
SUBJECT: ORDINANCE #1995-1 (PLANNING COMMISSION MEMBERSHIP)

ADOPTED DATE: MAY 15, 1995

PAGE 1 OF 2

CASS COUNTY GOVERNMENT
ORDINANCE #1995-1

AN ORDINANCE TO CHANGE COUNTY PLANNING COMMISSION MEMBERSHIP

WHEREAS, Article 2, paragraph 3 of the Cass County Home Rule Charter contains language that enables the Board of County Commissioners to provide for county elected and appointed officers and employees, and the terms of county appointed officers and employees.

WHEREAS, in its opinion dated February 27, 1995, the North Dakota Attorney General determined that if a home rule county charter includes the authority, and that authority has been implemented in an ordinance, a home rule county may determine membership requirements for the county planning commission by the adoption of an ordinance, and that a home rule charter and ordinance will supersede state law in conflict therewith.

WHEREAS, it is the desire of the Cass County Commission to provide for fair voting representation of all of Cass County on the County Planning Commission.

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Cass County, North Dakota:

The Planning Commission Membership and terms shall be as listed below. This supersedes North Dakota Century Code 11-33-04.

MEMBERSHIP

- 1 Cass County Commissioner, appointed by Commission annually
- 1 Fargo City Commissioner, appointed by City annually
- 1 West Fargo City Commissioner, appointed by City annually
- 1 County resident, nominated by Cass County Township Officers Association as an annual appointment
- 2 City of Fargo residents, appointed by County Commission
- 3 Rural County residents, appointed by County Commission--these members will not be bound by area or district, but it is preferred that the Commission endeavor to appoint 1 person from near north of the metropolitan area, 1 person from near south of metropolitan area and 1 person from west of the metropolitan area

TERMS

4 year terms except City Commission, County Commission and Township Officers Association representative

ss/Bernie Ness
Chair, Board of Commissioners
of the County of Cass

ATTEST:

ss/Michael Montplaisir
Michael Montplaisir
County Auditor

First Reading: 4/17/95
Second Reading: 5/15/95
Final Passage: 5/15/95
Publication: 4/17/95
4/24/95

(SEAL)

HISTORICAL REFERENCE DATE: MAY 15, 1995