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Lizabeth R. Roupe  
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LIZABETH REEVES ROUPE  
REGISTER OF DEEDS

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BOOK 00326  
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INSTRUMENT # 00625

**AN ORDINANCE TO CREATE A PLANNING BOARD FOR  
ALLEGHANY COUNTY, NC**

WHEREAS, North Carolina General Statute 153A-321 provides for the creation, operation and duties of a county planning board; and

WHEREAS, North Carolina General Statute 153A-344 requires ordinances relating to zoning to have certification and recommendation from a county planning board.

NOW, THEREFORE, BE IT ORDAINED that the Alleghany County Board of Commissioners hereby establishes the “Alleghany County Planning Board” and that it be governed by the following provision:

Section 1: Membership

The Alleghany County Planning Board shall be comprised of five (5) members with two (2) alternate members. There shall be one member from each of the five fire districts of Alleghany County and two members shall be at-large and serve as alternate members on the board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member and when such attendance is necessary to establish a quorum as specified under North Carolina General Statute 153A-345 and the Alleghany County Property Rights Protection Ordinance.

Potential members of the Alleghany County Planning Board shall submit an application in the form required by the existing Board of County Commissioners. The members of the Planning Board shall be selected by the Alleghany County Commissioners from the applications. If there are no applicants from a fire district, the position may be filled by a resident from another fire district.

Section 2: Organization, Rules, Meetings, Records

The Alleghany County Planning Board shall elect a chairman and create and fill such offices as it may determine. The members of the Planning Board shall serve at the pleasure of the Board of Commissioners. The Planning Board shall adopt rules for transaction of its business and shall keep record of its member’s attendance and of its resolutions, discussions, findings and

recommendations. The Planning Board meetings shall be open to the public and will abide by all North Carolina public open meeting laws. For the purpose of taking any official action, three members will constitute a quorum.

### Section 3: General Powers and Duties

The Alleghany County Planning Board shall perform the following duties:

1. Make studies of the county and surrounding area;
2. Determine objectives to be sought in the development of the study area.
3. Prepare and adopt plans for achieving these objectives;
4. Develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
5. Advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;
6. Exercise any functions in the administration and enforcement of various means for carrying out plans that the Board of Commissioners may direct;
7. Perform any other related duties that the Board of Commissioners may direct.

### Section 4: Special Advisory Committees

The Alleghany County Planning Board may seek the establishment of and advice from advisory committees established by the County Commissioners or the Planning Board in carrying out its specified duties and powers. The Planning Board may not delegate to any such advisory committee any of its official or statutory duties.

### Section 5: Planning Staff

The Board of Commissioners may appoint county staff to serve as a technical advisor, clerk and general assistant to the Planning Board in carrying out its specified duties and powers.

### Section 6: Severability

If any provision of this ordinance or any rule, regulations, or order thereunder or the application of such provision to any person or circumstances is held invalid, the remaining provisions of this ordinance or such rules, regulations or orders to persons or circumstances other than those held invalid will not be affected thereby.

### Section 7: Supersedes Prior Planning Board Ordinances

As of the effective date of this Ordinance, this Ordinance shall supersede all prior Planning Board Ordinances.

Adopted this the 5<sup>th</sup> day of March, 2009.

ATTEST:

ALLEGHANY COUNTY BOARD OF  
COMMISSIONERS:

(sig: Karen Evans)  
Karen Evans  
Clerk to the Board

(sig: Ken Richardson)  
Ken Richardson, Chair

(sig: Randy Miller)  
Randy Miller, Vice-Chair

(County Seal)

(sig: Doug Murphy)  
Doug Murphy, Member

(sig: Milly Richardson)  
Milly Richardson, Member

(sig: Steve Roten)  
Steve Roten, Member