

TITLE 13

PLANNING

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CHAPTER 13.04

PLANNING COMMISSION

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13.04.01 Created The Mayflower Planning Commission shall consist of eight (8) members, of which at least two-thirds (2/3) of members of said Commission shall hold no other appointive or elective municipal office, except membership in the Board of Adjustment or joint planning agency. The Chairman shall then become the ninth member but have no vote except to break a tie vote of the remaining members of the Commission (Ord. No. 2015-04, Sec. 1)

13.04.02 Members Six (6) members of the Mayflower Planning Commission shall each be selected for a term of three (3) years, commencing with the anniversary date of his/her selection and confirmation, provided, that the members of said Commission first selected following the enactment of this ordinance, as hereinabove set forth, shall be lot determine the

term for which each shall serve, as follows: Two (2) members shall be selected initially for a term of one (1) year; two (2) members shall be selected for a term of two (2) years; and two (2) members shall be selected for a term of three (3) years. Upon the expiration of the term of any member thereafter the Mayor of the city of Mayflower shall nominate one person to succeed such retiring member and, upon confirmation by the City Council, the person so nominated shall be duly appointed and selected a member of the Commission. And should a vacancy occur on said Commission for any reason other than the expiration of the term any of the six (6) members of this section, then a member shall be selected in the manner aforesaid to serve the unexpired term of such member so vacating such office. (Ord. No. 95-3, Sec. 4.)

13.04.03 Nomination Members of the said Commission may be nominated and confirmed to continue to serve the city of Mayflower. (Ord. No. 95-3, Sec. 3.)

13.04.04 Chairman The chairman of the Mayflower Planning Commission shall be the seventh member of said Commission and shall serve at the pleasure of the Mayor of Mayflower, without fixed term of office. Said Chairman shall have no vote, except to break a tie vote of the remaining members of the Commission. (Ord. No. 95-3, Sec. 4.)

13.04.05 Proceedings The Mayflower Planning Commission shall make and adopt such rules and regulations to govern its proceedings, which shall provide for a regularly scheduled meeting date, as provided in paragraph 13.04.06 of this ordinance, and such rules and regulations shall provide for such committees within the Commission as may be found necessary and advisable, and the duties of such committees shall be prescribed by the Commission. No committee may exercise duties delegated by the Acts of the state of Arkansas and this ordinance that are organic to the Commission, nor shall such committees certify their decisions or recommendations directly to the City Council. (Ord. No. 95-3, Sec. 5.)

13.04.06 Meetings The Mayflower Planning Commission shall, at the last meeting of each calendar year, adopt a calendar of meeting dates for the forthcoming year. The Commission shall meet regularly on the date, time, and location stated on the calendar. If necessary to achieve a quorum, the meeting of the Mayflower Planning Commission may be rescheduled at the discretion of the chairman of said Commission provided that the required public notice can be given. (Ord. No. 95-3, Sec. 6.)

13.04.07 Quorum A quorum is said to exist at a regularly scheduled meeting of the Mayflower Planning Commission by the attendance of the Chairman and four (4) additional members of said Commission, and are thereby legally competent to conduct official business. The Mayor of Mayflower may substitute for the Chairman of said Commission at any regularly scheduled meeting of said Commission for purposes of this section, conduct the meeting and certify the decisions and recommendations of the Mayflower Planning Commission to the City Council. In such event, the Chairman may also substitute for one of the members of the Commission unable to attend the meeting, in order to achieve a quorum. (Ord. No. 95-3, Sec. 7.)

13.04.08 Resignation Any member of the Mayflower Planning Commission may resign from said Commission, effective immediately, by providing written notification to the Mayor of the city of Mayflower or the City Recorder. Verbal notification of immediate resignation will be accepted at any regularly scheduled meeting of said Commission, at the end of the agenda, or at a regularly scheduled meeting of the Mayflower City Council. In the absence of written resignation or verbal resignation, as provided in this section, when a member of the Planning Commission has missed more than 25% of the regular scheduled meetings of that calendar year, or more than three consecutive regular scheduled meetings, that person is automatically removed from the Commission unless, prior to the next scheduled meeting of the Mayflower City Council, the member submits, in writing, his/her desire to remain on the Commission. The Mayflower city Council may then, by majority vote, allow the member to continue to serve. The Chairman of said Commission will certify to the City Council the attendance of the remaining members of said Commission. (Ord. No. 95-3, Sec. 8.)

13.04.09 Assistance The Mayflower Planning Commission is hereby authorized to employ such assistance (staff, consultants, inspectors, or other enforcement personnel) as are deemed necessary in carrying out its duties and responsibilities. The said Commission cannot expend or encumber city funds without appropriation hereof having been previously made by the City Council. (Ord. No. 95-3, Sec. 9.)

13.04.10 Coordinating plans The Mayflower Planning Commission shall have the authority to cooperate with official and unofficial planning bodies for the purpose of coordinating the preparation of plans for the city of Mayflower and adjacent territory. (Ord. No. 95-3, Sec. 10.)

13.04.11 General purpose The General purpose of the Mayflower Planning Commission is to: (1) Prepare, or have prepared, a plan of the municipality; (2) Receive and make recommendations on public and private proposals for development; (3) Prepare and administer planning regulations; (4) Prepare and transmit to the legislative body recommended ordinances implementing plans; (5) Advise and counsel the city government and other public bodies; and (6) Integrate such ordinances and resolutions of the Mayflower City Council as said Council may deem necessary for the planning efforts of the city. The Mayflower Planning Commission shall have the duty and function of promoting public interest in, and understanding of, long-term coordinated municipal planning. (Ord. No. 95-3, Sec. 11.)

13.04.12 Disapproval Disapproval of any proposal submitted to the Mayflower Planning Commission may be overruled only by a recorded vote of two-thirds (2/3) of the full membership of the Mayflower City Council. Failure of the Mayflower City Council to act within sixty (60) days of the submission of any proposal shall be deemed approval. (Ord. No. 95-3, Sec. 12.)

13.04.13 Surveys The Mayflower Planning Commission, and persons in its employ, may enter upon land to make examinations and surveys and to maintain necessary monuments and markers thereon. Departments, agencies, and offices of the city of Mayflower shall cooperate with the Mayflower Planning Commission and honor requests for information. The Mayflower Planning Commission shall safeguard the confidentiality of any confidential information it receives and respect the privacy of firms and persons, where applicable and as amended by legislation or court order. (Ord. No. 95-3, Sec. 13.)

CHAPTER 13.08

FLOOD DAMAGE PREVENTION REGULATORY CODE

Sections:

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| 13.08.01 | Code adopted by reference |
| 13.08.02 | Penalty |
| 13.08.03 | Variance to Flood Damage Prevention Code |

13.08.01 Code adopted by reference There is hereby adopted by reference a Flood Damage Prevention Regulatory Code for the city of Mayflower, Arkansas, such Flood Damage Prevention Regulatory Code having been delegated by the legislature of the state of Arkansas and set forth in Arkansas Statutes Sections 21-1901 through 21-1904 (Act 629 of 1969). A copy of the referenced regulatory code shall be filed in the office of the City Clerk's office and shall be available for inspection and copying by any person during normal office hours. The code shall include the following articles:

- ARTICLE 1. Statutory authorization, findings of fact, purpose and methods
- ARTICLE 2. Definitions
- ARTICLE 3. General provisions
- ARTICLE 4. Administration
- ARTICLE 5. Provisions for flood hazard reduction
(Ord. No. 2006-6)

13.08.02 Penalty Flood hazards are reduced by compliance with the provisions of this code. Accordingly, enforcement of this ordinance discourages non-compliance and is a recognized mechanism for flood hazard reduction.

The Floodplain Administrator must enforce the provisions of this ordinance and is authorized to:

- A.** Issue cease and desist orders on non-compliant floodplain development projects;
 - B.** Issue citations for non-compliance;
 - C.** Request that FEMA file a 1316 Action (Denial of Flood Insurance) against non-compliant properties; and
 - D.** Take any other lawful action necessary to prevent or remedy any instance of non-compliance with the provisions of this ordinance.
1. It is a misdemeanor to violate or fail to comply with any provision of this ordinance.

2. Any person found, in a court of competent jurisdiction, guilty of violating this ordinance is subject to fines of not more than Five Hundred Dollars (\$500.00) per day for each violation; in addition, the defendant is subject to payment of all associated court costs and costs involved in the case. (Ord. No. 2006-6, Sec. 11.)

13.08.03 Variance to Flood Damage Prevention Code

- Robert Melton is hereby granted permission to continue and finish construction of his home at 186 Jackson Avenue, Mayflower, Arkansas, given the consideration of the statements on the attached Affidavit. (Ord. No. 2021-01, Sec. 1)