

**COMMONWEALTH OF KENTUCKY
CITY OF MAYSVILLE
Ordinance No. 21-07**

**AN ORDINANCE AMENDING CODE OF ORDINANCE SECTION 71.042
MEMBERSHIP OF JOINT PLANNING COMMISSION**

Summary

This Ordinance amends Code of Ordinances Section 71.042 to delete the prohibition of real estate agent or broker, practicing attorney, or bank employee of serving on the Planning Commission. It further provides that any commission member that is associated with an entity representing a client before the Commission must disclose same and recuse himself/herself from that item of business.

BE IT ORDAINED BY THE CITY OF MAYSVILLE, KENTUCKY, as follows:

Code of Ordinances Section 71.042 is hereby amended in its entirety as follows:

Sec. 71.042. - Membership.

(A) The Commission shall consist of eight Commissioners who shall represent the interests of all areas and citizens of Mason County, Kentucky, including unincorporated and rural areas. ~~[No person active as a real estate agent or broker, practicing attorney or bank employee may be appointed to or serve on the Commission.]~~ Any member of the Commission who has any association with a firm, brokerage, agency, etc., representing a client in front of the Commission must disclose such information to the Commission and recuse himself/herself from that item on the agenda.

(B) Four Commissioners shall be appointed by the Mason County Judge/Executive with approval of Mason Fiscal Court. Four Commissioners shall be appointed by the Mayor of the City of Maysville, with approval of the Board of Commissioners of the city.

(C) At least five of the Commission members shall be citizen members. Citizen members are those members who are not elected or appointed officials or employees of any of the participating legislative bodies.

(D) The terms of office of all elected public officials appointed to the Commission shall be the same as their official tenure in office. The terms of office for other Commission members shall be four years, but the terms of office for the initial members shall be staggered as required by KRS 100.143.

(E) All Commission members shall, before entering upon their duties, qualify by taking the oath of office prescribed by Kentucky Constitution § 228, as required by KRS 100.151.

(F) Vacancies on the Commission shall be filled within 60 days by the appropriate appointing authority. If the authority fails to act within that time the Commission shall fill the vacancy. When a vacancy occurs other than through expiration of the term of office, it shall be filled for the remainder of that term.

(G) Any Commission member may be removed by the appropriate appointing authority for inefficiency, neglect of duty, malfeasance or conflict of interest. Failure to attend three consecutive regular meetings of the Commission shall constitute neglect of duty. Any appointing authority who exercises the power to remove a Commission member shall submit a written statement to the Commission setting forth the reasons for removal, and the statement shall be read at the next Commission meeting, that shall be open to the general public. The member so removed shall have the right of appeal in Mason Circuit Court.

(H) All Commission members shall be reimbursed out-of-pocket expenses authorized by the Commission. No member shall receive any compensation for attending regular meetings of the Commission or of the executive committee. Each member of the Commission, in attendance, shall receive a per diem of \$50.00 for each day or part thereof of the Commission in special meeting. Under no circumstances shall the per diem and expense allowance in one calendar year exceed the sum of \$600.00, for each member of the Commission.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MAYSVILLE,
KENTUCKY, this 24 June 2021.**

Debra L. Cotterill, Mayor

Passed on the 1st reading: 10 June 2021.
Adopted on the 2d reading: 24 June 2021.
Recorded by Clerk: 25 June 2021.
Signed by Mayor: 30 June 2021.
Published by Summary 30 June 2021.

ATTEST:

Lisa R. Dunbar, City Clerk

INDEX: Chapter 71.042- Membership

CERTIFICATE

I hereby certify that I am an attorney licensed to practice law in the Commonwealth of Kentucky, that I prepared the Summary above of the foregoing Ordinance of the City of Maysville, Kentucky, and that such Summary constitutes a general summary of the essential provisions of said Ordinance, reference to the full text of which Ordinance is hereby made for a complete statement of its provisions and terms.

W. Kelly Caudill
City Attorney
ROYSE, ZWEIGART, KIRK, BRAMMER
& CAUDILL
215 Stanley Reed Court
Maysville, Kentucky 41056
606-564-4012