

D1-A

Sponsor: Willard Russell  
First Reading: 3-6-2007  
Second Reading: Waived by unanimous Consent

**AN ORDINANCE TO AMEND ORDINANCE B-1 BEING "AN ORDINANCE TO ESTABLISH A PLANNING COMMISSION FOR THE TOWN OF GREENWOOD AND PRESCRIBING ITS DUTIES" TO RECONSTITUTE THE MEMBERSHIP OF THE PLANNING COMMISSION**

BE IT HEREBY ENACTED that Ordinance B-1 (Being an "Ordinance to Establish a Planning Commission for the Town of Greenwood and Prescribing its Duties") be amended by deleting Section 2 thereof ("Composition; Term of Office") in its entirety and inserting a new Section 2 as follows to wit:

Section 2. Composition; Term of Office.

Effective March 6, 2007, the Town of Greenwood Planning Commission shall be reconstituted to consist of five (5) members to be appointed by the Mayor of the Town of Greenwood, subject to confirmation by majority of the elected members of the Town Council, each member to serve for a period of three (3) years from his date of appointment; *provided however*, anything in this Ordinance to the contrary notwithstanding, the terms of the members of the reconstituted Planning Commission shall be arranged so that the term of at least one (1) member shall expire each year and their successor shall be appointed thereafter for subsequent terms of three (3) years. Thus, two (2) members of the reconstituted Planning Commission shall serve for an initial term of one (1) year; two (2) members of the reconstituted Planning Commission shall serve initial terms of two (2) years; and one (1) member of the reconstituted Planning Commission shall serve an initial term of three (3) years. The Mayor shall appoint the most senior serving members of the current Planning Commission to the one (1) year term, shall appoint the two next most senior members of the currently serving Planning Commission to the two (2) year terms; and shall appoint the most junior member of the currently Planning Commission to the three (3) year term.

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**SYNOPSIS**

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This Ordinance amends Ordinance B-1 (which ordinance establishes a Planning Commission for the Town of Greenwood and prescribes its duties, to reconstitute the membership of the Planning Commission. The newly constituted Planning Commission shall take office as of March 6, 2007, with two members having initial terms of one year; two members having initial terms of two years and one member having an initial term of three years. Thereafter, each member of the Planning Commission whose term expires shall be appointed for a term of three years. The most senior members of the current Planning Commission shall be appointed to initial terms of one year; the next most senior members of the Planning Commission shall be appointed to serve terms of two years; and the most junior member of the current Planning Commission shall be appointed to serve for a term of three years.

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This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Greenwood at a duly-noticed and convened meeting at which a quorum was present on March 6, 2007.

Attest: Michael J. Pera  
Town Manager

So Certifies:  
Ronald Brown  
Mayor

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This shall certify that a copy of this Ordinance was posted at the Town Hall on May 2, 2007.

4-2-07  
Date

So Certifies:  
Doris Adams

ADOPTED  
12-11-91

AN ORDINANCE TO ESTABLISH A  
PLANNING COMMISSION FOR THE TOWN  
OF GREENWOOD AND PRESCRIBING ITS DUTIES.

BE IT ORDAINED by the Town Council of The Town of  
Greenwood, in Council met, in the manner following, to-wit:

PLANNING COMMISSION

Section 1. Planning Commission established.

There is hereby established The Town of  
Greenwood Planning Commission.

Section 2. Composition; term of office.

The Town of Greenwood Planning Commission  
shall consist of five (5) members to be appointed  
by the Mayor of The Town of Greenwood, subject to  
confirmation by a majority of the elected members  
of the Town Council for a term of three (3) years.  
The terms of the members of the Planning Commission  
first appointed pursuant to this Chapter shall  
expire as follows: two (2) members shall be  
appointed for a term of three (3) years; three (3)  
members shall be appointed for a term of two (2)  
years; and three (3) members shall be appointed  
for a term of one (1) year.

Section 3. Ex-officio members of Planning  
Commission.

The Mayor and Building Official shall be an  
ex-officio members of Planning Commission. An ex-  
officio member may exercise all the powers of the  
regular members of the Planning Commission except  
that he shall not have a vote. No ex-officio  
member shall hold an office on the Planning  
Commission.

Section 4. Removal of members; vacancies.

The Mayor, with the approval of a majority of  
the Town Council may remove any member of the  
Planning Commission for cause after a public  
hearing. Vacancies occurring other than by  
expiration of term shall be filled for the  
unexpired term by the Mayor, subject to  
confirmation by a majority of the elected members  
of the Town Council.

LAW OFFICES

TUNNELL & RAYSOR  
GEORGETOWN, DEL.

Section 5. Compensation.

All members of the Planning Commission shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

Section 6. Election of Chairman; personnel.

The Planning Commission shall elect annually a Chairman and a Secretary from among its own members and may employ experts, clerks and such other assistants that its fiscal appropriations may permit. The Planning Commission may also appoint a custodian of its plans and records.

Section 7. Rules of Procedure; meetings.

The Planning Commission shall make its own Rules of Procedures and determine the times of its meetings. All meetings of the Planning Commission at which any official action is taken shall be open to the public. All records of the Planning Commission shall be a public record.

Section 8. Powers of Planning Commission.

(a) The Planning Commission shall have the authority vested in municipal planning commissions by Chapter 7, Title 22, Del.C., as amended and shall perform the duties therein set forth whether or not such authority or duties are expressly referred to in this Ordinance.

(b) The Planning Commission shall likewise have authority vested in it by any resolution adopted by the Town Council.

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Section 3. Ex-officio members of Planning Commission.

The Mayor and Building Official shall be an ex-officio members of Planning Commission. An ex-officio member may exercise all the powers of the regular members of the Planning Commission except that he shall not have a vote. No ex-officio member shall hold an office on the Planning Commission.

Section 4. Removal of members; vacancies.

The Mayor, with the approval of a majority of the Town Council may remove any member of the Planning Commission for cause after a public hearing. Vacancies occurring other than by expiration of term shall be filled for the unexpired term by the Mayor, subject to confirmation by a majority of the elected members of the Town Council.

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GEORGETOWN, DEL.

PLEASE TAKE NOTICE that the Planning Commission of The Town of Greenwood will hold a Public Hearing at \_\_\_\_\_ o'clock in the \_\_\_\_\_, on \_\_\_\_\_, 19\_\_\_\_, at the Town Hall, 10 W. Market Street, Greenwood, Delaware, on the Application for a \_\_\_\_\_ for a \_\_\_\_\_.

A plot of the proposed Subdivision is on file at the Town Hall and may be reviewed and inspected.

At the Public Hearing, all parties in interest and citizens of The Town of Greenwood will be given an opportunity to be heard with respect to the proposed Application. Persons may appear in person or by agent.

PLANNING COMMISSION OF  
THE TOWN OF GREENWOOD

By: \_\_\_\_\_

Dated: \_\_\_\_\_, 19\_\_\_\_

PLANNING COMMISSION OF THE TOWN OF GREENWOOD

PRELIMINARY PLAN APPROVAL AND  
RECOMMENDATION TO THE TOWN COUNCIL

At a meeting held on \_\_\_\_\_, 19\_\_\_\_, the Planning Commission of The Town of Greenwood granted preliminary plan approval of the Subdivision entitled \_\_\_\_\_ and recommends that the Town Council approve the Preliminary Plan.

THE TOWN OF GREENWOOD

By: \_\_\_\_\_  
Chairman

Attest: \_\_\_\_\_  
Secretary

ALL APPLICATIONS MUST BE SUBMITTED IN SEVEN (7) COPIES TO THE SECRETARY OF THE TOWN COUNCIL AT LEAST TWO (2) WEEKS PRIOR TO THE REGULAR MEETING OF THE PLANNING COMMISSION TOGETHER WITH THE REQUIRED FEE. PLANNING COMMISSION MEETS ON THE THIRD WEDNESDAY OF EACH MONTH AT TOWN HALL.

APPLICATION FOR APPROVAL  
OF PRELIMINARY PLAN  
FOR SUBDIVISION

TO: The Planning Commission of  
The Town of Greenwood

Application is hereby made for the approval of the Preliminary Plan for the Subdivision of the land described below and outlined on the attached Plot:

Parcel and Sussex County Tax Map No. \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

Subdivision Area: \_\_\_\_\_

Name and Address of Owner or Owners:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name and Address of Subdividers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No. of Lots in proposed Subdivision: \_\_\_\_\_

No. of Residential Lots  
in proposed Subdivision: \_\_\_\_\_

Types of Dwellings proposed: \_\_\_\_\_

No. of Dwelling Units in Proposed Subdivision: \_\_\_\_\_

Proposed Dedication, include area of each:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Existing Zoning: \_\_\_\_\_

No. of Commercial Units: \_\_\_\_\_

Application must be signed by each Applicant. If Applicant is not the owner, must have letter from all owners consenting to Application.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attachments: (Check Appropriate Items):

- ( ) Preliminary Plan consisting of \_\_\_\_\_ sheets
- ( ) General Plan, Sheet \_\_\_\_\_ of \_\_\_\_\_ sheets
- ( ) Cross Sections, Sheet \_\_\_\_\_ of \_\_\_\_\_ sheets
- ( ) Profiles, Sheet \_\_\_\_\_ of \_\_\_\_\_ sheets
- ( ) Utilities, Sheet \_\_\_\_\_ of \_\_\_\_\_ sheets
- ( ) Grading Plan, Sheet \_\_\_\_\_ of \_\_\_\_\_ sheets
- ( ) Copy of Existing or Proposed Deed Restrictions
- ( ) Other (List): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_