

*this article, and where the legislative body of said county approves such resolution, then said municipal corporation shall be included for such purposes as part of said county.*

(c) **[23. Existing Planning and Zoning Commissions]**

The commission appointed under this [subtitle] *article* shall have all powers granted by law heretofore to any planning or zoning commission of the [municipality] *jurisdiction*, and from and after the creation of a planning commission hereunder in such [municipality] *jurisdiction*, all powers and records of the then planning and zoning commission shall be transferred to this planning commission, provided, however, that in the event that any existing planning and zoning commission shall be nearing the completion of its zoning plan, [council] *the local legislative body* may, by resolution, postpone the said transfer of the zoning commission's powers [until the completion of such zoning plan;] but such postponement shall not exceed a period of six months.

**[12.]**

3.02 Membership of Commission [; appointment; removal; terms; members to serve without compensation; exceptions as to Cecil and St. Mary's counties.]

**[(a)]** The commission shall consist of [five members, namely, a member of the council and four persons who shall be appointed by the mayor, and confirmed by the council, if the mayor be an elective officer, otherwise] *either five (5) or seven (7) members, one of whom shall MAY be a member of the local legislative body to serve in an ex-officio capacity concurrent with his official term. The members shall be appointed by such [officer] person or persons as [council] the local legislative body OR BY SUCH PERSON OR PERSONS AS THE LOCAL LEGISLATIVE BODY* creating the commission may in the ordinance designate as the appointing power [.] ; *however, where there is a single local elected executive, the members shall be appointed by the local executive and thereafter confirmed by the local legislative body [but in Harford County it is within the discretion of the County Commissioners whether or not one of the appointive members of the Harford County Planning and Zoning Commission is a member of the Board of County Commissioners of Harford County]. All members [of the commission shall serve as such without compensation. The term of the ex officio member shall correspond to his official tenure.] may serve with such compensation as the local legislative body deems appropriate. The term of each member shall be five years or until his successor takes office, except that the respective terms of the five members first appointed shall be [one, two, three, four, and five years.] on a staggered basis. Members may, after a public hearing, be removed by the [council] local legislative body for inefficiency, neglect of duty, or malfeasance in office. The [council] local legislative body shall file a written statement of reasons for such removal. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the [Mayor] local executive and confirmed by the [council] local legislative body. OR BY SUCH PERSON OR PERSONS AS THE LOCAL LEGISLATIVE BODY CREATING THE COMMISSION MAY IN THE ORDINANCE DESIGNATE AS THE APPOINTING POWER.*