

**PLANNING BOARD ORDINANCE**  
**TOWN OF HARTLAND**

**Section 1. Affirm Planning Board Establishment; Governing Laws.**

Pursuant to Article VIII, part 2, Section 1 of the Maine Constitution and 30-A M.R.S. § 3001, the Town of Hartland hereby affirms establishment of the Town of Hartland Planning Board (“Planning Board” or “Board”) that as of and after the Effective Date shall be governed by this Planning Board Ordinance (“Ordinance”) and all other applicable laws and regulations.

**Section 2. Eligibility; Appointment; Vacancy; Removal.**

A. Board members shall be registered voters of Hartland. Further, to be eligible, a person must live and reside in Hartland at least 10 out of 12 months of a calendar year.

B. The Board of Selectmen, shall appoint members of the Planning Board and shall be sworn in by the Town Clerk or other person authorized to administer oaths.

C. The Board shall consist of five (5) regular members and two (2) alternates members.

D. A member of the Board of Selectmen or their immediate family may not serve as a member or alternate member of the Planning Board, unless the immediate family member was appointed to the Planning Board prior to the member of the Board of Selectmen running for office.

E. The Term of each shall be three (3) years, except the initial appointments, or in the case of appointment of the entire board, which shall be 1 for 1 year, 2 for 2 years, and 2 for 3, years. The term of office of alternate members shall be three (3) years.

F. When there is a permanent vacancy, the Board of Selectmen, shall appoint a person to serve for the unexpired term. A vacancy shall occur (i) upon the resignation or death of any member; (ii) when a member ceases to be a voting resident of the town or otherwise be eligible to be a member of the Board; (iii) when a member misses four (4) consecutive meetings without reasonable cause; or (iv) fails to attend at least 75% of the meetings during the preceding twelve (12) month period without reasonable cause. When a vacancy occurs, the Planning Board shall advise the Town Manager of such vacancy.

G. In determining whether there is cause to remove a Board member, the Planning Board shall notify (in writing) the member in question, and the Board of Selectmen. If the Board of Selectmen decides that removal may potentially be appropriate, a hearing before the Board of Selectmen shall be conducted to determine whether there is just cause to remove a member. Upon finding just cause to remove a member, the Board of Selectmen may declare a vacancy and shall provide their written

findings to the member, and the Planning Board, within seven days (7) of the Board of Selectmen's decision.

### **Section 3. Organization and Rules.**

A. The Planning Board shall elect a Chairperson and Vice Chairperson from its membership. The Chairperson and Vice Chairperson shall be from its regular members. A secretary may be from members of the Board or from outside of the Board. The terms of all offices shall be for one (1) year with eligibility for re-election.

B. When a member is unable to act because of conflict of interest, bias, physical incapacity, lateness or absence, the Chairperson shall designate an alternate as a voting member for that relevant portion of the meeting.

C. An alternate member may attend all meetings of the Board and participate in its' proceedings but may vote only when that person has been designated by the Chairperson to sit for a member.

D. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members, except the member who is being challenged.

E. No meeting of the Board shall be held without a quorum of three (3) members or alternate members authorized to vote. The Board shall act by majority vote of the members present and voting.

F. The Planning Board shall establish a regular meeting schedule that anticipates meeting at least once a month. The Planning Board may also have such other special or emergency meetings as the circumstances may require.

### **Section 4. Duties and Powers.**

A. The Planning Board shall adopt bylaws and/or rules governing the Planning Board procedures and functions not inconsistent with this Ordinance and the laws and regulations governing the Planning Board.

B. The Secretary and/or the Code Enforcement Officer or other designee shall keep a record of its resolutions, transactions, correspondence, findings, and determinations of the Planning Board.

C. The Planning Board shall file all bylaws and/or rules and any subsequent revisions with the Town Clerk. Copies shall be provided to the Board of Selectmen for their information.

D. The Planning Board shall perform such duties and exercise such powers as are provided by the ordinances of the Town of Hartland and the laws of the State of Maine.

E. The Planning Board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

**Section 5. Savings Provision.**

The affirmation of the Planning Board’s establishment through this Ordinance shall not nullify or in any way affect any prior actions taken the Hartland Planning Board.


**Section 6. Severability Clause.**

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance. The effective date of this ordinance is ~~May~~ June 5, 2023 (“Effective Date”).

**Section 8. Amendments.**

This Ordinance may be amended by majority vote of the Hartland Town Meeting.

Town of Hartland Planning Board Ordinance was adopted on June 5, 2023 at a Special Town Meeting.



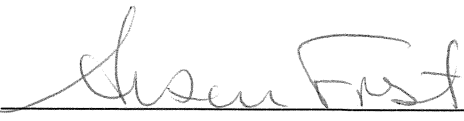
Jerry Martin  
Selectmen



Mark Brooks  
Selectmen



John Hikel  
Selectmen

Attested:   
Samantha Neal, Town Clerk Deputy  
Susan Frost