

**ORDINANCE NO. 2017-09-18-01**

**AN ORDINANCE CREATING A CITY PLANNING COMMISSION FOR THE  
CITY OF ASHLAND, ALABAMA**

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**BE IT ORDAINED BY THE CITY COUNCIL OF ASHLAND, ALABAMA AS  
FOLLOWS:**

**SECTION 1:** There is hereby created a Planning Commission for the City to consist of nine (9) members, to be appointed for terms and in the manner set forth in *Section 11-52-3, Code of Alabama, 1975*.

**SECTION 2:** The Planning Commission is hereby authorized and empowered to exercise all powers and do all things authorized to such Commission by *Title 11, Chapter 52, of the Code of Alabama*, as it may deem necessary for its work.

**SECTION 3:** The Planning Commission is authorized and empowered to make and adopt a master plan for the physical development of the City including any areas outside its boundaries which, in the Commission's judgment, bear relation to the planning of the City. Such plan, with the accompanying maps, plats, charts and description matter, shall show the Commission's recommendations for the development of such territory, including, among other things, the general location, character, and extent of streets, viaducts, subways, bridges, waterways, waterfronts, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds and open spaces; the general location of public buildings and other public property; general location and extent of public utilities and terminals, whether publicly-or privately-owned or operated, for water, light, transportation, sanitation, communication, power, and other purposes; also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities, terminals; as well as a zoning plan for the control of the height, area, bulk, location, and use of the buildings and premises.

**SECTION 4:** As the work of making the whole master plan referred to in SECTION 3 progresses, the Planning Commission may from time to time adopt and publish a part or parts thereof, and such part to cover one or more major sections or divisions of the City or one or more of the matters mentioned in SECTION 3 or other functional matters to be included in the plan.

**SECTION 5:** The Planning Commission is also authorized and empowered to exercise all powers and to do all things authorized to such Commission by *Title 11, Chapter 52, of the Code of Alabama*, and to exercise such control as is authorized thereunder with reference to subdivisions of unimproved property within five (5) miles of the corporate limits of the City.

**SECTION 6:** The Mayor and City Council are hereby authorized to make all appointments and exercise all authority with respect to the planning commission as is authorized by *Title 11, Chapter 52, of the Code of Alabama*.


**SECTION 7:** All Ordinances or parts of Ordinances which conflict with this Ordinance are hereby repealed.


**SECTION 8:** All sections of this Ordinance are hereby declared to be severable; and if any word phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the judgment or decree of any Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance.

**SECTION 9:** This Ordinance shall become effective upon its adoption and publication as required by law.

**ADOPTED and APPROVED** this 18<sup>th</sup> day of September, 2017.

**ATTEST:**

  
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**CHELSEY WYNN, City Clerk**  
**City of Ashland**

  
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**LARRY J. FETNER, Mayor**  
**City of Ashland**