

ORDINANCE NO. 2024-09

AN ORDINANCE TO AMEND CHAPTER 165, ARTICLE XVII, SECTION 165-125, MEMBERSHIP; APPOINTMENT; COMPENSATION; TERM; VACANCIES; REMOVAL OF MEMBERS, OF THE CODE OF THE TOWN OF MYERSVILLE, TO AUTHORIZE THE EX-OFFICIO MEMBER OF THE MYERSVILLE PLANNING COMMISSION TO VOTE ON MATTERS BEFORE THE MYERSVILLE PLANNING COMMISSION IN THE EVENT OF A TIE VOTE, CONSISTENT WITH THE MYERSVILLE PLANNING COMMISSION BY-LAWS.

SECTION I. BE IT ENACTED AND ORDAINED, by the Mayor and Council of the Town of Myersville that Chapter 165 “Zoning”, Article XVII, Section 165-125 of the Code of the Town of Myersville be, and hereby is, amended as hereinafter provided. New language is designated by being **IN BOLD CAPITAL LETTERS**, and deletions are designated by being ~~{in brackets and stricken through}~~.

Chapter 165 – Zoning

Article XVII – Planning Commission

§ 165-125 Membership; appointment; compensation; term; vacancies; removal of members.

A. The Commission shall consist of six members, one of whom shall be a member of the Myersville Town Council, who shall serve in an ex-officio capacity. The ex-officio member shall not be eligible to vote ~~{-}~~ **UNLESS A VOTE IS NECESSARY TO BREAK A TIE IN THE VOTE OF THE PLANNING COMMISSION**. Notwithstanding any other provision of law, including but not limited to Chapter 30 of this Code, each member shall, during their tenure on the Commission, maintain their primary residence within the corporate limits of the Town of Myersville. Any member who fails to maintain such residency within the Town shall, upon moving such residence outside of the Town, automatically forfeit and render vacant his or her membership on the Commission, and the Mayor and Council may then fill such vacancy pursuant to Subsection E below.

B. – F. *{Unchanged}*

INTRODUCED on the 11th day of June, 2024.

ENACTED AND APPROVED this 9th day of July, 2024 by a vote of 5
for, 0 against, ___ absent and ___ abstaining.

ATTEST:

**MAYOR AND COUNCIL OF THE
TOWN OF MYERSVILLE**

Kathy Gaver
Kathy Gaver, Town Clerk

By: [Signature] (SEAL)
Mark Hinkle, Mayor