

## CHAPTER 12 PLANNING AND ZONING COMMISSION

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2-12-1 COMMISSION CREATED. Under and by virtue of the authority conferred by Chapter 414.6 of the Code of Iowa, 1987, a City Planning and Zoning Commission is hereby created and established.

2-12-2 CITY PLANNING AND ZONING COMMISSION MEMBERS. The Commission shall consist of seven (7) members, who shall be citizens of Maquoketa and qualified by knowledge or experience to act in matters pertaining to the development of a City Plan and who shall not hold any elective office in the Municipal government. The City Council shall appoint members of the Commission.

2-12-3 TERM OF OFFICE. The term of office of the members of said Commission shall be five (5) years.

2-12-4 VACANCIES. If any vacancy shall exist on said Commission caused by resignation, or otherwise, the Council shall appoint a successor for the residue of said term.

2-12-5 COMPENSATION. All members of the Commission shall serve without compensation, except their actual expenses, which shall be subject to the approval of the City Council.

2-12-6 DUTIES AND POWERS:

1. The Commission shall choose annually at its first regular meeting one of its members to act as Chairman of this Commission and another as Vice-Chairman, who shall perform all the duties of the Chairman during his/her absence or disability.

2. The Commission shall adopt such rules and regulations governing its organization and procedure as it may deem necessary.

3. The Commission shall each year make a report to the Mayor and City Council of its proceedings, with a full statement of its receipts, disbursements on the progress of its work during the preceding fiscal year.

4. Subject to the limitations contained in this Ordinance as to the expenditure of funds, it may appoint such assistants as it may deem necessary and prescribe and define their respective duties and fix and regulate the compensation to be paid to the several persons employed by it.

5. It shall have full power and authority to make or cause to be made such surveys, studies, maps, plans or charts of the whole or any portion of the Municipality or of any land outside thereof, which in the opinion of the Commission bears relation to a comprehensive Plan and shall bring to the attention of the Council and may publish its studies and recommendations.

6. No statuary, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixtures, public structure or appurtenances, shall be located or erected, or site therefor obtained, nor shall any permit be issued by any department of the Municipal government for the erection or location thereof until and unless the design and proposed location of any such improvement shall have been submitted to the Commission and its recommendations shall not act as a stay upon action for any such improvement when such Commission, after thirty (30) days written notice requesting such recommendations, shall have failed to file same.

7. All plans, plats or re-plats of subdivisions or resubdivisions of land embraced in said Municipality or adjacent thereto, laid out in lots or plats with the streets, alleys or other portions of the same intended to be dedicated to the public in such Municipality, shall first be submitted to the City Planning and Zoning Commission and its recommendations obtained before approval by the City Council.

8. No plan for a street, park, parkway, boulevard, trafficway, river front, or other public improvement affecting the City Plan, shall be finally approved by the Municipality or the character or location thereof determined, unless such proposal shall first have been submitted to the Commission and the latter shall have had thirty (30) days within which to file its recommendations thereon.

9. The Commission shall have full, complete and exclusive authority to expend for and on behalf of the City of Maquoketa all sums of money appropriated as hereinafter provided, and to use and expend all gifts, donations or payments whatsoever which are received by the said City for City Plan purposes.

10. The Commission shall have no power to contract debts beyond the amount of its income for the present year.

11. For the purpose of making a comprehensive Plan for the physical development of the Municipality, the Commission shall make careful and comprehensive studies of present conditions and future growth of the Municipality and with due regard to its relation to neighboring territory. The Plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the Municipality and its environs which will, in accordance with the present and future needs, best promote health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency in the process of development.

12. Before adopting a comprehensive Plan, as referred to in Subsection 11 or any part of it, or any substantial amendment thereof, the Commission shall hold at least one public hearing thereon, notice of the time of which shall be given by one publication in a newspaper of general circulation in the City of Maquoketa not less than four (4) nor more than twenty (20) days before the date of the hearing. The adoption of the Plan or part or amendment thereof shall be by

resolution of the Commission carried by the affirmative vote of not less than two-thirds (2/3) of the members of the Commission. After adoption of said Plan by the Commission an attested copy thereof shall be certified to the Council of the City of Maquoketa and the Council may approve the same when said Plan or any modification or amendment thereof shall receive the approval of the Council. The said Plan, until subsequently modified or amended as hereinbefore authorized, shall constitute the official Plan.

13. When such a comprehensive Plan, as hereinbefore provided, has been adopted no substantial amendment or modification thereof shall be made without such proposed change first being referred to the Commission for its recommendations. If the Commission disapproves the proposed change it may be adopted by the City Council only by the affirmative vote of at least three-fourths (3/4) of the members of the City Council.

2-12-7 EXPENSES, MONEY APPROPRIATED. The City Council may annually appropriate a sum of money from the General Fund for the payment of the expenses of the City Planning Commission.