

AN ORDINANCE REPEALING PRIOR ORDINANCES ESTABLISHING THE ESSEX ZONING COMMISSION AND THE ESSEX PLANNING COMMISSION AND ESTABLISHING IN PLACE THEREOF A COMBINED PLANNING AND ZONING COMMISSION

WHEREAS, The Town of Essex established a Planning Commission by an Ordinance adopted on July 31, 1956 (now known as 1956-02) and amended said Ordinance on September 11, 1969 (1969-03) and April 4, 1972 (1972-02); and

WHEREAS, The Town of Essex established a Zoning Commission by an Ordinance adopted on November 25, 1965 (now known as 1965-01) and amended said Ordinance on November 17, 1969 (1969-03), April 4, 1972 (1972-02) and July 29, 2002 (2002-01); and

WHEREAS, CONNECTICUT GENERAL STATUTES Section 8-4a provides that any Town may by ordinance designate its zoning commission or its planning commission as the planning and zoning commission for such municipality, and such planning and zoning commission shall thereupon have all the powers and duties of both a planning commission and a zoning commission and shall supersede any previous planning commission or zoning commission, as the case may be: and

. WHEREAS, CONNECTICUT GENERAL STATUTES Section 8-4a further provides that said ordinance shall establish the membership of such planning and zoning commission subject to the terms and provisions of said CONNECTICUT GENERAL STATUTES Section 8-4a, and shall provide for the manner of filling vacancies; and

. WHEREAS, CONNECTICUT GENERAL STATUTES Section 8-4a further provides that all regulations adopted by the planning commission or the zoning commission shall continue in full force and effect; and

WHEREAS, the Town of Essex wishes to designate its planning commission as the planning and zoning commission in accordance with the provisions of CONNECTICUT GENERAL STATUTES Section 8-4a.

NOW THEREFORE, it is ordained as follows:

1. As of the Annual Town Meeting to be held in November 2020, All the powers, duties and jurisdiction set forth in CONNECTICUT GENERAL STATUTES Section 8-1, et seq. (Zoning) and CONNECTICUT GENERAL STATUTES Section 8-18 et seq., (Planning) inclusive as amended, is hereby vested in the ESSEX PLANNING AND ZONING COMMISSION and all provisions of other Ordinances vesting those powers in a single Commission are then and hereby repealed.

2. The Planning and Zoning Commission shall consist of seven (7) regular members, who shall be electors of the Town of Essex and who shall serve three year terms and until their respective successors are duly qualified, as follows:

a. Three regular members shall be appointed by the Board of Selectmen for terms expiring on November 30, 2023; and

b. Two regular members shall be appointed by the Board of Selectmen for terms expiring on November 30, 2022; and

c. Two regular member shall be appointed by the Board of Selectmen for a term expiring on November 30, 2021; and

Thereafter upon the expiration of a term, regular members shall be appointed by the Board of Selectmen for a three year term commencing on December 1 of that year, subject to the approval of the preceding November Annual Town Meeting, or a Special Town Meeting called thereafter for that purpose.

All appointments shall comply with Connecticut General Statutes 9-167a regarding political party representation.

3. In addition to the seven (7) regular members, the Planning and Zoning Commission shall have three Alternates who shall be appointed and approved in the same manner as the Regular members each for a term of two (2) years and until their respective successors are duly qualified, commencing on December 1, 2020 and expiring November 30, 2022.

Thereafter upon the expiration of their term, alternate members shall be appointed by the Board of Selectmen for a two year term commencing on December 1 of that year, subject to the approval of the preceding November Annual Town Meeting, or a Special Town Meeting called thereafter for that purpose.

All appointments shall comply with Connecticut General Statutes 9-167a regarding political party representation.

4. All acts, rules, regulations, orders of the Essex Planning Commission and the Essex Zoning Commission adopted or exercised prior to the effective date of this Ordinance, shall remain in full force and effect.

5. Any vacancy in the regular or alternate membership of the Planning and Zoning Commission shall be filled by the Board of Selectmen within thirty (30) days, subject to approval of a Town Meeting called for that purpose.

6. All provisions of the above referenced Ordinances, or other Ordinances, relating to the Zoning Board of Appeals shall remain in full force and effect.

7. All provisions of other Ordinances referring to the Planning Commission or the Zoning Commission shall be deemed to be referring to the Planning and Zoning Commission as of the effective date of this Ordinance.

8. All provisions of the above referenced enabling Ordinances and amendments thereto relating to the Planning Commission and Zoning Commission not hereby amended specifically or by implication shall remain in full force and effect.

9. Subsequent to the appointment of the regular and alternate members to the Planning and Zoning Commission, the Commission shall conduct its organizational meeting in accordance with the provisions of the Connecticut General Statutes, and in accordance with any rules the Planning Commission may have adopted for the transaction of business pursuant to CONNECTICUT GENERAL STATUTES Section 8-19.

The effective date for this Ordinance shall be 15 days after publication in a newspaper having substantial circulation in the Town of Essex and then as of the Annual Town Meeting to be held in November 2020.