

## **Title 20 – Land Use and Zoning**

### **Chapter 1 – Planning Commission**

<b>Sec.</b>	
20-01.010	Authority
20-01.020	Definitions
20-01.030	Establishment
20-01.040	Membership
20-01.050	Duties
20-01.060	Assistance
20-01.070	Reports
20-01.080	Repealer
20-01.090	Severability

#### **Legislative History**

Enacted:

Land Use and Zoning, Ord. 176 (9/5/03), BIA (9/12/03).

Repealed or Superseded:

An Ordinance Establishing the Planning Commission, Ord. 21 (3/3/64).

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#### **20-01.010 Authority.**

The Chapter is adopted pursuant to authority provided by the following provisions of the Swinomish Constitution, as most recently amended:

Art. VI, Sec. 1(c), (k)(a), (l), (m), (n), (s).

Art. VI, Sec. 5(a).

[History] Ord. 176 (9/5/03); Ord. 21 (3/3/64).

#### **20-01.020 Definitions.**

(A) For the purposes of this Chapter, unless explicitly stated otherwise, the following definitions shall apply.

(1) “Commission” means the Planning Commission.

- (2) “Reservation” means all lands and waters within the exterior boundaries of the Swinomish Indian Reservation of the Swinomish Indian Tribal Community.
- (3) “Senate” means the governing body of the Swinomish Indian Tribal Community, the federally recognized Indian Tribe of the Swinomish Indian Reservation.
- (4) “Tribe” or “Tribal Community” means the Swinomish Indian Tribal Community.

(B) All other words and phrases shall have their ordinary and customary meanings.

[History] Ord. 176 (9/5/03).

**20-01.030 Establishment.**

There is hereby established a Planning Commission for the Swinomish Indian Reservation and Swinomish Indian Tribal Community, to be known as the “Planning Commission.”

[History] Ord. 176 (9/5/03); Ord. 21 (3/3/64).

**20-01.040 Membership.**

- (A) Beginning in February 2004, the Planning Commission shall consist of seven (7) members and alternates appointed by the Chair of the Senate and may be either members or non-members of the Tribe. A majority of the members shall be tribal members.
- (B) The Senate may appoint alternates at its discretion. A majority of the alternates shall be tribal members.
- (C) A quorum shall be four (4) members.
- (D) The term of office shall be one (1) year. A member or alternate of the Planning Commission may serve multiple and consecutive terms.

[History] Ord. 176 (9/5/03); Ord. 21 (3/3/64).

**20-01.050 Duties.**

It shall be the duty of the Planning Commission to prepare a comprehensive community plan and recommend the same, together with revisions from time to time as they become necessary, for adoption by the Senate, together with recommendations on the adoption of a zoning code, various building codes, and in general to make recommendations to the Senate with regard to proposed projects, programs or activities that affect the physical growth and development of the Reservation.

[History] Ord. 176 (9/5/03); Ord. 21 (3/3/64).

**20-01.060 Assistance.**

The Planning Commission may secure assistance from the Western Washington Indian Agency, the Bureau of Indian Affairs, and public or private planning agencies and technical staffs, provided that no expense in connection therewith, chargeable against the Tribe, shall be incurred without prior approval of the Senate.

[History] Ord. 176 (9/5/03); Ord. 21 (3/3/64).

**20-01.070 Reports.**

The Planning Commission shall report at least quarterly to the Senate, and at such other times as the Senate shall request, concerning matters involved in an overall comprehensive general plan for the Reservation.

[History] Ord. 176 (9/5/03); Ord. 21 (3/3/64).

**20-01.080 Repealer.**

This Chapter repeals and supersedes Ordinance 21.

[History] Ord. 176 (9/5/03).

**20-01.090 Severability.**

[Reserved]