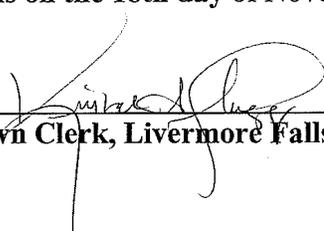


**ESTABLISHMENT OF THE LIVERMORE FALLS
PLANNING BOARD**

**ATTEST: A True Copy of an ordinance entitled
“Establishment of the Livermore Falls Planning Board” as
certified to me by the Municipal Officers of the Town of
Livermore Falls on the 18th day of November, 1998**



Town Clerk, Livermore Falls

ESTABLISHMENT OF THE TOWN OF LIVERMORE FALLS PLANNING BOARD

1. Establishment:

Pursuant to Article VII, Part 2, Section 1 of the Maine Constitution and 30-A MRSA Section 3001, the Town of Livermore Falls hereby establishes the Planning Board.

2. Appointment:

A. Board members shall be legal registered voters of the Town of Livermore Falls and shall be appointed by the Municipal Officers and sworn by the Clerk or other person authorized to administer oaths.

B. The Board shall consist of five (5) members.

C. New board members shall be appointed. The term of each member thereafter shall be three (3) years for three (3) of the members and two (2) years for two (2) of the members.

D. When there is a permanent vacancy, the Municipal Officers shall within sixty (60) days of its occurrence appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a legal registered voter of the town, or when a member fails to attend four (4) consecutive regular meetings, or fails to attend at least seventy-five (75) percent of all meetings during the preceding twelve (12) month period. When a vacancy occurs the Chairperson of the Board shall immediately so advise the Municipal Officers in writing. The Board may recommend to the Municipal Officers that the attendance provision be waived for cause, in which case no vacancy will then exist until the Municipal Officers disapprove of the recommendation. The Municipal Officers may remove members of the Planning Board by unanimous vote, for cause, after notice and hearing.

E. A Municipal Officer or full-time employee of the Town of Livermore Falls may not be a member.

3. Organization and Rules:

A. The Board shall elect a chairperson and a vice-chairperson from among its members. The Board may either elect a secretary from among its members, hire a non-board member, or instruct the Code Enforcement

Officer to serve as a secretary. The term of all offices shall be one (1) year with eligibility for re-election.

B. A member who has a direct or indirect personal or pecuniary interest in any question or matter on which he or she must in an official capacity act shall make full disclosure of that interest for the record and shall abstain from voting or attempting to influence a decision of the Board.

C. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members present except the member who is being challenged.

D. The chairperson shall call at least one (1) regular meeting of the Board each month.

E. No meeting of the Board shall be held without a quorum consisting of three (3) members authorized to vote. Any action of the Board shall require the affirmative vote of a majority of its members present unless otherwise provided by law.

F. The Board shall adopt rules for transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at reasonable times.

4. Duties and Powers:

A. The Board shall perform such duties and exercise such powers as are provided by the Town of Livermore Falls' ordinances and the laws of the State of Maine.

B. The Board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

C. The Board shall perform and update a comprehensive plan as defined in 30-A MRSA, Section 4324.

D. The Board shall conduct planning studies and prepare reports, make recommendations, advocate local and State public policies, and advise the citizens and Municipal Officers of planning and community issues pending for consideration or discussion. The Board may take such actions either at the volition of the members or at the request of the Municipal Officers or voters assembled at the Town Meeting.

5. Repeal of Prior Ordinances and Ratification of Prior Board Actions.

Any ordinance enacted or legislative act prior hereto and establishing or purporting to establish a Planning Board by that or another name, or

governing or purporting to govern its membership, authority or procedure, is hereby repealed, it being the intent of this ordinance to abolish and replace any such Board with a Planning Board lawfully established and authorized. Any act prior hereto of that Board commonly known as the Planning Board and abolished hereby is hereby ratified and confirmed.

Adopted May 19, 1999

Amended June 14th, 2011

Bylaws of the Planning Board Town of Livermore Falls

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for Board meetings and to promote the fair, orderly, and efficient conduct of the Board's proceedings and affairs. These bylaws shall govern the Board's practices and procedures except as otherwise provided by law and shall be liberally construed so as to accomplish their purpose.

Section 2. Officers and Duties

Officers of the Board shall consist of a Chairperson, Vice-Chairperson, and Secretary to be chosen at the first board meeting following the annual town meeting by and from among Board members unless otherwise provided by law. The Chairperson shall preside at all board meetings and shall have the authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and consistent with these bylaws or other law to enable the Board to perform its duties and conduct its affairs. In the absence of the Chairperson, the Vice-Chairperson shall preside and shall have the same authority. The Secretary shall maintain a permanent record of all Board meetings and all correspondence of the Board, which shall be a public record except as otherwise provided by law.

Section 3. Meetings

Regular meetings of the Board shall be held on the third Wednesday of each month or as otherwise necessary or as required by law. Special meetings may be called at the discretion of the chairperson or upon the request of a majority of the Board, provided, however, that notice thereof shall be given to each member and the press at least 48 hours in advance and no business may be connected other than as specified in said notice.

Notice of all board meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law.

No business may be conducted by the Board except in a duly called and noticed meeting or without a quorum consisting of a majority of the Board being present. The order of business at regular meetings shall be as follows:

1. Roll-call and determination of a quorum.
2. Minutes of the previous meeting and communications.
3. Old (unfinished) business.
4. New business.
5. Other business.
6. Public participation.
7. Adjournment.

Section 4. Hearings

Public hearings of the Board shall be called as required by law or on such other occasions as a majority of the Board may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time, and place of the hearing and a general description of the subject matter.

The chairman shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board may receive any oral or documentary evidence but shall exclude irrelevant, immaterial, or unduly repetitious evidence, provided, however, that formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chairman and without interruption, provided, however, that the Chairman may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits, or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, provided, however, that the Chairman may impose such other reasonable limitations as may be necessary to prevent an abuse of process.

Section 5. Participation and Voting

Any action of the Board shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

No member may participate or vote in any adjudicatory proceeding, including proceedings on licenses, permits, or other approvals, unless the member was present during all hearings.

All members who are present and qualified as provided herein shall vote in every matter to be voted on unless excused by the Chairman for good cause shown.

Section 6. Decisions

All decisions of the Board shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conditions and the reasons or basis therefore. All such decisions, together with any tape recording or transcript of testimony and deliberations and any documents and exhibits, shall constitute a public record.

Notice of any decision, if required, shall be given as prescribed by law.

The Board may reconsider any decision within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The Board may conduct additional hearings and receive additional evidence and testimony as provided herein.

Section 7. Conflict with Laws

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

Section 8. Waivers and Amendments

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Board unless otherwise provided by law. These bylaws may be amended at any time in writing by majority vote of the board.

Adopted November 18, 1998

Section 3 amended by the Board on December 15, 1999.