his or her status as a member of the board, and shall be replaced or re-appointed by the Town Board of Aldermen or Haywood County Commissioners, as appropriate. Absence due to a sickness, death, or other emergencies of like nature shall be recognized as excused absences, and shall not affect the member's status on the board, except that in the event of a long illness or other such cause for prolonged absence, the member shall be replaced.

VI. Quorum and Voting

A quorum of the board, necessary to take any official action, shall consist of three (3) members. The concurring vote of a simple majority of those members present shall be necessary to take any official action.

VII. Powers of the Board

The powers and duties of the planning board are as follows:

- (1) Acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions and forces at work to cause changes in these conditions.
- (2) Prepare and, from time to time, amend and revise a comprehensive and coordinated plan for the physical development of the area. The comprehensive plan shall be the planning board's recommendations to the town council for the development of the town including, among other things, the general location, character and extent of streets, bridges, playgrounds, parks, and other public ways, grounds and open space; the general location and extent of public utilities; whether publicly or privately owned or operated, the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, and the most desirable pattern of land use within the area.
- (3) Prepare and recommend ordinances promoting orderly development of the area in accordance with the adopted land use plan including a zoning ordinance and subdivision regulations. The planning board may initiate, from time to time, proposals for amendment of the zoning ordinance and of subdivision regulations based upon its studies. In addition, it shall review and make recommendations to the town council concerning all proposed amendments to the zoning ordinance and subdivision regulations.
- (4) Determine whether specific proposed development conforms to the principles and requirements of the comprehensive plan of the area and to make recommendations concerning them.
- (5) Issues preliminary and final plat approval or as stated in the Subdivision Ordinance
- (6) Keep the town council and general public informed and advised as to these matters.
- (7) Make other recommendations which it sees fit for improving the development of the area.
- (8) To exercise such other powers and to perform such other duties as are authorized or required elsewhere in the N.C. General Statutes, or by the Board of Aldermen.