

**Chapter 27****CITY PLANNING BOARD****Sec. 27-1. Established—powers and duties.**

Pursuant to and under the provisions of Title 76, Montana Code Annotated, the City Commission of the City of Livingston does hereby create and establish a City Planning Board to be known as the "Livingston Planning Board," and does by this Chapter adopt by reference all of the sections of the laws of the State of Montana aforementioned that specifically pertain to City Planning Boards, granting and delegating to the City Planning Board all of the rights, privileges, powers, duties and responsibilities thereto appertaining. (Ord. 1922, 2/18/03; Ord. 1965, 3/20/06)

**Sec. 27-2. Jurisdictional area.**

The Livingston Planning Board shall have such jurisdiction in the corporate limits of the City of Livingston, as such limits may be amended from time to time and as may be provided by State law. (Ord. 1922, 2/18/03; Ord. 1965, 3/20/06)

**Sec. 27-3. Membership of Planning Board, terms of office and qualifications.**

A. The Livingston Planning Board shall consist of seven (7) members, as follows:

1. One (1) member appointed by the City Commission from its own membership;
2. One (1) member appointed by the City Commission who, at the Commission's discretion, may be an employee of the City of Livingston or hold public office in Livingston or Park County;
3. One (1) member appointed by the Chairman of the Commission, upon designation by the Board of County Commissioners of Park County; and
4. Four (4) citizen members appointed by the Chairman of the Commission who shall be resident freeholders within the City of Livingston, who shall be qualified by knowledge and experience in matters pertaining to the development of the City and hold no other office in City government.

B. The term of the City Commissioner appointed to the City Planning Board shall be coextensive with that City Commissioner's term of office as City Commissioner. All other members of the Planning Board shall be appointed to two (2) year overlapping terms of office. To establish the overlapping terms of office, the appointment of three (3) Planning Board members shall be appointed for one (1) year and three (3) members shall be appointed for two (2) years. Thereafter, except for the appointed City Commissioner, all other appointments to the Planning Board shall be for two (2) year terms.

C. The Recording Secretary shall certify the members appointed by the City Commission. The certificates shall be sent to and become a part of the records of the Livingston Planning Board. The Chairman of the Commission shall make similar certifications for the appointment of citizen members.

D. Any citizen appointee may be removed from office by a majority vote of the City Commission.

E. The Planning Board members shall receive no salary for serving on the Planning Board, but may be reimbursed for transportation and actual expenses incurred in attending Planning Board meetings. When the Planning Board determines that it is necessary for members or employees to attend a regional or national conference or interview in another City, County or State dealing with planning or related problems, the Planning Board may pay the actual expense of the attending members or employees provided the amount has been made available in the Board's appropriation. (Ord. 1922, 2/18/03; Ord. 1965, 3/20/06)

**Sec. 27-4. Organization and administration.**

A. Meetings. The Planning Board shall fix the time for holding regular meetings, but shall meet at least once in the months of January, April, July and October. Special meetings of the Planning Board may be called by the president or by two (2) members upon written request to the Secretary. The Secretary shall send to all members, at least two (2) days' written notice stating the purpose, time and place of the meeting.

B. Officers. The Planning Board, at its first regular meeting in each year, shall hold annual elections to elect a President and a Vice-President who shall preside in the absence of the President.

C. Secretary. The Planning Board may appoint and prescribe the duties and fix the compensation of a Secretary, which may be the City Planning Officer, and such employees as are necessary for the discharge of the duties and responsibilities of the Board. The Board shall have the power and duty to prescribe the qualifications of, appoint, remove and fix the compensation of the employees of the Board and delegate to employee's authority to perform ministerial acts in all cases, except where final action of the Board is necessary.

D. Quorum. A majority of members shall constitute a quorum. However, no action of the Planning Board is official unless authorized by a majority of the total membership of the Board at a regular or properly called special meeting.

E. Administration of Board. The Planning Board shall have the power and duty to:

1. Exercise general supervision of and make regulations for the administration of the affairs of the Board;
2. Prescribe uniform rules pertaining to investigations and hearings;
3. Keep an accurate and complete record of all departmental proceedings, record and file all bonds and contracts, and assume responsibility for the custody and preservation of all papers and documents of the Board;
4. Make recommendations and an annual report to any governing bodies represented on the Board concerning the operation of the Board and the status of planning within its jurisdiction;
5. Prepare, publish and distribute reports, proposed ordinances and proposed resolutions and other material relating to the activities authorized by law. (Ord. 1922, 2/18/03; Ord. 1965, 3/20/06)