

ORDINANCE NO. 1067-_____

CITY OF LOWELL, BENTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING LOWELL MUNICIPAL CODE SECTION 16-25 REGARDING THE TERMS OF LOWELL PLANNING COMMISSIONERS AND FOR OTHER PURPOSES.

WHEREAS, it has come to the attention of the City Council of the City of Lowell that there is no provision in the Lowell Municipal Code for the removal of planning commissioners in the Lowell Municipal Code; and

WHEREAS, the City Council desires that the Mayor and City Council have the power to remove Planning Commission Members prior to the expiration of their term when the occasion requires; and

WHEREAS, the City Council desires that similar to the procedure for appointment of Planning Commissioners, the Mayor should initiate removal of any such member which shall be effective upon approval by majority vote of the City Council.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Lowell, Arkansas as follows:

Section 1. **Section 16-25 - Terms of Members**, of the Lowell Municipal Code is hereby amended to read as follows (changes are indicated in bold for the purposes of clarity in this ordinance):

The terms of the members of the planning commission shall be for three years. However, the initial appointments to the planning commission to be made on or before June 13, 1989, shall institute staggered terms for the members of the planning commission. Therefore, two of the appointees shall serve three-year terms, two additional appointees shall serve two-year terms, and one appointee shall serve a one-year term. The mayor shall designate which appointee shall receive which term. All members of the planning commission shall serve until the expiration of their terms and until their successors in office have been appointed and confirmed. **The removal of a planning commissioner prior to the expiration of their term shall be by initiated by the mayor who shall present the removal to the city council, which removal shall be effective upon a majority vote in favor of removal by the city council.** Vacancies in the planning commission shall be filled by appointment of the mayor and confirmation by the city council.

Section 2. Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of the conflict.

Section 3. In the event any one or more of the provisions contained in this Ordinance shall for any reason be held by a Court of Law to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not have an effect on the remaining

provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

PASSED and APPROVED this ____ day of _____, 2020.

APPROVED:

CHRIS MOORE, Mayor

ATTEST:

ELIZABETH ESTES, City Clerk
(SEAL)