

**TOWN OF HIGHLAND
ORDINANCE TO CREATE A TOWN PLAN COMMISSION**

The Town Board of the Town of Highland, Douglas County, Wisconsin, do ordain as follows:

SECTION 1.00 TITLE

This ordinance is entitled the "Town of Highland Plan Commission Ordinance."

SECTION 2.00 PURPOSE

The purpose of this Ordinance is to establish a Town of Highland Plan Commission and set forth its organization, powers, and duties, in order to further the health, safety, and general welfare of current and future Town residents.

SECTION 3.00 AUTHORITY

The Highland Town Board, having been authorized to exercise Village powers under Section 60.22(3) of the Wisconsin Statutes at a Town meeting held on April 8, 2008 in accordance with Section 60.10(2)(c) of the Wisconsin Statutes, hereby establishes a seven member Plan Commission under Sections 61.35 and 62.23 of the Wisconsin Statutes. The Plan Commission shall be considered the "Town Planning Agency" under Sections 236.02(13) and 236.45 of the Wisconsin Statutes, which authorize, but do not require, Town adoption of a land division ordinance.

SECTION 4.00 MEMBERSHIP

- A. The Town Plan Commission shall consist of the following seven members:
1. One member shall be the Town Chairperson or a Town Board Supervisor appointed by the Town Chairperson in April of each year after the spring election, except that the Board Member initially appointed shall be appointed within 10 days of the adoption of this Ordinance and shall serve until the next spring election.
 2. The other six members shall be citizen members of recognized experience and qualifications appointed by the Town Chairperson.
- B. The Plan Commission Chairperson shall be appointed by the Town Chairperson.
- C. A Vice-Chairperson shall be appointed by the Plan Commission Chairperson.
- D. A Secretary shall be appointed by the Plan Commission Chairperson.
- E. Official Oaths shall be taken by all members in accordance with Sections 19.01 and 60.31 of the Wisconsin Statutes within five days of receiving notice of their appointments.
- F. Compensation. Plan commission members shall be compensated as determined by the Town Board.

SECTION 5.00 TERMS OF OFFICE

- A. The Term of Office for citizen members of the Plan Commission shall be for a period of three years, ending on April 30, or until a successor is appointed, except for the initial terms.
- B. Initial Terms. If the Initial appointments to the Plan Commission are made during April, the citizen members shall be appointed for staggered terms as follows: two persons for a term that expires in one year, two persons for a term that expires in two years, and two persons for a term that expires in three years. If the initial appointments are made after April, the first citizens appointed to the Plan Commission shall be appointed for staggered terms as follows: two persons for a term that expires one year from the previous April 30; two persons for a term that expires two years from the previous April 30; and two persons for a term that expires three years from the previous April 30.
- C. Members May be Re-Appointed to serve additional terms.
- D. Vacancies shall be filled for an unexpired term in the same manner as appointments for a full term.

SECTION 6.00 ORGANIZATION

- A. The Plan Commission is created pursuant to Section 62.23 of the Wisconsin Statutes. The Town Board retains all determination powers in regards to this ordinance and the Town Plan Commission.
- B. Meetings may be Called by the Town Chairperson or upon the written request of four members of the Commission to the Plan Commission Chairperson. Notice of meetings shall be provided to all Commission members and posted at least 24 hours prior to the meeting.
- C. Meetings shall be open to the public.
- D. Special and Standing Committees may be appointed by the Commission Chairperson.
- E. A Quorum shall be four members.
- F. A Written Record shall be kept showing all actions taken, resolutions, findings, determinations, transactions, and recommendations made. A copy shall be filed with the Town Clerk, as a public record.

SECTION 7.00 POWERS

The Plan Commission shall have such powers as may be necessary to enable it to perform its functions and duties and promote Town planning. Such Powers include the following:

- A. May recommend to the Town Board the employment of experts and staff and recommend to the Town Board proposed payments for such services and supplies, equipment and such other expenses as may be necessary and proper, not to exceed the appropriations and regulations made by the Town Board.
- B. To Make Reports and Recommendations relating to the Town master or comprehensive plan to public officials, agencies, utilities, and other organizations and citizens.
- C. To Recommend Public Improvements and financing thereof to the Town Board.
- D. To Request Available Information from any public official to be furnished within a reasonable period of time.

SECTION 8.00 DUTIES

The Plan Commission shall have the following functions and duties:

- A. To Make and Recommend a Comprehensive Plan and amendments thereto to the Town Board for the physical development of the Town in accordance with Section 66.1001 of the Wisconsin Statutes. The Plan Commission's recommendation shall be in the form of a resolution approved by a majority of the full membership of the Commission.
- B. To Propose or Review and Recommend Text and Map Amendments to the Douglas County Zoning Ordinance consideration by the Town Board and County Board.
- C. May Prepare and Recommend Land Division Regulations and amendments thereto to the Town Board in accordance with Section 236.45 of the Wisconsin Statutes.
- D. May Make and Recommend an Official Map and amendments thereto to the Town Board in accordance with Section 62.23(6) of the Wisconsin Statutes.
- E. To Consider and Report and Recommend on all matters referred to the Commission.

SECTION 9.00 ADDITIONAL POWERS AND DUTIES

The Plan Commission shall have all additional power and duties granted or assigned by the Town Board or by Town Ordinance.

SECTION 10.00 SEVERABILITY AND CONFLICT

If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. All other ordinances or parts of ordinances of the Town inconsistent with this Ordinance, to the extent of the inconsistency only, are hereby repealed.

SECTION 11.00 EFFECTIVE DATE

This Ordinance shall take effect after adoption by the Town Board and publication or posting as required by Section 60.80 of the Wisconsin Statutes.

ADOPTED this ____ day of _____, 2009.

Town Chairperson

Attest:

Town Clerk