



# Pulaski County, VA Planning Commission Bylaws

## ARTICLE 1 – OBJECTIVES

- 1-1. The official title of this commission shall be the Pulaski County Planning Commission.
- 1-2. This Planning Commission (“Commission” or “PC”), established pursuant to § 15.2-2210, Code of Virginia and pursuant to Article 19 of the Pulaski County Zoning Ordinance, has revised and adopted these Bylaws that govern membership, officers, meetings, conduct, and other matters pertinent to the functioning of the Commission.
- 1-3. All provisions contained within these Bylaws are in accordance with the 1950 Code of Virginia, as amended (“Code of Virginia”) and applicable Pulaski County ordinances, resolutions, and adopted practices.

## ARTICLE 2 – MEMBERS, OFFICERS, AND TERMS

- 2-1. The Commission shall consist of seven (7) residents of Pulaski County. One member of the Commission may be a member of the Board of Supervisors. Members shall be appointed by the Pulaski County Board of Supervisors.
- 2-2. Any vacancies shall be filled by appointment for the unexpired term only.
- 2-3. Commission members shall be appointed to four year terms, except for any Commission member who is also a member of the Board of Supervisors, whose term shall match the term of elected office.
- 2-4. The officers of the Commission shall consist of a Chair, Vice-Chair, and a Secretary. The Secretary shall be a Pulaski County staff member.
- 2-5. The Commission shall elect a Chair and a Vice-Chair in December of each year. Nomination of officers shall be made from the floor with election of officers immediately following. A candidate receiving a majority vote of the membership of the Commission members present and voting shall be declared elected.
- 2-6. Terms for Chair and Vice-Chair shall begin on the first day of January following the meeting during which the election was held, and shall last one year. Any vacancies in office shall be filled during the next regularly scheduled meeting following regular election procedures.
- 2-7. A member shall notify the Secretary of an absence at least twenty-four (24) hours prior to the meeting. The Board of Supervisors may remove any member for malfeasance in office, including absence from any three consecutive meetings or any four meetings within any 12 month period.

## **ARTICLE 3 – DUTIES OF OFFICERS**

### **3.1** The Chair shall:

- 3.1-1 Preside at all meetings and hearings of the Commission.
- 3.1-2 Appoint committees as necessary. All committees shall be appointed for purposes and terms as approved by a majority vote of the Commission members present.
- 3.1-3 Rule on all procedural questions, which is subject to a reversal by a two-thirds (2/3) majority vote of the Commission members present.
- 3.1-4 Report any official communication to or on behalf of the Commission at the next regular meeting.
- 3.1-5 Carry out other duties as assigned by the Commission.

### **3.2** The Vice-Chair shall:

- 3.2-1 Act in the absence or inability of the Chair to act.
- 3.2-2 Have the power to function in the same capacity as the Chair in cases of the Chair's absence or inability to act.

### **3.3** The Secretary shall:

- 3.3-1 Keep a written record of all business transacted by the Commission.
- 3.3-2 Notify all members of all meetings.
- 3.3-3 Prepare and be responsible for the publishing of advertisements relating to meetings and public hearings in accordance with the Code of Virginia.
- 3.3-4 Attend to the correspondence as necessary for the execution of the duties and functions of the Commission, including delivering decisions to applicable parties.
- 3.3-5 Maintain the minutes of all Commission meetings, which, once adopted by the Commission, shall be signed by the Chair and the Secretary.
- 3.3-6 Perform other duties normally carried out by a secretary.

## **ARTICLE 4 – MEETINGS**

- 4-1.** The Commission shall adopt the official meeting calendar on an annual basis identifying the date, time, and location of all regularly scheduled meetings. This calendar may also include alternative meeting dates to hold meetings that are canceled due to inclement weather or other conditions that may make it hazardous for members to attend regularly scheduled meetings.
- 4-2.** All regularly scheduled meetings shall be held in accordance with the adopted meeting calendar. If no applications or other business is pending, no meeting shall be held; however, the Commission shall meet at least once every two months.
- 4-3.** Special meetings of the Commission may be held at the call of the Chair or by two Commission members upon written request to the Secretary, provided that notice of such meeting is given to each member pursuant to § 15.2-2214, Code of Virginia.
- 4-4.** All meetings, hearings, records, and accounts shall be open to the public, pursuant to the Virginia Freedom of Information Act (FOIA), § 2.2-3707, Code of Virginia.
- 4-5.** A majority of the membership of the Commission shall constitute a quorum. The number of votes necessary to transact business shall be a majority of the membership present and voting. Voting may be by roll call, in which case a record shall be kept as part of the official minutes.

- 4-6. The conduct of business at all regular meetings of the Commission shall follow Robert's Rules of Order; Simplified Procedures.
- 4-7. Meetings will follow the order of the agenda, which will be adopted at the beginning of each meeting.
- 4-8. The Chair, or the Vice-Chair if the Chair is unable to act, may declare that weather or other conditions are such that it is hazardous for members to attend the meeting, thus postponing the meeting to an alternate meeting date. All hearings and other matters previously advertised for the regular meeting do not need further advertisement to be heard during the alternate meeting. The Secretary shall notify each member of the Commission and the press of a meeting postponement, as promptly as possible.
- 4-9. The Chair may establish time limits on presentations at public hearings.
- 4-10. The Zoning Administrator, or designee, shall make a staff report followed by the applicant or agent's statement. The Chair shall then hear from any citizen in favor of the application, followed by any citizen opposed to the application. The Chair shall also accept written statements and other documentation pertinent to the matter. The applicant shall be given an opportunity for final rebuttal.

## **ARTICLE 5 – POWERS AND DUTIES**

- 5-1. The Commission shall have the powers and duties set forth in § 15.2-2210 Code of Virginia and the Pulaski County Zoning Ordinance.

## **ARTICLE 6 – ETHICS**

- 6-1. Commission members shall be responsible to determine whether they have a conflict of interest and otherwise act in accordance with the State and Local Government Conflict of Interests Act § 2.2-3100, Code of Virginia. The Notice of Conflict Form should be completed prior to the meeting and reported to the Chair at the start of the meeting, prior to hearing any applications.
- 6-2. Any ex parte contact with applicants, opponents, or other parties of interest in a matter to come before the Commission shall be reported at the earliest opportunity to the Chair. It shall be considered the duty of Commission members to conduct themselves in a manner that will discourage such contact.
- 6-3. Commission members shall avoid all situations and circumstances that may lead to bias or prejudice in manners presented to the Commission. No Commission member shall offer expressions of individual opinion regarding any matter of consideration by the Commission prior to the meeting.
- 6-4. Commission members shall adhere to the State and Local Government Conflict of Interests Act § 2.2-3100, Code of Virginia.

## **ARTICLE 7 – FUNDING**

- 7-1.** The Commission may be financially compensated for their services, as deemed appropriate by the Board of Supervisors.
- 7-2.** The Commission may employ or contract for, within the limits of funds appropriated by the Board of Supervisors, consultants for such services as it requires.

## **ARTICLE 8 – AMENDMENTS**

- 8-1.** These By-laws may be amended from time to time as deemed necessary by an affirmative vote of a majority of members present at any meeting at which a quorum is present.

## **ARTICLE 9 – SEVERABILITY**

- 9-1.** If any word, clause, sentence, article, section, subsection or other part or parts of these By-laws should, for any reason, be held invalid by a court of competent jurisdiction, such decision shall not affect any of the remainder of these By-laws, and every remaining section, clause or part thereof shall continue in full force and effect.
- 9-2.** Should any provision of these By-laws be found to be in conflict with the Code of Virginia, Board of Supervisors ordinances or resolutions, the Code of Virginia or Board of Supervisors provisions shall take precedence.