ORDINANCE CREATING THE POSITION OF PLANNING DIRECTOR

The position of Planning Director is hereby created. The Planning Director shall be considered a department head and shall report directly to the Town Manager. The Planning Director shall oversee the Town's land use, planning and code enforcement functions, and shall manage the Town's planning and code enforcement staff. The Town Manager shall create a comprehensive job description for the position.

In furtherance of the creation of the Planning Director position, the following ordinances are hereby amended:

DIVISION 8. PLANNING AND CODES DEPARTMENT

Sec. 2-425. Established; appointment.

There shall be a planning and codes department, whose department head shall be the ~~codes enforcement officer~~ planning director who shall be appointed by the town manager. ~~He/she may also be the building inspector, plumbing inspector and electrical inspector, or individuals may be appointed by the town manager to serve as a particular inspector.~~ The planning director shall have authority to hire, supervise and remove a code enforcement officer and such building, plumbing and electrical inspectors as agreed to by the town manager.

Sec. 2-426A. Duties of the planning director.

The planning director shall:

(a) Supervise all planning, development and code enforcement functions of the Town of Lisbon.

(b) Receive applications for building activity or other development required by any town codes or state law to be reviewed by the planning board, and make recommendations to the planning board regarding the compliance of a proposal with relevant codes or laws.

(c) Coordinate the review of all applications submitted for planning board or board of appeals review and administer the review process.

(d) Make recommendations for improvement of the town's land use maps and ordinances, for consideration by the planning board and/or town council, as appropriate.

(e) Develop planning goals and initiatives to ensure economically and environmentally viable development in the Town of Lisbon.

(f) Prepare and submit annually to the town manager a budget relating to all planning and codes department activities.

Sec. 2-426B. Duties of the codes enforcement officer.

The codes enforcement officer or such other building and inspection officials of the Town of Lisbon, as so designated, shall:

(a) Administer and enforce the ordinances, codes, and statutes that pertain to the development of property, building construction and maintenance.

(b) Place a stop order on activities that are in violation of any municipal code or statute that he/she is responsible for enforcing.

(c) Receive applications for building activity or other development required by any town codes or state law to be approved by the codes enforcement officer, determine whether the applications meet code or legal requirements, and ~~to~~ render decisions thereon or where appropriate to refer the application to

the appropriate town board for further determination and ~~to~~ maintain all records regarding applications and decisions thereon as rendered by this department.

(d) Conduct inspections whether in response to inquires or complaints, at the inspector's initiative, or in accordance with a program of systematic inspection and enforcement, or as otherwise may be deemed necessary and appropriate, to assure compliance with applicable codes, regulations and law; ~~to~~ maintain records of such inspections, ~~to~~ provide notices of violation where same are found to the owner of record and/or occupant of the property, and ~~to~~ maintain such other records of inspection and inspection reports as are necessary and appropriate.

(e) Provide assistance to the public in applying for permits and complying with permitting code requirements.

(f) Issue a certificate of approval when it is determined that all the requirements of any municipal code or statute which the CEO must enforce have been met, if required.

(g) ~~To p~~Perform such other duties as may be imposed upon him/her by law or, from time to time, by the town council or town manager.

(h) ~~Shall be responsible for issuing all permits as generally, and~~Issue all building permits and inspect~~ing~~ all permitted construction.

(i) ~~Shall be responsible for i~~Issuing plumbing permits and inspect~~ing~~ all permitted plumbing work in accordance to the state plumbing code and/or such codes as may be adopted by the town council.

~~(j) Prepare and submit annually to the town manager a budget relating to all codes department activities.~~

(~~k~~j) ~~Shall be responsible for inspecting~~Inspect all electrical work in accordance with the National Electrical Code as adopted by the town council and/or such other codes as may be adopted by the town council.

~~(l) Serve as staff for the planning board and the board of appeals.~~

(m) Perform all other duties required by Town Charter, town ordinances, state law or as may from time to time be requested by the town manager and/or ~~town council~~planning director.

Sec. 70-193. Application procedure.

(a) *Application required.* Any person advised by the ~~codes enforcement office~~planning director that a proposed use requires a conditional use permit from the Town of Lisbon Planning Board, shall submit a written application to the ~~codes enforcement office~~planning director on a form provided by the town. All applications shall be signed by the owner of the property, or other duly authorized person applying for the permit, certifying that the information on the application together with any submissions or supporting data, is complete and correct. All applications shall be dated upon submission to the codes enforcement office, noting on each application the time and date of its receipt. Ten copies of each application, together with additional submissions and supporting data, shall be filed.

(b) *Application requirements.* Each application shall contain, as a minimum, the following submission requirements:

(1) A complete set of plans in accordance with the submission requirements for preliminary plans under section 66-52(3) of the Town of Lisbon Subdivision Ordinance.

(2) A statement addressing all of the applicable factors listed in section 70-194 of this zoning ordinance.

(3) If the applicant is not the owner of the property, then a letter of intent from the owner authorizing the application as submitted and noting that it is provided with the full authority of the owner.

(c) *~~Codes enforcement office~~planning director action.* Upon receipt of the application required under subsection (a) above, the ~~codes enforcement officer~~planning director, or ~~his~~ their designee, shall:

(1) Note on each copy of the application, the date and time of receipt in the ~~codes enforcement~~planning office.

(2) Review each application to determine whether the submission requirements under subsection (b) above have been met, and to determine the next scheduled meeting, no sooner than 14 days after the date of filing of the application, at which the planning board may consider the application. If additional information from town staff is required, the ~~codes enforcement officer~~planning director or ~~his~~ their designee may refer the application to the appropriate staff member for staff review of the plan and for comments or recommendations on the application.

(3) If an application is deemed to meet all of the submission requirements, then the ~~codes enforcement officer~~planning director shall schedule a public hearing before the planning board on the application and notify all abutters and the general public, in accordance with the notice requirements set forth below.

(4) If the applicant has not met all submission requirements, then the ~~codes enforcement officer~~planning director or ~~his~~ their designee shall notify the applicant in writing of any additional submission requirements that need to be provided in order to meet the application requirements of subsection (b) above. If the ~~codes enforcement officer~~planning director or ~~his~~ their designee is uncertain, or needs input from the planning board regarding submission requirements, then the matter may be placed on the next planning board agenda for the sole purpose of determining what, if any, additional submissions will be required prior to processing the application. In this instance, no public hearing shall be scheduled until at least 14 days after receipt of any required additional submissions.

(d) *Notice requirements.* The ~~codes enforcement officer~~planning director shall provide notice of the filing of an application to all abutters. Abutters shall be defined as those property owners as designated in the Town of Lisbon tax records, of all properties immediately adjacent to the property subject to the conditional use application, and any other properties directly across any street or right-of-way from that property. The ~~codes enforcement officer~~planning director or ~~his~~ their designee shall also provide notice of any public hearing by causing a notice of that public hearing identifying the applicant, the property, nature of the conditional use, and the time, date and place of the hearing, in a newspaper of general circulation within the Town of Lisbon, with copies by regular mail to all abutters at least seven days prior to the hearing date. The notice of filing of the application and the notice of public hearing may be combined into a single notice. Notice of planning board review of submission requirements shall be sent by regular mail to all abutters at least seven days prior to the meeting at which same shall be considered and may be combined with the abutters notice of filing.

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(h) *Presentation by ~~CEO~~planning director.* The ~~code enforcement officer~~planning director shall attend all ~~hearings~~ application review meetings and hearings and may present to the planning board all plans, photographs or other material ~~he~~ they deem~~s~~ appropriate for an understanding of the application and make recommendations as to any requested waivers and as to findings of fact regarding the application.~~.~~