

10/17/2013

BY-LAWS OF THE PENDLETON PLANNING COMMISSION

ARTICLE I – THE PLANNING COMMISSION

SECTION 1. NAME OF COMMISSION. The official name of the Commission shall be the PENDLETON PLANNING COMMISSION.

SECTION 2. MEMBERS. There shall be seven (7) members, recommended by the Town Council and appointed by the Mayor, for a term of four (4) years and eligible for reappointment.

SECTION 3. RULES. These rules of procedure are adopted pursuant to S.C. Code 6-29-360. The conduct of the Commission will comply with all rules set for in the S.C. Code of Laws, Title 6, Chapter 29, commonly referred to as the Local Government Comprehensive Planning Enabling Act of 1994.

ARTICLE II – OFFICERS

SECTION 1. OFFICERS. Annually, at the regular meeting of the Pendleton Planning Commission held in the month of February, the Commission shall elect a Chairperson, a Vice-Chairperson, and appoint a secretary. The officers may succeed themselves.

SECTION 2. CHAIRPERSON. The Chairperson shall preside at all meetings of the Planning Commission and at other meetings and public hearings called by the Commission. The Chairperson shall call special meetings of the Commission when required and shall transmit reports, plans, and recommendations of the Commission to the appropriate governing authority, and, in general, shall act as spokesperson for the Commission.

SECTION 3. VICE-CHAIRPERSON. The Vice-Chairperson shall serve as Chairperson in the absence or the disability of the Chairperson. In the event of the death or resignation of the Chairperson, the Vice-Chairperson shall perform the latter's duties until such time as the Commission shall elect a new Chairperson. In the absence of the Chair and Vice-Chairperson, the most senior member shall act as chairperson. The acting Chairperson shall be agreed by a majority vote of the Commission.

SECTION 4. SECRETARY. The Secretary does not have to be a member of the Planning Commission and may be a staff person of the Town. The Secretary shall assist the Chairman in the preparation of the

agenda for the Planning Commission meetings, shall prepare and send out notices for regular meetings and public hearings, shall prepare and distribute minutes of the Commission meetings, shall establish and maintain the Commission's files and its books of account, and shall have the custody of all funds coming into the possession of the Commission.

SECTION 5. ADDITIONAL DUTIES. The Chairperson, Vice-Chairperson, and Secretary shall perform such other duties and functions as may from time to time be required by the Commission or by its by-laws.

ARTICLE III – MEETINGS

SECTION 1. REGULAR MEETINGS. The regular meetings of the Planning Commission shall be held on the Third Thursday of each month at 6:30 pm at Town Hall, unless otherwise posted. The schedule will be posted in Town Hall.

SECTION 2. RULES OF ORDER. Roberts Rules of Order shall govern the conduct of all meetings in addition to these adopted by-laws.

SECTION 3. SPECIAL MEETINGS. Special meetings may be called by the Chairperson, provided that reasonable notice in advance is given to each member. Special meetings will have a minimum notice of 24 hours and will be posted in Town Hall.

SECTION 4. QUORUM. A quorum shall consist of four members. No business, other than rescheduling a meeting, shall take place in the absence of a quorum.

SECTION 5. ORDER OF BUSINESS. The order of business at all regular meetings shall be as follows:

1. Approval of minutes of previous meeting(s);
2. Public Comment
3. Public Hearings
4. Unfinished Business
5. New Business
6. Updates
7. Adjournment.

SECTION 6. MEETINGS AND RECORDS OPEN. All meetings of the Planning Commission shall be open to the public and all records of the Planning Commission shall be a public record. Records shall be maintained in Town Hall and are available according to the South Carolina Freedom of Information Act. The agenda and meeting

information will be forwarded the Commissioners no later than five days prior to the regular meeting. The agenda and meeting information will be available for public review five days prior to the regular meeting.

SECTION 7. PUBLIC COMMENT. The public comment period is the time for the public to make comments to the Commission. The Commission does not respond to questions and comments during this time. Questions should be directed to staff during normal business hours. If the question cannot be answered by staff, the item may be placed on the agenda, no later than one week prior to the meeting.

SECTION 8. ATTENDANCE. A member may not have more than 3 (three) consecutive unexcused absences from meetings. A member may not have more than 4 (four) unexcused absences from meetings per year. A member must notify the Secretary of an upcoming absence. The course of action regarding chronic absences is at the discretion of the Planning Commission.

SECTION 9. VOTING. A member must be present to vote. Each member shall vote on every item unless not qualified to vote by law, due to a conflict of interest.

SECTION 10. CONDUCT. Other than during the public comment portion of a meeting or public hearing, no person shall speak unless invited to do so by the Commission. The Commission reserves the authority to set time limits on public comments. All persons speaking must state their name and address for the record prior to stating their comments. Anything submitted to the Commission, remains with the Commission as part of the public record.

ARTICLE IV – PUBLIC HEARINGS

SECTION 1. NOTICE. The secretary will give the notice required by statute or Ordinance for all public hearings conducted by the Commission.

SECTION 2. PURPOSE. The purpose of a public hearing is to give ample opportunity to be heard by all who have a legitimate interest and to bring to the Planning Commission all possible germane facts, information and opinions which may be of help and assistance to the Planning Commission in a decision.

SECTION 3. PROCEDURE. In matters brought before the Commission for public hearing which were initiated by an applicant, the normal

order of the hearing, subject to modification by the Chairperson, shall be as follows:

1. Meeting called to order by the Chair
2. Statement of matter to be heard
3. Presentation by staff
4. Presentation by applicant
5. Presentation by opponents or proponents
6. Rebuttal by applicant
7. Other public comment when appropriate
8. Planning Commission members may question participants at any point in the meeting
9. After all presentations, the Planning Commission will take formal action to close the hearing

Comments shall be restricted to the subject of the public hearing as advertised.

Every speaker will need to state their name and address for the record and then present comments.

Homeowner's Associations/Large Groups are encouraged to designate a spokesperson.

As a courtesy to others, speakers are asked to be brief in comments and refrain from being repetitive of the remarks made by previous speakers. The most effective and useful comments are those which focus directly on the issues under consideration and which may even offer possible solutions or alternatives. The Commission reserves the authority to set time limits on public comments.

In matters not initiated by an applicant, members of the public shall speak in order as the Commission shall determine.

ARTICLE V – ADOPTION AND AMENDMENTS TO BY-LAWS

SECTION 1. ADOPTION. These rules of procedure were adopted by a vote of the majority of the Commission at a regular meeting on **October 17, 2013.**

SECTION 2. AMENDMENTS TO BY-LAWS. Changes may be made to the by-laws of the Planning Commission by the affirmative vote of a quorum of members of the Planning Commission.