Town of Elkton, Virginia

Planning Commission By-Laws
Adopted November 13,1995

Article I - Authorization

1-1. This planning commission is established in conformance with a resolution adopted by the Council of Elkton, Virginia on June 14, 1963 and in accord with provisions of Section 15.1-427.1, Code of Virginia (1950), as amended.

1-2. The official title of this body shall be the Town of Elkton Planning Commission, hereinafter referred to as the "Commission."

Article II- Purpose

2-1. The primary purpose of the Commission is to serve in an advisory capacity to the Council, by preparing and recommending plans, ordinances, capital improvement programs, and other documents to the Council for its consideration.

Article III- Membership

3-1. **§ 6-2. Composition; appointment; terms.** *(Ref. Code Book Chapter 6)*

The Planning Commission shall be composed of seven members, who shall be appointed by the Town Council, all of whom shall be residents of the town and freeholders qualified by knowledge and experience to make decisions on questions of community growth and development. One member of the Commission may be a member of the Town Council and one member may be a member of the administrative branch of government of the town. The term of each of these two members shall be co-extensive with the term of office to which he or she has been elected or appointed unless the Town Council, at the first regular meeting each year, appoints others to serve as their representatives. The remaining members of the Commission shall serve for terms of four years each.

3-2. Vacancies shall be filled by appointment made by the Council and shall be for an unexpired term only.

3-3. Members of the Commission shall be eligible for reappointment.

3-4. Members of the Commission may be removed by the Council for malfeasance in office.

3-5. Terms of commission members shall expire immediately before the beginning of the regular meeting at which their successor's terms of office begin.

3-6. The Council may provide for the payment of expenses incurred by Commission members in the performance of their official duties and compensation for services.

Article IV - Selection of Officers

4-1. Officers of the Commission shall consist of a chairman, vice chairman, and secretary. The chairman, vice-chairman and secretary shall be elected by membership.

4-2. Nomination of officers shall be made from the floor at the June meeting each year. Election of officers shall follow immediately. A candidate receiving a majority vote of the entire membership should be declared elected.

4-3. Terms of office shall be for one year or until a successor takes office. Elected officers would serve no more than a two year term unless agreed upon by the member and the Commission.

4-4. Vacancies shall be filled for an unexpired term by a majority vote of the commission.

Article V - Duties of Officers

5- 1 . The chairman shall:

5-1-1. Preside at meetings,

5-1-2. Appoint committees.

5-1-3. Rule on procedural questions (subject to reversal by a two-thirds majority vote of the members present).

5-1-4. Report official communications at the next regular commission meeting.

5-1-5. Certify official documents involving the authority of the Commission.

5-1-6. Certify minutes as true and correct copies.

5-1-7. Carry out other duties as assigned by the Commission.

5-2. The vice-chairman shall:

5-2-1. Assume the full powers of the chairman in the absence or inability of the chairman to act.

5-3. The secretary shall be accountable for, and the office of the Town Manager will provide the following:

5-3-1. Recording attendance at meetings.

5-3-2. Recording the minutes of the Commission meetings.

5-3 -3. Notifying members of all meetings.

5-3-4. Maintaining a file of all official Commission records and reports.

5-3-5. Certifying maps, records, and reports of the Commission.

5-3-6. Giving notice and be responsible for publishing public notices of all Commission public hearings and public meetings.

5-3-7. Attend to the correspondence for the execution of the duties and functions of the Commission.

Article VI - Committees

6-1. The following committees may be appointed at the discretion of the chairman.

6-1-1. Comprehensive Plan Committee - develops, updates, and revises the comprehensive plan and coordinates the work of other committees which relate to the plan development.

6-1-2. Land Use Committee - prepares and maintains an inventory of land uses within the Town of Elkton, and is responsible for the preparation of land use maps.

6-1-3. Subdivision Committee - drafts subdivision regulations and subsequent amendments. Examines subdivision applications and makes recommendations to the Commission after reviewing staff comments.

6-1-4. Zoning Committee - drafts zoning ordinance and subsequent amendments. Reviews applications for rezoning, special exceptions, or use permits and recommendations to the Commission.

6-1-5. Capital Improvements Committee - prepares and annually updates capital improvements program (CEP) in conjunction with Elkton administrative officials. Assures that the CIP is in conformance with the comprehensive plan,

6-2. Special committees may be appointed by the chairman for purposes and terms approved by the Commission.

6-3. The chairman shall be an ex-officio member of every committee.

Article VII – Meetings

7-1. Regular meetings of the Commission shall be held on the first Tuesday of each month at 7:00 p.m. Special meetings shall be called as needed. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless the Commission selects an alternate day.

7-2. Special meetings may be called by the chairman or by two members upon written request to the secretary. The secretary shall mail a written notice to all members, at least five days before a special meeting by the chairman, stating the time, place, and purpose of the meeting.

7-3. Scheduled meeting may be cancelled, by the chairman, up to 48 hours before the meeting.

7-4. All meetings of the Commission shall be open to the public.

Article VIII-Voting

8-1. A majority of the sitting members shall constitute a quorum.

8-2. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting.

8-3. The Commission shall only consider issues submitted in writing five days prior unless, a majority of the Commission members deemed it appropriate to consider.

Article IX - Order of Business

9-1. The order of business for a regular meeting may be:

9-1-1. Call to order.

9.1.1.1. Pledge of Allegiance

9-1-2. Roll Call.

9-1-3. Determination of a quorum.

9-1-4. Public expression,

9-1-5. Reading of minutes.

9-1-6. Report of secretary.

9-1-7. Report of standing committees,

9-1 -8. Report of special committees.

9-1-9. Unfinished business.

9-1-10. New Business.

9-1-11 .Adjournment,

9-2. Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order.

9-3. The Commission shall keep minutes of each meeting, and these minutes shall become a public record. The secretary and chairman shall sign all minutes and certify that the minutes are true and correct copy.

Article X - Public Hearings

10-1 . In addition to those required by law, the Commission may hold public hearings on any zoning matter which it deems to be in the public interest.

10-2. Notice of a public hearing shall be published once a week for two successive weeks, in a newspaper of general circulation in the area, at least ten days before the day of the public hearing. Such notice shall specify the time and place of hearing, which cannot be less that six nor more that twenty-one days after the second newspaper advertisement.

10-3. The chairman shall summarize the matter before the Commission, allow interested parties to speak, and accept written statements and other documentation pertinent to the matter being addressed.

10-4. An accurate, written record shall be made of the proceedings of the public hearing and maintained as part of the Commission files.

10-5. Proffers should be in writing and submitted to the Zoning Administrator prior to the applicable public hearing.

Article XI - Amendments

11-1. These Bylaws may be amended by a majority vote of the entire membership after thirty days prior notice.