

Article 1: Title and Effective Date

This ordinance shall be known as the Hardy County Planning Commission Ordinance and its effective date shall be 04-18-2007.

Article 2: Authority and Purpose

This ordinance is adopted under the authority of West Virginia Code, Chapter 8A, Article 2, in accordance with sections pertinent to establishment of County Planning Commissions.

This ordinance shall reestablish the Hardy County Planning Commission as first established by Order of the Hardy County Commission dated February 21, 1966 recorded in the office of the County Clerk of Hardy County in Police and Fiscal Order Book #9, page 447 and amended by order of said Court on October 3, 1967 as recorded in said Clerk's office in Police and Fiscal Order Book #10, page 32.

The Hardy County Planning Commission shall:

- (a) prepare for Hardy County Commission plans and ordinances directing development of all lands within Hardy County, West Virginia not incorporated by municipalities.
- (b) conduct public hearings and inquiries as directed by various planning ordinances for the purposes those ordinances direct.
- (c) issue orders and rulings based upon majority votes as directed by various planning ordinances.

Article 3: Membership

The Hardy County Planning Commission shall consist of eleven (11) members.

The Hardy County Planner shall not be a member of the planning commission.

Members shall be appointed by the Hardy County Commission.

Appointments shall be for terms of three (3) years.

Members shall serve until the planning commission receives notice of replacement.

Members resignations should be submitted in writing to the Hardy County Commission and shall be effective upon acceptance by the county commission.

Members of the Hardy County Planning Commission may be removed by appropriate action of the appointing authority, the Hardy County Commission.

The Hardy County Commission shall consider for removal any planning commission member so recommended by a committee made up of the president and vice president of the planning commission and the Hardy County Planner.

Planning commission members removed shall be provided with a written statement of reasons for removal and shall have an opportunity to be heard on the matter of removal at next appropriate meeting of the Hardy County Commission.

Article 4: Meetings

The Hardy County Planning Commission shall meet at least quarterly.

Additional meetings may be scheduled by the president or by two or more members of the planning commission.

Quorums shall consist of a majority of members with current appointments.

Meeting agenda's shall be set by the planning commission president. Matters recommended by two or more members of the planning commission must be included.

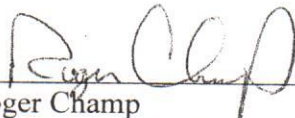
The president of the planning commission shall be part of the necessary quorum of members, but shall not vote on any matter except to break a tie vote of other members present.

Article 5: Validity and Conflict

This ordinance incorporates by reference all pertinent provisions of Chapter 8A of the West Virginia Code. If any provision of this ordinance is judged invalid by any court of competent jurisdiction, such judgment shall not affect validity of any other provision or the ordinance as a whole.

EXH. 6.T 'D'

This hardy County Planning Commission Ordinance shall take effect on April 18th, 2007.



Roger Champ
President, Hardy County Commission

EXHIBIT
'D-1'