

Planning Commission By-Laws

Planning for the Future – Town of Gate City, Virginia

Amended pursuant to Article 11 on 4-21-03, 1-8-08, 1-4-11

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Article 1 – Authorization

1-1 This planning commission is established in conformance with a resolution adopted by the Gate City Town Council of Gate City, Virginia, on March 6, 1984; and in accord with the provision Section 15.1-427.1, Code of Virginia (1950), as amended.

1-2 The official title of this planning commission shall be “Gate City Planning Commission,” hereinafter referred to as the “Commission.”

Article 2 – Purpose

2-1 The purpose of the commission is to assist the Town Council in anticipating and guiding future development and change by preparing plans, ordinances, capital improvement programs, studies, reports, and other documents for consideration by the Town Council.

Article 3 – Membership

3-1 The commission shall consist of ~~seven~~ five (5) or seven (7), (amended 1-8-2008) members appointed by the Town Council. All members shall be residents of the Town of Gate City and qualified by knowledge and experience to make decisions on questions of growth and development. At least one-half of the members shall be freeholders.

(a) One member shall be a member of the Town Council.

(b) An administrative official of the Town Government may serve in a non-voting advisory capacity.

3-2 The term of office for the representative of Town Council shall be coextensive with his/her term of office, unless the Town Council appoints another in his/her stead. The terms of the other original members shall be for one (1), two (2), three (3) and four (4) years. Subsequent members shall be appointed for terms of four (4) years.

3-3 Resignations must be submitted in writing to the Chairman. Any vacancy in membership shall be fulfilled by appointment of the Town Council and shall be for the un-expired portion of the term only. The Commission may recommend candidates to the Town Council for appointment to fill any vacancy.

3-4 Any member of the commission shall be eligible for reappointment.

3-5 Any member of the Commission may be removed by the Town Council for inefficiency, neglect of duty, or malfeasance in office. Three consecutive unexcused absences constitute neglect of duty.

3-6 The term of a Commission member shall expire immediately prior to the beginning of the regular organization meeting, **in January of each year**, (Amended: January 4, 2011) at which meeting his successor's term of office shall begin.

3-7 The town council may provide for the payment of expenses incurred by Commission members in the performance of their official duties and compensation for services.

Article 4 - Selection of Officers

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

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

4-3 The term of office shall be for one (1) years or until a successor takes office.

4-4 Any vacancies in office shall be filled for the un-expired portion of the term by a majority vote of the entire membership.

Article 5 - Duties of Officers

5-1 The chairman shall be a member of the Commission and shall:

- (a) Preside at all meetings.
- (b) Appoint all committees.

- (c) Rule on all procedural questions (subject to reversal by a two-thirds (2/3) majority vote by the members present).
- (d) Report all official communications at the next regular Commission Meeting.
- (e) Certify all official documents involving the authority of the Commission.
- (f) Certify all minutes as true and correct copies.
- (g) Carry out other duties as assigned by the commission.

5-2 The vice chairman shall be a member of the Commission and shall act in the absence or inability of the Chairman to act, with the full powers of the chairman.

5-3 The secretary shall:

- (a) Record attendance at all meetings.
- (b) Record the minutes of the Commission meetings.
- (c) Notify all members of all meetings.
- (d) Maintain a file of all official Commission records and reports.
- (e) Certify all maps, records and reports of the Commission.
- (f) Give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.
- (g) Attend to the correspondence necessary for the execution of the duties and functions of the Commission.
- (h) Have the authority to conduct meetings in the absence of both the Chairman and Vice-Chairman, when the requirements for a quorum are met. (Amended, 12-6-2011)

Article 6 – Committees

6-1 The following committees may be appointed by the chairman to serve as needed.

- (a) Comprehensive Plan Committee: shall develop, update and revise the Comprehensive Plan and coordinate the work of other committees which relates to the overall plan development.

- (b) Land Use Committee: shall prepare and maintain an inventory of land uses within the Town and be responsible for the preparation of land use maps.
- (c) Subdivision Committee: shall draft subdivision regulations and subsequent amendments, examine all subdivision applications, receive staff comment on them, and make recommendations on them to the Commission.
- (d) Zoning Committee: shall draft a zoning ordinance and subsequent amendments, and at the request of the Board of Zoning appeals, may review applications for re-zoning, special exceptions and variances and submit recommendation to the Commission.
- (e) Capital Improvements Committee: shall prepare and annually update a Capital Improvements Program (CIP) in conjunction with Town administrative officials, and submit recommendations to the Commission. The committee will assure 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.

6-2 The chairman shall be an ex officio member of every committee.

Article 7 – Meetings

7-1 Regular meetings of the Commission shall be held on the first Tuesday of the month. Special meetings shall be called as needed. When a meeting date falls on a legal holiday observed by the Town, the meeting shall be **canceled and all unfinished business shall be carried over to the next regularly scheduled meeting date the following month.** (Amended, 2-5-2013) ~~held on the day following unless otherwise designated by the Commission.~~

7-2 Special meeting may be called by the chairman or by two (2) members upon written request to the secretary. The secretary shall cause to be mailed to all members, at least five (5) days before a special meeting, a written notice giving the time, place and purpose of the meeting.

7-3 All meeting of the Commission shall be open to the public.

Article 8 – Voting

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

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

Article 9 – Order of Business

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

- (a) Call to order by the Chairman.
- (b) Roll Call.
- (c) Determination of a quorum.
- (d) Public Expression.
- (e) Review and adoption of Minutes.
- (f) Report of secretary.
- (g) Report of committees.
- (h) Unfinished business.
- (i) New business.
- (j) Adjournment.

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

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

Article 10 – Public Hearings

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

10-2 Unless otherwise prescribed by law, notice of a public hearing shall be published once a week for two (2) successive weeks, in a newspaper of general circulation in the area, at least ten (10) days before the day of the public hearing.

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

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

Article 11 – Amendments

11-1 These by-laws may be amended by a majority vote of the entire membership not less than seven (7) days after the proposed amendment was presented and approved at a Commission meeting.

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