

## **APPEARANCE COMMISSION**

### **§ 34.30 COMMISSION ESTABLISHED.**

Pursuant to G.S. § 160A-451 through 160A-455, there is hereby created and established an organization to be known as the Appearance Commission.

(Ord. passed October 13, 2016)

### **§ 34.31 MEMBERSHIP AND APPOINTMENT OF COMMISSION.**

(A) The Appearance Commission shall consist of seven (7) members appointed by the Town Board of Commissioners, which appointees shall be residents of the town or reside within the extraterritorial planning and zoning jurisdiction of the Town at the time of appointment.

(B) The proportionality of membership on the Commission shall be based upon the best available and most recent population statistics available to the Town Board as presented by the Town Manager so as to reflect fair representation of membership on the Commission between residents living within the Town limits and within the extraterritorial jurisdiction. The Town Board may from time to time, but generally at times of appointment, appoint members at its sole discretion based upon the proportional representation. Recommendations of the Appearance Commission on appointments will be submitted to the Board of Commissioners for review and consideration.

(C) The Board of Commissioners may, in its discretion, appoint any number of non-voting, ex-officio members to the Appearance Commission. Ex-officio members are not required to be residents of the Town or of the Town's extraterritorial jurisdiction, but in general they should represent the Robbins business community, a Robbins civic organization or otherwise have a substantial connection to the Robbins community.

(D) Ex-officio members are authorized to participate in all discussions of the Commission, but they not empowered to vote on matters before the Commission.

(Ord. passed October 13, 2016) (Amended November 10, 2016)

### **§ 34.32 MEMBERSHIP QUALIFICATIONS; COMPENSATION.**

(A) Where possible appointments shall be made in such a manner as to maintain on the Appearance Commission at all times a majority of members who have had special training or experience in a design field, such as architecture, graphic design, landscape design, horticulture, city planning, or a closely related field.

(B) The Town Board shall periodically review the backgrounds and qualifications of the Commission membership to insure that a majority has training or experience. Generally, the review shall take place at times of appointment.

(C) Members on the Commission may be reimbursed for actual expenses in the performance of the duties within the limits of any funds available to the Commission but shall serve without pay. In all cases, any reimbursement shall only be made in accordance with policies specifically approved by the Town Board.

(Ord. passed October 13, 2016)

### **§ 34.33 TERMS OF APPOINTMENT.**

(A) Initial appointments shall be staggered as follows: 1 appointee shall serve for 1 year; 3 shall serve 2-year terms; and 3 shall serve 3-year terms. Upon expiration of the initial staggered term, each Appearance Commission member shall serve a three (3) year term, but members may continue to serve until their successors have been appointed.

(B) For voting members, vacancies may be filled for the unexpired term only. The first term, without consideration as to length of that term, is considered a full term. An appointee who shall fill an unexpired term shall be entitled to serve an additional two (2) full consecutive terms.

(C) Ex-officio members shall serve three (3) year terms.

(D) Voting and ex-officio members may be appointed to not more than two (2) successive complete terms. For any member to be eligible to serve a third term, he or she must remain off the Appearance Commission a minimum of one (1) year to be appointed again.

(E) Membership on the Commission is declared to be an office that may be held concurrently with any other elective or appointive office pursuant to Article VI, Sec. 9, of the State Constitution.

(Ord. passed October 13, 2016) (Amended November 10, 2016)

### **§ 34.34 RECORDS; MEETINGS.**

(A) The Appearance Commission shall elect a chairman, vice-chairman and secretary; the latter officer may be a member of the commission or a member of the Town staff.

(B) The Appearance Commission shall maintain a record of its members' attendance and of its actions, findings, and recommendations, which shall be open to the public for inspection.

(C) A quorum of four (4) members shall be necessary to take any official action authorized or required by this commission. A quorum shall be calculated based on the number of voting members present. Ex-officio members shall not be counted for the purposes of determining whether a quorum is present.

(D) The commission shall meet at regular, scheduled times and at other times as the commission may determine as needed. All of its meetings shall be open to the public.

(Ord. passed October 13, 2016) (Amended November 10, 2016)

### **§34.35 POWERS AND DUTIES.**

The Appearance Commission shall study the visual problems and needs of the Town and the extraterritorial planning and zoning jurisdiction and shall make any plans and carry out any programs in accordance with the powers listed below to enhance and improve the visual quality and aesthetic characteristic of the Town and the extraterritorial jurisdiction beyond the Town limits. Specific emphasis and focus will be applied to the downtown district, a priority to the Board of Commissioners. To this end the Commission shall have the following powers and duties:

(A) To initiate, promote, and assist in the implementation of programs of general community beautification in the Town and the extraterritorial jurisdiction area beyond the Town limits;

(B) To seek to coordinate the activities of individuals, agencies, and organizations, public and private, whose plans, activities, and programs bear upon the appearance of the Town and the extraterritorial jurisdiction beyond the Town limits;

(C) To provide leadership and guidance in matters of area appearance or community design and appearance to individuals, and to public and private organizations and agencies;

(D) To make studies of the visual characteristics and problems of the Town and the extraterritorial jurisdiction beyond the Town limits, including surveys and inventories of an appropriate nature, and to recommend standards and policies of design for the entire area, any portion or neighborhood thereof, or any project to be undertaken;

(E) To prepare both general and specific plans for the improved appearance of the Town or the extraterritorial jurisdiction beyond the Town limits. These plans may include the entire area or any part thereof, and may include private as well as public property. The plans shall set forth desirable standards and goals for the aesthetic

enhancement of the Town or the extraterritorial planning and zoning jurisdiction beyond the Town limits, including public ways and areas, open spaces, and public and private buildings and projects; and

(F) To participate in the implementation of plans in accordance with the following powers:

1. To request from the proper officials of any public agency or body, including agencies of the state and its political subdivisions, its plans for public buildings,
2. facilities, or projects to be located within the Town or its extraterritorial planning and zoning jurisdiction;
3. To review these plans and to make recommendations regarding their aesthetic suitability to the Town Board, Moore County Board of Commissioners, and the Town Planning Board. All plans shall be reviewed by the Commission in a prompt and expeditious manner, and all recommendations of the Commission with regard to any public project shall be made in writing. Copies of the recommendation shall be transmitted promptly to the Town Board, Planning Board, and t-4oore County Board of Commissioners;
4. To formulate and recommend to the Planning Board and the Town Board the adoption or amendment of ordinances, including the zoning ordinance, subdivision regulations, and other local ordinances regulating the use of property, that will, in the opinion of the Commission, serve to enhance the appearance of the Town and the extraterritorial jurisdiction beyond the Town limits;
5. To enter, in the performance of its official duties and at reasonable times, upon private lands and make examinations or surveys;
6. To promote public interest in and an understanding of its recommendations, studies, and plans, and to that end to prepare, publish, and distribute to the public the studies and reports as will, in the opinion of the Commission, advance the cause of improved Town and county appearance;
7. To direct the attention of Town and county officials to needed enforcement of any ordinance that may in any way affect the appearance of the Town and county; and
8. To seek voluntary adherence to the standards and policies of its plans.

(Ord. passed October 13, 2016)

**§34.36 STAFF SERVICES; ADVISORY COUNCIL.**

The Town Manager, upon the request of the Chairperson of the Appearance Commission, may make necessary arrangements to supply available technical assistance to the Commission in performance of its responsibility by utilizing existing support staff of the Town. The Town Board may, in its sole discretion, further appropriate the amount, as it deems necessary to carry out the purposes for which the Commission was created. The Commission may establish an Advisory Council or other committees.

(Ord. passed October 13, 2016)

**§34.37 ANNUAL REPORT.**

The Appearance Commission shall submit no later than April 15 of each year, or at an earlier date or more often if deemed necessary by the Town Board, a thorough written report to the Town Board of its activities, accomplishments, and expenditures to date for the current fiscal year, and its requested appropriation for the next fiscal year. All accounts and funds appropriated directly to the Commission shall be administered substantially in accordance with the requirements of the Local Government Budget and Fiscal Control Act (LGBFCA), G.S. §§ 159-7 through 159-42.

(Ord. passed October 13, 2016)

**§34.38 RECEIPT AND EXPENDITURE OF FUNDS.**

The Appearance Commission may encourage contributions from private agencies, foundations, organizations, individuals, or other similar sources, in addition to any funds specifically appropriated for its use by the Town Board. Contributions of any fund will be used for any purpose within the scope of its authority as herein specified. No member of the Commission, however, shall have the authority to incur any financial obligations or liability in the name of the Town without first having obtained the written consent and approval of the Town Board substantially in accordance with the requirements of the Local Government Budget and Fiscal Control Act (LGBFCA), G.S. §§ 159-7 through 159-42.

(Ord. passed October 13, 2016)

**§ 34.39 ATTENDANCE AT MEETINGS.**

All members, including ex-officio members, shall faithfully attend the meetings of the Appearance Commission. Failure to attend three (3) consecutive meetings without prior excuse shall be cause for removal from the Appearance Commission.

**Section 2.** All provisions of any town ordinance or resolution in conflict with this ordinance are repealed.

**Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

\_\_\_\_\_  
Lonnie B. English, Mayor

ATTEST:

\_\_\_\_\_  
Matt Shuster, Town Clerk