

ARTICLE VIII
BOARDS AND COMMISSIONS

8.01 Creation of Boards and Commissions

The ~~Municipality~~City shall have a Planning and Zoning Commission, a Board of Zoning Appeals, and a Personnel Board of Appeals as set forth herein and such other boards and commissions as may be created by the Council.

8.02 General Rules for Boards and Commissions

The following general rules shall govern boards and commissions:

(A) each board or commission created by the Council shall consist of at least three members;

(B) compensation, terms, appointments, and removals shall be determined by the Council unless otherwise provided in this Charter;

(C) each member of a ~~City~~ board or commission shall be and shall remain an elector of the ~~Municipality~~City during the term of appointment unless otherwise provided by the Council;

(D) a vacancy occurring during the term of any member of a board or commission shall be filled for the unexpired term in the same manner as the original appointment;

(E) each vacancy shall be filled within 60 days or as soon as practicable if no acceptable candidates can be found within such time;

(F) each board and commission shall establish its own rules of order to be approved by the Council;

(G) members of boards and commissions shall serve without compensation unless otherwise provided by the Council; and

(H) all meetings of boards and commissions shall be open to the public, except as allowed by the laws of the State of Ohio.

8.03 Planning and Zoning Commission

(A) The Planning and Zoning Commission shall consist of six voting members who are electors of the ~~Municipality~~City. The Mayor shall be an automatic and permanent member of the Planning and Zoning Commission. In addition to the Mayor, the Council shall appoint one of its members to be a member of the Planning and Zoning Commission who shall serve at the pleasure of Council and shall be subject to such term on the Planning and Zoning Commission as specified by the Council but not exceeding the remainder of that Council member's term on the Council. The Council shall appoint the other four members of the Planning and Zoning Commission to serve overlapping three-year terms with two members' terms ending on December 31 of every third year, provided that tThese citizen members shall not hold any other office or employment

Commented [DH6]: Not true for an NCA board. Need additional language to clarify these requirements apply to the three boards listed and ?

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with the MunicipalityCity. Upon adoption of this Charter, the Council shall initially appoint some members to shorter terms in order to accomplish the intended staggered terms or it may carry over existing members and terms of the Planning and Zoning Commission for such purpose.

Commented [DH7]: Clarify that this does not apply to NCA boards and ?

Commented [DH8]: Adjust as necessary to achieve the staggered term outcome and identify that terms begin end December 31 (just like BZA).

(B) Any school district with territory that overlaps the territory of the MunicipalityCity may appoint a representative of such school district to the Planning and Zoning Commission who shall be permitted to participate in the meetings of such Commission without having a vote on any matter before such Commission.

(C) The Planning and Zoning Commission shall have the power and duty to hear applications for land use, zoning classifications, or districts and, as merited, to submit written recommendations for legislative action or to render final determinations for administrative action; to initiate, review, and recommend legislation, rules, and regulations on all matters of municipal planning, land use, and zoning classification; and to exercise such other powers, duties, and functions as provided by the Council.

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(D) The Planning and Zoning Commission shall select its own officers annually. All action taken by the Planning and Zoning Commission shall be by an affirmative vote of at least four members thereof.

8.04 Board of Zoning Appeals

(A) The Board of Zoning Appeals shall consist of six voting members who are electors of the MunicipalityCity, provided that these citizen members shall not hold any other office or employment with the MunicipalityCity. The Council shall appoint the Board of Zoning Appeals to serve overlapping three-year terms with two members' terms ending on December 31 of each year. Upon adoption of this Charter, the Council shall initially appoint members with shorter terms in order to accomplish the intended staggered terms.

Commented [DH9]: NCA and other clarification needed.

(B) The Board of Zoning Appeals shall have the power and duty to hear and decide appeals for exceptions to and variances in the application of resolutions, ordinances, regulations, other legislative measures, and administrative determinations governing zoning in the MunicipalityCity, as may be required to afford justice and avoid unreasonable hardship. The Board of Zoning Appeals may make advisory recommendations to the Council and the Planning and Zoning Commission concerning zoning matters, and the Board of Zoning Appeals shall exercise such other powers, duties, and functions as provided by the Council.

Commented [DH10]: Is this authority too broad?

(C) The Board of Zoning Appeals shall select its own officers annually. All action taken by the Board of Zoning Appeals shall be by an affirmative vote of at least four members thereof.

8.05 Personnel Board of Appeals

(A) Section 8.05 shall be effective once Sunbury is declared to be and classified as a city under the laws of the State of Ohio.

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~~(B)~~(A) The Personnel Board of Appeals shall consist of three members who shall serve overlapping three-year terms with one member's term ending on December 31 of each year. ~~After the effective date of this Section, the Council shall initially appoint members with shorter terms in order to accomplish the intended staggered terms.~~

~~(C)~~(B) The Personnel Board of Appeals shall have the power and duty to hear appeals from administrative determinations made pursuant to the Administrative Code, and such other powers, duties, and functions as provided by the Council.

[End of Article VIII]

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