

## §4324. Responsibility for growth management

This section governs a municipality's or multimunicipal region's responsibility for the preparation or amendment of its growth management program. When procedures for the adoption of comprehensive plans and ordinances are governed by other provisions of this Title or municipal charter or ordinance, the municipality or multimunicipal region may modify the procedural requirements of this section as long as a broad range of opportunity for public comment and review is preserved. [PL 2001, c. 578, §13 (AMD).]

**1. Growth management program.** Each municipality or multimunicipal region may prepare a growth management program in accordance with this section or may amend its existing comprehensive plan and existing land use ordinances to comply with the procedures, goals and guidelines established in this subchapter.

[PL 2003, c. 641, §7 (AMD).]

**2. Planning committee.** If a municipality or multimunicipal region chooses to prepare a growth management program, the municipal officers of a municipality or combination of municipalities shall designate and establish a planning committee, which may include one or more municipal officials.

A. The municipal officers may designate any existing planning board or district established under subchapter 4, or a former similar provision, as the planning committee. Planning boards established under former Title 30, section 4952, subsection 1 continue to be governed by those provisions until they are superseded by municipal charter or ordinance. [PL 2003, c. 641, §7 (AMD).]

B. The planning committee may develop and maintain a comprehensive plan and may develop any portion of an implementation program to which it is assigned in an adopted comprehensive plan or otherwise directed by the municipal officers or municipal legislative body or bodies. In performing these duties, the planning committee shall:

(1) Hold public hearings and use other methods to solicit and strongly encourage citizen input; and

(2) Prepare the comprehensive plan or any portion of the implementation program to which it is assigned in an adopted comprehensive plan and make recommendations to the municipal legislative body regarding the adoption and implementation of the program or amended program. [PL 2001, c. 578, §13 (AMD).]

[PL 2003, c. 641, §7 (AMD).]

**3. Citizen participation.** In order to encourage citizen participation in the development of a growth management program, municipalities or multimunicipal regions may adopt growth management programs only after soliciting and considering a broad range of public review and comment. The intent of this subsection is to provide for the broad dissemination of proposals and alternatives, opportunity for written comments, open discussions, information dissemination and consideration of and response to public comments.

[PL 2001, c. 578, §13 (AMD).]

**4. Meetings to be public.** The planning committee shall conduct all of its meetings in open, public session. Prior public notice must be given for all meetings of the planning committee pursuant to Title 1, section 406.

[PL 2001, c. 578, §13 (AMD).]

**5. State review.**

[PL 1991, c. 622, Pt. F, §24 (RP).]

**6. Comments sent to municipality.**

[PL 1991, c. 622, Pt. F, §25 (RP).]

**7. Comments and revisions.**

[PL 1991, c. 622, Pt. F, §26 (RP).]

**8. Public hearing required.** The planning committee shall hold at least one public hearing on its proposed comprehensive plan.

A. Notice of a public hearing must be posted in each municipality at least 30 days before the hearing, except that, if a follow-up hearing is held pursuant to comments made at a public hearing, the follow-up hearing may be conducted if public notice is given pursuant to Title 1, section 406. [PL 2003, c. 641, §8 (AMD).]

B. A copy of the proposed comprehensive plan must be made available for public inspection at each municipal office or other convenient location with regular public hours at least 30 days before the hearing. If modification of the plan is proposed pursuant to comments made at a public hearing, and if a follow-up public hearing is to be held, the proposed changes must be made available for public inspection at each municipal office or other convenient location with regular public hours before any follow-up hearing. [PL 2003, c. 641, §8 (AMD).]

[PL 2003, c. 641, §8 (AMD).]

**9. Adoption.** A comprehensive plan or land use ordinance is considered adopted as part of a growth management program when it has been adopted by the municipality's legislative body. A multimunicipal comprehensive plan or land use ordinance must be adopted by the municipal legislative body of each participating municipality unless another form of legislative authority has been established for this purpose within the municipality or multimunicipal region.

[PL 2001, c. 578, §13 (AMD).]

**10. Amendments to an adopted plan.** When amending an adopted comprehensive plan, a municipality or multimunicipal region shall follow the same procedures for citizen participation, public notice and public hearing that are required for adoption of a comprehensive plan.

[PL 2001, c. 578, §13 (AMD).]

#### SECTION HISTORY

PL 1989, c. 104, §§A45,C10 (NEW). PL 1989, c. 562, §§3-5 (AMD). PL 1989, c. 908, §1 (AMD). PL 1991, c. 622, §§F23-27 (AMD). PL 1993, c. 166, §5 (AMD). PL 1993, c. 721, §A2 (AMD). PL 1993, c. 721, §H1 (AFF). PL 2001, c. 578, §13 (AMD). PL 2003, c. 641, §§7,8 (AMD).

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