

**COUNCIL OF THE TOWN OF LA PLATA**  
**Ordinance No. 08-1**

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**Introduced By:** Councilman Vic E. Newman

**Date Introduced:** January 22, 2008

**Amendments Adopted:**

**Date Adopted:** February 26, 2008

**Date Effective:** March 13, 2008

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1 **An Ordinance** concerning

2  
3 **Appointments to Town Boards and Commissions**

4  
5 **FOR** the purpose of amending the Code of the Town of La Plata to alter the procedure followed to  
6 appoint members and chairmen of certain Town Boards and Commissions; to alter the terms  
7 of Council members on certain Town Boards and Commissions; providing that the provisions  
8 of this Ordinance are severable; and all matters generally relating thereto.

9 \* \* \* \* \*

10  
11 **BY** repealing and reenacting with amendments  
12 Chapter 8 – BEAUTIFICATION COMMISSION  
13 Sections 8-2B., 8-2C., and 8-5  
14 Code of the Town of La Plata  
15 (1998 Edition as amended)

16  
17 **BY** repealing and reenacting with amendments  
18 Chapter 10 – BUSINESS DISTRICT COMMISSION  
19 Sections 10-2A.(1) and (2), 10-2B., and 10-5  
20 Code of the Town of La Plata  
21 (1998 Edition as amended)

22  
23 **BY** repealing and reenacting with amendments  
24 Chapter 16 – DESIGN REVIEW BOARD  
25 Article I. Design Review Board  
26 Sections 16-2A.(4), 16-2B., 16-5A., and 16-5B.  
27 Code of the Town of La Plata  
28 (1998 Edition as amended)

29  
30 **BY** repealing and reenacting with amendments  
31 Chapter 34 – PARKS AND RECREATION COMMISSION

32           Sections 34-2A., 34-2B., and 34-5  
33           Code of the Town of La Plata  
34           (1998 Edition as amended)  
35

36 **BY** repealing and reenacting with amendments  
 37 Chapter 40 – PLANNING COMMISSION  
 38 Sections 40-2B. and 40-2C.  
 39 Code of the Town of La Plata  
 40 (1998 Edition as amended)  
 41

42 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA,**  
 43 That Sections 8-2B., 8-2C. and 8-5 of the Code of the Town of La Plata (1998 Edition as amended) be  
 44 and they are hereby repealed and reenacted, with amendments, to read as follows:  
 45

46 **Chapter 8 BEAUTIFICATION COMMISSION**  
 47

48 **8-2 Composition, appointment and terms.**  
 49

50 B. Four (4) members of the Beautification Commission shall be appointed by the ((Mayor with the  
 51 approval of the)) Town Council. The term of each member so appointed shall be for four (4) years or  
 52 until his successor is appointed.  
 53

54 C. The fifth member of the Beautification Commission shall be a member of the Town Council and  
 55 shall be appointed by the ((Mayor with the approval of the)) TOWN Council. The term of this  
 56 member shall be for two (2) years or until his successor is appointed. NOTWITHSTANDING THE  
 57 FOREGOING, THE TERM ON THE BEAUTIFICATION COMMISSION OF THE MEMBER OF  
 58 THE COUNCIL SHALL CEASE WHENEVER HIS OFFICIAL TENURE AS A MEMBER OF  
 59 THE COUNCIL TERMINATES.  
 60

61 **8-5 Chairman.**  
 62

63 The Beautification Commission shall have a Chairman who shall be appointed by the ((Mayor))  
 64 TOWN COUNCIL. The term of the Chairman shall be for two (2) years; and a member shall be  
 65 eligible for reappointment to the position of Chairman.  
 66

67 **SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF**  
 68 **LA PLATA,** That Sections 10-2A(1) and (2), 10-2B. and 10-5 of the Code of the Town of La Plata  
 69 (1998 Edition as amended) be and they are hereby repealed and reenacted, with amendments, to read as  
 70 follows:  
 71

72 **Chapter 10 BUSINESS DISTRICT COMMISSION**  
 73

74 **10-2 Composition; appointment; terms; residency requirements.**  
 75

76 A. The Business District Commission consists of seven (7) members.  
 77 (1) Six (6) members of the Business District Commission shall be appointed by the ((Mayor,  
 78

79 with the approval of the)) Town Council. The term of each member so appointed shall be for four (4)  
80 years or until his successor is appointed.

81 (2) The seventh member of the Business District Commission shall be a member of the Town  
82 Council and shall be appointed by the ((Mayor with the approval of the)) TOWN Council. The term  
83 of this member shall be two (2) years or until his successor is appointed. NOTWITHSTANDING  
84 THE FOREGOING, THE TERM ON THE BUSINESS DISTRICT COMMISSION OF THE  
85 MEMBER OF THE COUNCIL SHALL CEASE WHENEVER HIS OFFICIAL TENURE AS A  
86 MEMBER OF THE COUNCIL TERMINATES.

87  
88 B. Not less than three (3) members of the Business District Commission appointed by the ((Mayor))  
89 TOWN COUNCIL must be residents of La Plata. Up to three (3) members of the Commission  
90 appointed by the ((Mayor)) TOWN COUNCIL need not be residents of the town if they are in active  
91 managerial positions with businesses which are located and operating within the town.

92  
93 **10-5 Chairman.**

94  
95 The Business District Commission shall have a Chairman who shall be appointed by the ((Mayor))  
96 TOWN COUNCIL. The term of the Chairman shall be for two (2) years. A member shall be eligible  
97 for reappointment to the position of Chairman.

98  
99  
100 **SECTION 3. BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF**  
101 **LA PLATA**, That Sections 16-2A.(4), 16-2B., 16-5A., and 16-5B. of the Code of the Town of La Plata  
102 (1998 Edition as amended) be and they are hereby repealed and reenacted, with amendments, to read as  
103 follows:

104  
105 **Chapter 16 DESIGN REVIEW**  
106 **Article I. Design Review Board**

107  
108 **16-2 Composition, appointment and terms.**

109  
110 A. The Design Review Board shall consist of eight (8) members. No more than two (2) members can  
111 reside outside the corporate limits of the Town of La Plata.

112 \* \* \*

113 (4) At least one (1) member shall be a member of the Town Council and shall be appointed by  
114 the ((Mayor with the approval of the)) TOWN Council. The term of this member shall ((correspond  
115 to his official term as a member of the Town Council)) BE FOR TWO (2) YEARS OR UNTIL HIS  
116 SUCCESSOR IS APPOINTED. NOTWITHSTANDING THE FOREGOING, THE TERM ON  
117 THE DESIGN REVIEW BOARD OF THE MEMBER OF THE COUNCIL SHALL CEASE  
118 WHENEVER HIS OFFICIAL TENURE AS A MEMBER OF THE COUNCIL TERMINATES.

119  
120 B. Members of the Design Review Board shall be appointed by the ((Mayor, with the approval of

121 the)) Town Council. The term of each member so appointed shall be four (4) years or until his  
122 successor ((qualifies and takes office; except however, that the terms of the members first appointed  
123 shall be as follows:

- 124 (1) Two (2) members shall be appointed for one (1) year;
- 125 (2) Three (3) members shall be appointed for three (3) years.)) IS APPOINTED.

126 There shall be no limit as to the number of consecutive terms a member of the Board may serve.

127

128 **16-5 Chairman.**

129

130 A. The ((Mayor, with the approval of the)) Town Council((,)) shall appoint one (1) of the members of  
131 the Board to serve as Chairman and another to serve as Vice Chairman for a two-year term to begin  
132 July 1.

133

134 B. A vacancy shall be filled by the ((Mayor, with the approval of the)) Town Council. In the case of a  
135 vacancy for an unexpired term, the appointment of the successor member shall be only for the  
136 unexpired term for which his predecessor was appointed.

137

138 **SECTION 4. BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF**  
139 **LA PLATA**, That Sections 34-2A., 34-2B., and 34-5 of the Code of the Town of La Plata (1998 Edition  
140 as amended) be and they are hereby repealed and reenacted, with amendments, to read as follows:

141

142 **Chapter 34 PARKS AND RECREATION COMMISSION**

143

144 **34-2 Composition, appointment and terms.**

145

146 The Parks and Recreation Commission shall consist of five (5) members.

147

148 A. Four (4) members of the Parks and Recreation Commission shall be appointed by the ((Mayor with  
149 the approval of the)) Town Council. The term of each member so appointed shall be for four (4) years  
150 or until his successor is appointed.

151

152 B. The fifth member of the Parks and Recreation Commission shall be a member of the Town Council  
153 and shall be appointed by the ((Mayor with the approval of the)) TOWN Council. The term of this  
154 member shall be two (2) years or until his successor is appointed. NOTWITHSTANDING THE  
155 FOREGOING, THE TERM ON THE PARKS AND RECREATION COMMISSION OF THE  
156 MEMBER OF THE COUNCIL SHALL CEASE WHENEVER HIS OFFICIAL TENURE AS A  
157 MEMBER OF THE COUNCIL TERMINATES.

158

159 **34-5 Chairman.**

160 ((The Mayor shall appoint a Chairman from among its members.)) THE PARKS AND  
161 RECREATION COMMISSION SHALL HAVE A CHAIRMAN WHO SHALL BE APPOINTED  
162 BY THE TOWN COUNCIL. The term of the Chairman shall be for one (1) year; a member shall be

163 eligible for reappointment to the position of Chairman.

164

165 **SECTION 5. BE IT FURTHER ENACTED BY THE COUNCIL OF THE TOWN OF**  
166 **LA PLATA**, That Sections 40-2B. and 40-2C. of the Code of the Town of La Plata (1998 Edition as  
167 amended) be and they are hereby repealed and reenacted, with amendments, to read as follows:

168

169 **Chapter 40 PLANNING COMMISSION**

170

171 **40-2 Composition, appointment and terms.**

172

173 B. Four (4) members of the Planning Commission shall be appointed by the ((Mayor with the  
174 approval of the)) TOWN Council. The terms of such members shall be five (5) years or until their  
175 successors ((take office; provided, however, that the terms of the four (4) members first appointed by  
176 the Mayor shall be two (2), three (3), four (4) and five (5) years, respectively, from the effective date  
177 of the creation of the Planning Commission and shall be specified by the Mayor at the time of  
178 appointment)) ARE APPOINTED.

179

180 C. The fifth member shall be a member of the Council and shall be selected by the ((Mayor with the  
181 approval of the)) TOWN Council. ((The term of this member shall correspond to his official term as a  
182 member of the Council; provided, however, that the term of the member of the Council first selected  
183 by the Mayor shall be for one (1) year.)) THE TERM OF THIS MEMBER SHALL BE FOR TWO  
184 (2) YEARS OR UNTIL HIS SUCCESSOR IS APPOINTED. Notwithstanding the foregoing, the  
185 term on the Planning Commission of the member of the Council shall cease whenever his official  
186 tenure as a member of the Council terminates.

187

188 **SECTION 6. AND BE IT FURTHER ENACTED**, That if any provision of this Ordinance,  
189 or the application thereof to any person or circumstance is held invalid for any reason, such invalidity  
190 shall not affect the other provisions or any other application of this Ordinance which can be given  
191 effect without the invalid provisions or application, and to this end, all the provisions of this  
192 Ordinance are hereby declared to be severable.

193

194 **SECTION 7. AND BE IT FURTHER ENACTED**, That this Ordinance shall become  
195 effective at the expiration of fifteen (15) calendar days after its approval by the Council.

SEAL:

**COUNCIL OF THE TOWN OF LA PLATA**

\_\_\_\_\_  
Gene Ambrogio, Mayor

\_\_\_\_\_  
James Goldsmith, Councilman

\_\_\_\_\_  
Scot D. Lucas, Councilman

ATTEST:

\_\_\_\_\_  
Paretta D. Mudd, Councilwoman

\_\_\_\_\_  
Judith T. Frazier, Town Clerk

\_\_\_\_\_  
Vic E. Newman, Councilman

Date: \_\_\_\_\_

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.