

**ORDINANCE AMENDING CHAPTER 151 BOARD OF PLANNING & ADJUSTMENT  
OF THE TOWN OF BOILING SPRINGS CODE OF ORDINANCES  
AMENDMENT NO. TA160802.01**

**BE IT ORDAINED** by the Boiling Springs Town Council assembled this the 30<sup>th</sup> day of June, 2016.

**Part 1.** General Statute § 160A-362 provides for the proportional representation based on population for residents of the Town's Extra Territorial Jurisdiction. Based on the most recent Census information, the Board of Planning and Adjustment Chapter 151.170 and 151.171 of the Zoning Ordinance is accordingly amended to read as follows:

**§ 151.170 ESTABLISHMENT OF BOARD OF PLANNING AND ADJUSTMENT.**

(A) A Board of Planning and Adjustment is hereby established. The Board shall consist of nine members. ~~Five~~Seven members shall be residents of the town and shall be appointed by the Town ~~Board of Commissioners~~Council and ~~four~~two members, who shall be residents of the Area of Extraterritorial Jurisdiction, shall be appointed by the Cleveland County Board of Commissioners upon recommendation by the Town ~~Board of Commissioners~~Council. All members shall serve terms of three years, except for the initial appointments where three members shall be appointed for one year terms, three members shall be appointed for two year terms and three members shall be appointed for three year terms. Vacancies shall be filled for the unexpired portions of the terms in the same manner as the initial appointment. The term for each appointed member shall begin on the effective date of the adoption of this chapter. Members may be appointed for any number of successive terms. All members shall vote on all matters except as otherwise provided for in this subchapter.

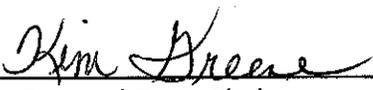
**§ 151.171 BOARD OF ADJUSTMENT; COMPOSITION.**

When acting as a Board of Adjustment the Board shall consist of five regular members and four alternate members. The Chair and Vice-Chair of the Board of Planning and Adjustment shall serve as regular members of the Board of Adjustment and serve as Chair and Vice-Chair respectively, of the Board of Adjustment. The Chair shall appoint three additional members from the remaining seven members of the Board of Planning and Adjustment to serve as regular members and the remaining four members shall serve as alternate members. At all times, however, at least ~~two~~one Area of Extraterritorial Jurisdiction members shall serve as regular members of the Board of Adjustment.

**Part 2.** This Ordinance shall become effective upon its adoption by the Boiling Springs Town Council.

Adopted this the 2<sup>nd</sup> day of August 2016.

  
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Max Hamrick | Mayor

  
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Kim Greene | Town Clerk