

CITY OF ST. GEORGE

BY COUNCIL MEMBER HECK:

PROPOSED ORDINANCE NO. 2024-010

AN ORDINANCE TO ENACT CHAPTER 5 OF TITLE 1 OF THE CODE OF ORDINANCES RELATIVE TO BOARDS AND COMMISSIONS AND TO PROVIDE FOR RELATED MATTERS

WHEREAS the City of St. George desires to establish a Planning Commission, Zoning Commission, Board of Adjustment, and Construction Board of Appeals and to provide for the powers, duties, and operations of these boards and commissions.

BE IT ORDAINED by the St. George City Council, State of Louisiana, Chapter 5 of Title 1 is enacted as follows:

Section 1. Enactment

**Title 1. CITY ORGANIZATION
Chapter 5. BOARDS AND COMMISSIONS**

Sec. 501. Planning Commission; establishment; appointment and removal of members; term of office; vacancies.

- (a) There is established a municipal planning commission composed of five members who shall serve without compensation and shall hold no other public office (except as a City of St. George zoning commissioner or as a member of a board or commission which includes a member of a planning and/or zoning commission).
- (b) The seats on the planning commission shall be designated as "A" thru "E". The initial terms for the seats are as follows:
 - 1. Seats A and Seat B four years.
 - 2. Seats C and Seat D five years.
 - 3. Seat E six years.

New terms shall begin on January 1 after the expiration and shall expire on December 31 four years later.

- (c) On or before October 1st of each year the City Clerk shall post an application form for the seat expiring on December 31st which shall include the application deadline and a notice of the date, time and location of the council meeting for selection of an applicant to serve on the Planning Commission on the City's website, and at City Hall. Persons interested in serving on the Planning Commission shall deliver a completed application form to the City Services Office no later than November 30. The City Clerk shall endorse on each

application the date and time of receipt. All applicants shall be listed on the agenda for the first council meeting in December. Each applicant shall be granted five minutes to address the City Council. The City Council shall, upon a majority vote of the membership, appoint or reappoint an applicant to the expiring term on or before December 31st. In the event no timely applications are received from qualified individuals or no timely appointment is made, the member appointed to serve through December 31st shall continue to serve in accordance with La. R.S. 42:2 until an appointment is made.

(d) Prior to the appointment of an applicant to fill a vacancy on the planning commission where the term will not expire within 90 days of the vacancy, the City Clerk shall post an application form and a notice of the date, time and location of the council meeting for selection of an applicant to serve on the Planning Commission for the remainder of the unexpired term on the City's website, and at City Hall. Persons interested in serving on the planning commission shall deliver a completed application form to the City Services Office no later than 14 days from the posting. All applicants shall be listed on the agenda for the first meeting which is at least seven days following the last day for receipt of applications. Each applicant shall be granted five minutes to address the City Council. The City Council shall upon a majority vote of the membership, appoint an applicant to complete the term. In the event no timely applications are received from qualified individuals, the Council may appoint any individual meeting the qualifications.

(e) Applicants shall have the burden of proving timely delivery of applications.

Sec. 503. Chairperson; meetings; records.

The Planning Commission shall elect a chairperson and designate such other offices as it determines necessary for efficient operation. The term of the chairperson shall be one year, with eligibility for re-election. The Planning Commission shall hold at least one regular meeting in each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations.

Sec. 507. Powers and duties.

The Planning Commission shall have the legal status and authority granted by state law and the ordinances of the City of St. George.

Sec. 509. Zoning Commission; establishments; duties.

There is hereby created a municipal Zoning Commission composed of the members of the Planning Commission; however, the two commissions shall hold separate meetings with separate minutes and records. The Zoning Commission shall have the legal status and authority granted by state law and the ordinances of the City of St. George.

Sec. 510. Board of adjustment; establishment; appointment and removal of members; term of office; vacancies.

- (a) There is hereby created a Board of Adjustment composed of five members who shall be landowners and shall be qualified voters in St. George. The board members shall serve without compensation. Members of the Board of Adjustment shall be appointed by the Council. Members of the board may be removed for cause by the Council, upon written charges and after a public hearing.
- (b) The Mayor shall designate the terms of the initial members of the Board of Adjustment. One member shall be appointed for an initial term of one year; one for two years; one for three years; one for four years; and one for five years. After the expiration of an initial term, all subsequent terms for that seat shall be for four years. If a vacancy occurs other than by an expiration of term, the unexpired term shall be filled by appointment of the Council.

Sec. 511. Construction board of appeals; establishment; duties.

- (a) There is hereby created a Construction Board of Appeals composed of seven members who shall be residents of St. George and who are qualified by experience and training to pass upon matters pertaining to building construction. The Mayor shall appoint with the consent of the Council a minimum of one licensed architect, one licensed master plumber, one licensed electrician, one licensed mechanical engineer, one general contractor and one licensed heating and air contractor. The St. George Fire Chief or his designee shall serve as a member of the board. Vacancies shall be filled for an unexpired term in the manner in which original appointments were made. Continued absence of any member from regular meetings of the board shall, at the discretion of the Mayor, render any such member liable to removal from office.
- (b) The board shall elect a chairperson. The City Clerk or his Clerk's designee shall act as secretary of the board and shall make a record of all proceedings. Four members of the board shall constitute a quorum. In varying the application of any provision of this Code or in modifying an order of the building official, affirmative votes of four members shall be required. No member of the board shall pass upon any question in which the member, or any entity in which the member has an interest.
- (c) This board shall consider building code variances only for those projects that have been disapproved by the Building Official or Floodplain Administrator.
- (d) The duties of the Construction Board of Appeals shall include:
 - (1) Hearing and rendering decisions on requests for variances from the requirements of Ordinances.
 - (2) Hearing and rendering decisions on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of Ordinances.

- (e) Any person aggrieved by the decision of the Construction Board of Appeals may appeal such decision to a court of competent jurisdiction.
- (f) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (g) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in this Chapter.

Sec. 512. Training requirements; planning and zoning commissions, board of adjustment and Council members.

- (a) All members of the planning and zoning commissions and the board of adjustment shall complete at least four hours of training in the duties, responsibilities, ethics, and substance of the positions held or to be held, either prior to taking office or no later than one year after office is assumed as required by La. R.S. 33:103.1.
- (b) Any member who completed training pursuant to paragraph (a) who is reappointed for an additional term or appointed to another position requiring training shall receive an additional four hours of training during the first year following the reappointment or appointment.
- (c) All members of the planning and zoning commissions and board of adjustment shall complete at least one hour of training in the duties, responsibilities, and substance of the position held in each calendar year starting in the calendar year following completion of the training required by paragraphs (a) or (b).
- (d) All Councilmembers shall complete the training required by this section.
- (e) All training required by this section shall be approved by the City of St. George Planning Commission in advance of completion by the member.
- (f) Evidence of completion of the training required by this section shall be submitted to and maintained by the Clerk.

Sec. 513. Rules of procedure.

All boards and commissions shall comply with the applicable provisions of Chapter 2 of Title 1.

Section 2. Effective Date


This Ordinance shall be effective upon publication.

This Ordinance having been submitted to a vote, the vote thereon was:

For: Cook, Edmonds, Heck, Himmel, and Monachello
Against: NONE

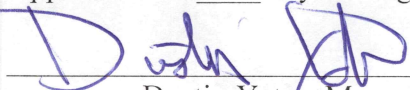
Adopted this 13th day of August, 2024.

Delivered to Mayor on the 16th day of August, 2024:



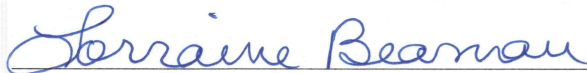
Lorraine Beaman, City Clerk

Approved this 19th day of August, 2024.



Dustin Yates, Mayor

Received from Mayor on the 19th day of August, 2024:



Lorraine Beaman, City Clerk

Adopted Ordinance published in *The Advocate* in the 2 day of September, 2024.