

ORDINANCE NUMBER 1092

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, TO CREATE THE PERRIS PLANNING COMMISSION BY ADDING CHAPTER 2.37.

WHEREAS, the City recognizes that land use planning is critical to the preservation of the quality of life for current City residents; and

WHEREAS, the land use planning and regulation are a proper and normal use of the police powers reserved to the states under the United States Constitution; and

WHEREAS, state law provides that each city must have at least one planning agency to assist it in achieve its land use planning goals and in complying with state laws such as the California Environmental Quality Action; and

WHEREAS, state law further provides that the duties of a city's planning agency is to endeavor to promote public interest in, and comment on, the general plan and regulations relating to the general plan; and

WHEREAS, state law further provides that the duties of a city's planning agency is to assist in implementing the general plan through actions including, but not limited to, the administration of specific plans, adoption of zoning ordinances, and making decisions related to land use entitlements; and

WHEREAS, the creation of a Planning Commission in and for the City of Perris will assist the City to better accomplish its land use planning objectives and goals;

NOW, THEREFORE, the City Council of the City of Perris, California, does hereby ordain as follows:

SECTION 1. Title 2 of the Perris Municipal Code is hereby amended by adding a new Chapter 2.37, entitled "Planning Commission." Chapter 2.37 to be added to the Perris Municipal Code shall read in its entirety as follows:

“PLANNING COMMISSION

Sections:

2.37.010	Established.
2.37.020	Composition.
2.37.030	Appointment-Qualifications.
2.37.040	Compensation.
2.37.050	Terms of Office.
2.37.060	Vacancies.
2.37.070	Removal of members.
2.37.080	Chairperson-Chairperson pro tempore.
2.37.090	Meetings.
2.37.100	Quorum-Adjournment.
2.37.110	Record of proceedings- Secretary.
2.37.120	Powers and duties generally.
2.37.130	Cooperation of city officials-Limitation on liability.

2.37.010 Established.

A Planning Commission is established in and for the City of Perris.

2.37.020 Composition.

The Planning Commission shall consist of five members.

2.37.030 Appointment-Qualifications.

Members of the Planning Commission may only be appointed by majority vote of the Council. Each member of the Planning Commission shall be a qualified elector of the city at the time of his or her appointment and shall remain so during his or her term of office. Appointment of Commissioners shall remain solely within the discretion of the members of the Council, however, qualifications for appointment may include knowledge of planning issues, experience in construction-related trades or occupations, and familiarity with the City.

2.37.040 Compensation

Commissioners shall be compensated fifty (50) dollars per regular meeting attended, not to exceed a total of fifty (50) dollars per month.

2.37.050 Terms of office.

A. The terms of office for members of the Planning Commission, other than those appointed to complete unexpired terms, shall be four years or until their successors shall be appointed and qualified.

B. Seats on the Planning Commission shall be numbered one (1) through five (5). All appointments shall be made by the Council within 90 days of the adoption of this ordinance. Seats one (1) and two (2) shall expire on December 31, 2003, and on December 31 every four years thereafter. Seats three (3), four (4) and five (5) shall expire on December 31, 2005, and on December 31 every four years thereafter.

2.37.060 Vacancies.

Vacancies for any unexpired term of membership in the Planning Commission shall be filled by appointment by the Council as provided by Section 2.37.030. Prior to filling any vacancy, the vacancy shall be advertised pursuant to the terms of the Maddy Act. (Cal. Govt. Code § 54970 *et seq.*)

2.37.070 Removal of members.

Any member of the Planning Commission may be removed without cause by a majority vote of the members of the Council when, in the discretion of the council, the best interests of the city will be served.

2.37.080 Chairperson-Chairperson pro tempore.

The Planning Commission shall select one of its members as chairperson of the Commission and one as chairperson pro tempore. In case of the absence of the chairperson, the chairperson pro tempore shall conduct the meeting. Should both officers be absent, the members then present shall select one of their number to serve as chairperson pro tempore.

2.37.090 Meetings.

A. The Planning Commission shall meet at least once a month at such time and place as it may fix by resolution.

B. Special meetings of the commission may be called at any time by the chairperson or three members thereof by written notice served as required by law, or otherwise provided in the Ralph M. Brown Act. (Cal. Govt. Code § 54950 *et seq.*)

2.37.100 Quorum-Adjournment.

Three members of the Planning Commission shall constitute a quorum, but a lesser number may adjourn from time to time.

2.37.110 Record of proceedings- Secretary.

The Planning Commission shall cause a record to be kept of all of its proceedings, and for that purpose may select one of its members as secretary. The director of planning shall provide such stenographic assistance as is necessary in keeping the records of the proceedings.

2.37.120 Powers and duties generally.

A. The Planning Commission shall perform such duties as may be imposed upon it by the City Council by ordinance or resolution.

B. The Planning Commission shall have the authority by resolution to adopt rules and procedures in accordance with state law.

2.37.130 Cooperation of city officials-Limitation on liability.

All officers, division heads and divisions of the city shall render cooperation and all reasonable and necessary assistance to the Planning Commission. The Planning Director shall serve as staff to the Commission and the City Manager shall appoint additional staff as necessary. Neither the Commission nor any person connected with the Commission shall incur any financial liability in the name of the city.

ADOPTED, SIGNED and **APPROVED** this 27th day of November 2001.

MAYOR OF THE CITY OF PERRIS

Attest:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, duly elected City Clerk of the City of Perris, California, do hereby certify that the foregoing Ordinance Number 1092 introduced at a regular meeting thereof held 13th day of November 2001, and adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27th day of November 2001, by the following vote:

Ayes: Busch, Yarbrough, Larios, Motte
Noes:
Absent: Rogers

City Clerk

