

AN ORDINANCE OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AMENDING THE ORDINANCE ESTABLISHING A PLANNING AND ZONING COMMISSION

WHEREAS, the Mayor and City Council of the City of Diamondhead, Mississippi, find that Ordinance No. 2012-003, adopted by the City on March 5, 2012, should be amended with regard to membership, term of office and other related matters.

NOW THEREFORE, BE IT ORDERED by the Mayor and City Council of the City of Diamondhead, Mississippi:

SECTION ONE. The findings, conclusions, and statement of fact contained in the foregoing preamble are hereby adopted, ratified and incorporated herein.

SECTION TWO. That Section Two of Ordinance No. 2012-003 be amended to read as follows:

Membership. The Commission shall consist of seven (7) members who shall be appointed by the Mayor and City Council. The Mayor and each member of the City Council shall each have one (1) individual nomination for appointment to the Commission. The Mayor and City Council shall jointly appoint one (1) member to serve on the Commission. Where possible, membership on the Commission will consist of representatives from each of the City's District Wards and not exceed more than two (2) Commissioners from any one (1) District Ward. In the event either the Mayor or any City Council Member fails to nominate a candidate for appointment to the Commission within (90) days of any vacancy, then nominations for that vacancy may be made by either the Mayor or other members of the City Council.

SECTION THREE. That Section Three of Ordinance No. 2012-003 be amended to read as follows:

Term of Office. Terms for Members of the Diamondhead Planning and Zoning Commission shall be as follows:

<u>Commission Member</u>	<u>Term Expiration</u>
Ward 1	March 2014
Ward 2	March 2015
Ward 3	March 2016
Ward 4	March 2014
Councilman At Large	March 2015
Mayor	March 2015
Joint Appointment	March 2016

The term of office for persons appointed to serve as Members of the Commission shall be three (3) years. All Commissioners whose terms expire shall continue to serve on the Commission until such time as a successor is appointed by the Mayor and City Council. No person shall serve on the Zoning Commission for a period exceeding two (2) terms, excluding time served if appointed to fill a previously unexpired term.

SECTION FOUR. That Section Four of Ordinance No. 2012-003 be amended to read as follows:

Removal from Office. Any Member of the Planning and Zoning Commission may be removed from office at any time, with or without cause, by the affirmative vote of the Mayor and City Council.

SECTION FIVE. That Section Five of Ordinance No. 2012-003 be amended to read as follows:

Officers. Members of the Commission shall annually elect a Chairperson and Vice Chairperson. The Chairperson shall preside over all meetings. The Vice Chairperson shall preside in the absence of the Chairperson.

SECTION SIX. That Section Six of Ordinance No. 2012-003 be amended to read as follows:

Meetings. The Planning and Zoning Commission shall meet at least once per month. All meetings shall be conducted in compliance with Mississippi Code Annotated § 25 – 41 – 1, *et seq.*

SECTION SEVEN. That Section Seven of Ordinance No. 2012-003 be amended to read as follows:

Compensation. Members of the Planning and Zoning Commission shall receive no compensation. Reimbursement of authorized expenses are allowed.

SECTION EIGHT. That Section Eight of Ordinance No. 2012-003 be amended to read as follows:

Duties and Powers. The Planning and Zoning Commission shall act as an advisory board to the Mayor and City Council. It shall have all of the powers and duties set out by the Zoning Ordinance of the City of Diamondhead or other applicable law.

SECTION NINE. That Section Nine of Ordinance No. 2012-003 be amended to read as follows:

Effective Date. This Amendment to Ordinance shall become effective upon its adoption, nevertheless, it shall be published as required by law.

	<u>AYE</u>	<u>NAY</u>
Councilman Joe Lopez	<u>✓</u>	_____
Councilman Blaine LaFontaine	<u>✓</u>	_____
Councilman Thomas Sislow	<u>✓</u>	_____
Councilman Ron Rech	<u>✓</u>	_____
Councilman Ernie Knobloch	<u>✓</u>	_____
Mayor Tommy Schafer	<u>✓</u>	_____

APPROVED:



MAYOR

ATTEST:



Deputy CITY CLERK

(SEAL)

THIS IS TO CERTIFY that the aforementioned Ordinance was adopted at the regular meeting of the Mayor and City Council of the City of Diamondhead, Mississippi, held on December 3, 2013.





Deputy CITY CLERK