

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE SEDGWICK PLANNING COMMISSION: PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTMENT OF ITS MEMBERS, ITS POWERS AND DUTIES; AND PROVIDING FOR THE EXPENSES OF ITS OPERATIONS AND REPEALING ORDINANCES 291, 351 AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SEDGWICK, HARVEY AND SEDGWICK COUNTY, KANSAS:

SECTION 1. Commission Creation. There is hereby created the Sedgwick Planning Commission as authorized by K.S.A. 12-701 et seq.

SECTION 2. Same-Membership, Terms and Compensation. The Sedgwick Planning Commission shall consist of seven (7) members appointed by the Mayor of the City of Sedgwick, Kansas, by and with the consent of the City Council. Five (5) members of the Commission shall reside inside the corporate limits, and one (1) member shall reside outside the corporate limits, and one (1) shall be designated "at large" and may reside inside or outside the corporate limits of the City of Sedgwick. All terms of the members shall commence on September 1 and expire on the last day of August. All terms of office other than the terms of the initial appointees shall be for three (3) years and until their successors shall have been duly appointed and qualified. Any and all vacancies created by the death, incapacity, resignation or disqualification of any member of the Commission shall be filled by appointment as herein provided for the unexpired term of such deceased, incapacitated, resigned or disqualified member. The members of the Planning Commission shall serve without compensation, but may be reimbursed for expenses actually incurred in the performance of their duties as members of the Sedgwick Planning Commission.

SECTION 3. Same-Meetings, Organizations and Records. The Sedgwick Planning Commission created hereby shall convene for its meetings at such time and place as shall be fixed by the Chairman of the Sedgwick Planning Commission, and shall meet not less frequently than once a month, at such time and place as they may fix by resolution. They shall select one of their number as Chairman and one as Vice-Chairman who shall serve one year and until their successor has been selected. Special meetings may be called at any time by the Chairman or in his absence by the Vice-Chairman. A majority of the Commission shall constitute a quorum for the transaction of business. The Commission shall cause a proper record to be kept of its proceedings. In order to properly maintain records of the proceedings of the Commission, the Commission may also designate a Secretary who does not need to be a member of the Commission.

SECTION 4. Same-Jurisdiction. The Sedgwick Planning Commission shall have jurisdiction for the general planning and Subdivision Regulations of the City of Sedgwick, Kansas, or for such area as may be determined appropriate by the governing body of the City of Sedgwick, Kansas, and/or under the provisions of K.S.A. 19-2919 et seq.

SECTION 5. Same-Authority, Function and Responsibility. The Sedgwick Planning Commission shall have such power and duties as may be prescribed by law from time to time. The Sedgwick Planning Commission shall cause to be

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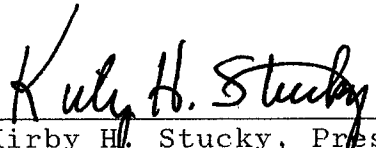
prepared zoning studies and shall recommend the zoning of all land within its jurisdiction as heretofore defined. The Sedgwick Planning Commission shall also cause to be prepared recommendations governing the control of subdivisions within the areas of its jurisdiction as heretofore defined.

SECTION 6. Same-Budget. On or before the first Monday in May of each year the Planning Commission shall prepare and submit to the governing body of the City of Sedgwick its proposed budget expenditures for the ensuing budget year, itemizing the expenses and amounts and the purpose. The governing body shall thereupon consider said budget and make such allowances to the said Planning Commission as it shall deem proper including funds for the employment of such employees or consultants as the governing body may authorize and provide and shall add the same to the general budget for such City: Provided, that the governing body of the City may, prior to the time that monies are available under the budget as herein provided, appropriate monies for such purposes from the general fund. The governing body of the City of Sedgwick may enter into such contracts as it may deem necessary for the purposes of this Ordinance and may receive and expend funds and monies from State or Federal Government or from any other source for such purpose. The City Clerk of the City of Sedgwick is hereby designated as the custodian and disbursing agent for the total budget.

SECTION 7. If this Ordinance, or any part thereof, shall be determined to be unconstitutional, illegal, ultra vires or void, the same shall not be held or construed to change or annul any provision hereof which may be legal, or lawful; and in the event this Ordinance, or any part thereof, shall be held unconstitutional, illegal, ultra vires or void, the same shall not affect any action taken by the Sedgwick Planning Commission prior thereto.

SECTION 8. This Ordinance shall take effect and be in force from and after its publication one in The Harvey County Independent, the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Sedgwick, Kansas, this 19th day of JULY, 1993.



Kirby H. Stucky, President of
the City Council

ATTEST:



Patty Brooner, City Clerk, CMC

SEAL: