

## BYLAWS OF THE CITY OF SALEM PLANNING COMMISSION

Mission Statement/Objective: To promote the orderly development of the City of Salem by providing technical assistance and direction to the Council of the City of Salem and its citizens to accomplish the objectives of the Code of Virginia and the Ordinances of the City of Salem in reference to subdivision and zoning matters as established by §15.2-2200 of the Code of Virginia and The City of Salem Subdivision and Zoning Ordinances, in force on the date hereof, and as may from time to time be lawfully amended.

### ARTICLE 1: MEMBERSHIP

- A. The Planning Commission of the City of Salem, hereafter known as the Commission, will consist of five members, appointed by the City of Salem City Council, hereafter known as City Council, all of whom shall be residents of the City of Salem, and qualified by knowledge and experience to make responsible decisions on questions of growth and development.
- B. Terms of the Commission shall be four years as set out in Section 15.1-437 of the Code of Virginia, 1950, as amended.
- C. Any vacancy in membership shall be filled by appointment of the City Council and shall be for the unexpired portion of the term.
- D. Any member of the Commission shall be eligible for re-appointment.
- E. Any member of the Commission may be removed from office by the City Council for neglect of duty and malfeasance in office.
- F. The City Council may provide for compensation to Commission members for their services, reimbursement for actual expenses incurred, or both.

### ARTICLE 2: OFFICERS

- A. A Chairman and Vice-Chairman shall be elected by the Commission annually from the voting members and shall be members of the Commission. Their terms shall be for (1) one year.
- B. The Commission shall, at its first meeting in January of each year, elect one of its members as chairman, who shall preside at such meeting and all other meetings during which elected, if present. At the same meeting in January, a vice-chairman who shall, if so elected, preside at meetings in the absence of the chairman and may discharge any other duty of the chairman during his absence or disability. Nominations shall be made from the floor, with the election immediately thereafter. A nominee receiving three or more votes shall be declared elected.

- C. An Executive Secretary shall serve at the request of the Commission and shall be the City Manager of the City of Salem. A Deputy Executive Secretary shall also serve and shall be the Assistant City Manager. Alternate secretary or secretaries may be appointed by the Commission as deemed necessary. Their terms shall be for (1) one year.
- D. Agents shall serve at the request of the Commission and shall be the City Manager and ~~the Director of Community Development~~ his or her designee.
- E. All officers may succeed themselves.
- F. Should the Chairman and Vice-chairman be absent at any meeting, the Commission shall elect a temporary Chairman to serve at the meeting.

### ARTICLE 3: DUTIES OF OFFICERS AND COMMISSION MEMBERS

- A. The chairman shall:
  - 1. Preside at all meetings.
  - 2. Appoint all committees deemed advisable with the aid of the Commission.
  - 3. Rule on all procedural questions (subject to a reversal by vote of two-thirds of the members present.)
  - 4. Certify the Commission's review of documents, minutes, plans, maps, etc. brought before the Commission for official action or recommendation.
  - 5. Have authority to call special meetings as he/she deems necessary.
  - 6. Carry out other duties as assigned by the Commission.
- B. The Vice-Chairman shall act in the absence, resignation or inability of the Chairman with full powers of the Chairman. If the position of Chairman shall become vacant, the Vice-Chairman will assume his/her duties. A Vice-chairman shall then be elected by a majority vote at the next regular meeting following the Vice-chairman's last regular meeting.
- C. The secretary shall:
  - 1. Record attendance at all Commission meetings.
  - 2. Record the minutes at all Commission meetings.
  - 3. Certify all minutes as true and correct copies after approval by the Commission.
  - 4. Notify all members of all meetings.
  - 5. Maintain a file of all official Commission records and reports
  - 6. Certify all maps, records, recommendations and reports of the Commission.
  - 7. Give notice and be responsible for publishing public hearings and public meetings.
  - 8. Serve as Subdivision Agent for the Commission.
  - 9. If the office of Secretary should become vacant, the Deputy shall become secretary.

- D. The duties of the Commission shall be established by law, or as lawfully delegated by the City Council.

#### ARTICLE 4: MEETINGS

- A. Regular Meetings of the Commission shall take place on the Wednesday following the first regularly scheduled City Council meeting of the month at 6:30 PM in Council Chambers in the City Hall building located at 114 North Broad Street, provided that upon a decision of the Commission, an adjourned meeting/or the regularly scheduled location is unavailable, may be held at any other place in the city and shall be the duty of the secretary to give timely notice thereof to all members and notify the news media. If there are no items on the agenda, the meeting may be canceled at the request of the secretary/chairman.
- B. Work Session Meetings will take place on the day of the regularly scheduled Planning Commission Meeting in an official meeting room as designated by the Commission.
- C. Special Meetings of the Commission may be called at any time by the Chairman or by two members upon written request to the secretary. The secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting, or file a written waiver of notice.
1. The business to be discussed shall be stated in the call for such meeting.
  2. No other business shall be discussed or acted upon.
  3. Given notice is not required if the time of the special meeting has been fixed at a regular meeting.
  4. If special meeting is at regular meeting, then any business may be transacted that would have been at the regular meeting.
- D. Quorum of the Commission shall constitute a majority of the membership and no action of the Commission shall be valid unless authorized by a majority of those present.
- E. The secretary shall prepare and make available to each member of the Commission a detailed agenda by Friday on the week preceding the regular meeting of the Commission. The Commission may depart from the agenda with the consent of the Chairman or by a majority vote of the members present.
1. Proposals as to zoning or subdivision requests shall be submitted in writing with an illustrative map, and the petitioner shall state if it, he or she is the owner of the property in question or its, his or her authorized agent. Any person may appear before the Commission in person or through an agent.

- F. All meetings shall be open to the public provided, however, that closed executive sessions or closed regular or special meetings may be held in accordance with State law. The usual order of business at regular meetings shall be as follows:
1. roll call;
  2. correction and/or approval of the meetings of the previous meeting;
  3. unfinished business;
  4. new business; and
  5. reports of the committees.
  6. The chairman may modify the usual order of business to promote the efficient management of the meeting and for the convenience of the citizens or interested parties that may attend.
  7. Any advertised public hearing shall be considered a special order of business at the time set for such hearing and shall supplant any matter on the agenda except the approval of the minutes.
  8. Any matter not disposed of at a meeting shall be included on the agenda of the next regular meeting unless another future meeting date has been selected by the Commission.
- G. The Commission may, from time to time, adopt rules and regulations for filing, scheduling, and preparing petitions and requests for hearing before the Commission.

#### ARTICLE 5: PARLIMENTARY PROCEDURE

- A. The deliberations of the Commission, unless otherwise provided by statute or these bylaws, shall be guided by Robert's Rules of Order.
1. Any member of the Commission may introduce a motion.
  2. Appeal may be taken by any member from a ruling of the chair.
  3. A majority vote of those members present shall determine any appeal.
  4. Any motion to close debate shall require approval by a majority vote of the members present.

#### ARTICLE 6: ACTION ON COMPREHESIVE PLAN

- A. The adoption of the comprehensive plan or of any part, amendment, extension or addition shall be by the resolution of the Commission, carried by the affirmative votes of not less than a majority of the entire membership of the Commission.
- B. The resolution shall refer expressly to maps and other descriptive matter intended by the Commission to form the whole or part of the plan and the action as taken shall be recorded on the map and plan and descriptive matters by the identifying signature of the Chairman and Agent of the Commission. An attested copy of the plan or plan thereof as adopted and approved shall be certified to the City Council and all administrative agencies affected by the plan.
- C. Before the adoption of the plan or any such part, amendment, extension, or addition, the Commission shall hold at least one public hearing thereon, after notice has been given with State law.

## ARTICLE 7: CONFORMITY WITH EXISTING CODE

The Commission will act within the provisions of the Ordinances of the City of Salem; Title 15.1, Chapter 11, of the Code of Virginia, 1950 as amended, and other State and Federal laws and regulations as applicable.

## ARTICLE 8: AMENDMENTS

These rules may be amended, within the limits allowed by law, at any time by an affirmative vote of not less than two-thirds of the members of the Commission, provided that such amendment is presented in writing at a special or regular meeting preceding the meeting at which the vote is taken.