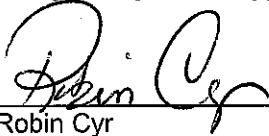
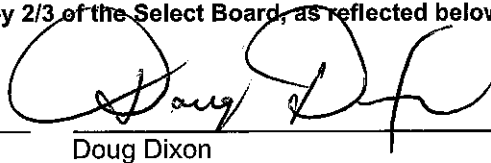


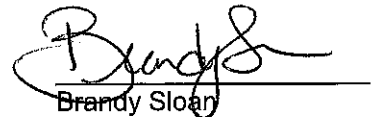
**Town of Benton
Local Ordinance Creation or Modification
Policy #08**

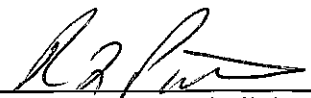
Town of Benton Policy #08 - Adopted by Town Select Board, October 11, 2021

Policy is only valid if approved by 2/3 of the Select Board, as reflected below with signatures.


Robin Cyr


Doug Dixon


Brandy Sloan


Town Clerk (attested official copy)

Town of Benton

Local Ordinance Creation or Modification

Policy #08

PURPOSE

This policy provides direction to manage the process for adoption of new or revisions to the Town's ordinances. The review process described in this policy is to ensure the Town staff, board members, elected and appointed staff outlined in this policy will have the opportunity to review and collaborate on ordinance creation and modification.

DEFINITIONS

Moratorium – Legally authorized period of delay set by the Town of Benton's Select Board.

Ordinance – Local law such as a zoning ordinance enacted by the governing body of the town which applies only to its boundaries. To have full force and effect of law, an ordinance must not be in conflict with any higher law such as state or national law or constitutional provisions.

Originating Party – a party (person or team) responsible for creation or revision of a local policy/ordinance.

Reviewing Party – A party responsible for review of the local policy/ordinance creation or revision.

Review Team – The Review Team consists of the following Town staff, boards, elected and appointed officials:

- Economic Development Committee – Review consistency with Comprehensive Plan.
- CEO – Review consistency with local and state ordinances.
- Planning Board – Review consistency with local and state ordinances.
- Appeals Board – Review for understanding and comment.
- Town Clerk – Review for understanding, drafting or ordinance with Town warrant and maintenance or ordinance of record.
- Town Attorney – Review consistency with local and state ordinances and laws.
- Select Board – Final approval to move proposed change to warrant.
- Affected citizens include – elected, appointed, volunteer, contract workers of the Town of Benton.

POLICY

This policy covers all new and revisions of the Town of Benton local ordinances. Waivers to this policy may be requested of the Select Board for cases that require adoption by the Town for emergency bases or in the event of the need for a moratorium. Moratorium will remain at the discretion of the Town of Benton's Select Board.

The procedures outlined in this policy cover both single and multiple ordinance review and/or creation. Generally, where multiple ordinance changes are being proposed the process will be easier managed with a scheduled working session of the review team.

The Town Clerk shall keep in his/her office a copy of this policy as a chapter in Town of Benton's Office Policy and Procedure Manual.

Town of Benton
Local Ordinance Creation or Modification
Policy #08

PROCEDURE

1. The Originating Party will provide a copy of the proposed ordinance creation or modification to the Select Board.
2. The Select Board with Originating Party will determine which Review Party will review and acknowledge they are aware of the new proposed ordinance. Town Clerk will provide a cover form to record or obtain acknowledgements. The review may require more than one iteration.
3. The Select Board, as required, will forward the proposed ordinance to the town attorney for review.
4. The Select Board will instruct the Town Clerk to establish a date for a public hearing about the ordinance creation or modification and send notification of the public hearing. A copy of the notice that includes the Review Party names will be attached to the proposed paperwork.
5. The Select Board will ask the Town Clerk to create the warrant for vote at a Town meeting.
6. The proposed ordinance will go before the Town for a vote.

