

# ADAMS COUNTY PLANNING COMMISSION BY LAWS

## Article I Name of Commission

The name of this organization shall be Adams County Planning Commission.

## Article II Authorization

The authorization for the establishment of this planning commission is set forth under Section 2001 of the County Code and amendments and supplements thereto or under the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247 as reenacted and amended. Powers and duties are delegated to the Planning Commission by the County Commissioners of November 26, 1965 in accordance with the above-mentioned enabling law. The powers, duties, and responsibilities of the members and officers of the commission shall be as set forth in the Pennsylvania Municipalities Planning Code Act 247 of 1968 as reenacted and amended.

## Article III Purpose & Objectives

The purpose of the planning commission shall be to promote cooperation among official planning boards or commissions, civic agencies, technicians and individual citizens interested in planning in Adams County; to encourage and stimulate public interest in state, county, borough, township, and regional planning; to encourage the observance of sound planning practices, to exchange information, advice, and assistance among its membership; to engage in research, and to issue publications relative to planning to the extent of the planning commission's resources.

The objectives and direction of the planning commission are to

- Protect the natural resources while maintaining a sound and stable economic, industrial and community development.
- Encourage inter-municipality cooperation and awareness, particularly when plans, proposals, and actions have ramifications and impact on one's neighbors downstream, downhill, and over the boundary line.

- Maintain a representative autonomy, objectivity, and consistency in the review of developmental proposals and the execution of the same.
- Provide assistance and advice for sound land use.
- Review and evaluate community input regarding local environmental problems and issues.
- Advise the Adams County Office of Planning and Development and staff.
- Balance sound growth with environmental stewardship.
- Prepare and provide written comments to the Adams County Commissioners and other interested parties regarding zoning.
- Recommend to the Adams County Commissioners amendments, supplements, changes, or modifications to regulations, restrictions, and boundaries as these issues relate to planning and zoning.

#### Article IV

#### Membership

Membership shall consist of nine persons to be appointed by the Adams County Commissioners. The term of each of the members of the commission shall be for four years, or until his successor is appointed and qualified, except that the terms of the members first appointed shall be so fixed that no more than three shall be so reappointed or replaced during any future calendar year.

The chairman of the planning commission shall promptly notify the Adams County Commissioners concerning vacancies in the commission, and such vacancy shall be filled for the unexpired term. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired term according to the terms of this article.

Members should be solicited so as to allow the commission to be geographically represented throughout Adams County, and whereas at least every school district is represented by one member of the commission. The commission can/will recommend to the Adams County Commissioners the names of any potential members each year. All members of the said commission shall reside within the County of Adams, and no more than one (1) member shall be employed of the County of Adams.

Based on recommendations by the planning commission the Adams County Commissioners may remove a member if he has three (3) unexcused absences during the calendar year. Any member of the planning commission once qualified and appointed

may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Adams County Commissioners taken after the member has received 15 days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

#### Article V

#### Voting

Each member shall be entitled to one vote. The members present at any meeting, regular or special as defined and described in Article IX, will cast the votes. In the event of a tie, the Chairman can cast a vote to break the tie.

#### Article VI

#### Officers

Section 1. The Officers of the Planning Commission shall consist of a Chairman, Vice-Chairman, and Secretary. Officers shall serve annual terms and may succeed themselves.

Section 2. The Chairman shall preside at all meetings and hearings of the Planning Commission and shall have the duties normally conferred by parliamentary usage on such officers. At each meeting, he shall submit such recommendations and information as he may consider proper concerning the business affairs and policies of the commission.

Section 3. The Vice-Chairman shall act for the Chairman in their absence. In the event of the resignation or incapacity of the Chairman, the Vice-Chairman shall perform such duties as are imposed on the Chairman until such time as the new Chairman shall be elected/selected.

Section 4. The Adams County Office of Planning and Development will appoint a staff member in maintaining the minutes and records of the commission and providing notice of all meetings to commission members. The agenda shall be prepared by the Adams County Office of Planning and Development staff and adopted by this commission at the beginning of each meeting. Under the direction of the Chairman, the Secretary can work with this staff in attending to correspondence of the commission and carry out such other duties as directed with the special assistance of the Adams County Office of Planning and Development staff.

## Article VII

### Election of Officers

Section 1. An annual organizational meeting shall be at the first regular meeting of each calendar year.

Section 2. Nominations shall be made from the floor at the annual organization meeting and election of the officers specified in Section 1 of Article VII shall follow immediately thereafter.

Section 3. A candidate receiving a majority vote of the Planning Commission membership present at the meeting shall be declared elected and shall serve for one year or until his successor shall take office.

Section 4. Vacancies in office shall be filled immediately by regular election procedure as indicated in Sections 2 & 3 of this Article at the next regularly scheduled meeting.

## Article VIII

### Committees

Committees for specific purposes and considered necessary can be appointed at any time throughout the year by the Chairman on an as needed basis or as circumstances require. These committees will be advisory of nature and can consist of non-commission members. They will be formed and charged with responsibilities by majority vote of the commission. Authority for the appointment of members to such committees shall be vested with the Chairman.

## Article IX

### Meetings

Section 1. Meetings will be held on the third Wednesday of each month at 7:00 p.m. at the Adams County Ag Center on Old Harrisburg Road, Gettysburg, unless conflicts occur either with the location, date, and/or time; in which the Secretary through the Adams County Office of Planning and Development staff will provide 5-day advance notice of any changes to time, date, and location. In the event of conflict with holidays or other events, a majority of board members present at any meeting may change the date of said meeting.

Section 2. A quorum shall consist four (4) members present. The number of votes necessary to transact any business shall be a minimum of four (4). Voting shall be normally by voice vote or by roll call vote if requested by any member, or aye or nay, or secret

ballot, depending on the circumstances and the majority vote of the commission. A record of the roll call and any other vote shall be kept as part of the minutes.

Section 3. The Chairman may call special meetings. It shall be the duty of the Chairman to call a special meeting when requested to do so by a majority of members of the commission. The Secretary, or Adams County Office of Planning and Development staff shall notify all members of the commission in writing not less than five (5) days in advance of such special meeting. In the event a mailing cannot be done in a timely fashion, notification can be by telephone.

Section 4. All meetings or portion of meetings at which official action is taken shall be open to the general public and conducted in accordance with the Pennsylvania State Sunshine Law, (Act of July 3, 1986, P.L. 388, No. 84, 65 P.S. 271 et seq.) and amendments thereto. However, the commission may meet in closed session for discussion purposes.

Section 5. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of this commission so long as it does not impede discussion and action by the commission.

## Article X

### Order of Business

Section 1. The order of business at regular meetings, unless directed otherwise by the Chairman, shall be:

- a. Roll call
- b. Approval/Adoption of the agenda
- c. Reading of minutes of previous meeting and action thereon
- d. Public Comments
- e. Communications
- f. Subdivision & Land Development Report
- g. Staff Report
- h. Reports of Officers and Committees
- i. Old Business
- j. New Business
- k. Member Comments
- l. Adjournment

Section 2. The provisions of these bylaws above are severable and if any provision hereof is held or judged to be invalid or unconstitutional by any court or competent jurisdiction, such portions shall be deemed a separate, distinct, and independent

provision and such holding shall not affect the validity of the remaining portion hereof. All other ordinances and parts of ordinances inconsistent herewith are hereby repealed insofar as they are inconsistent herewith.

Section 3. A motion from the floor must be made and passed in order to dispense with or add any item on the agenda.

## Article XI

### Amendments

These by-laws may be amended by a majority vote of the entire membership of the Planning Commission. Notice of the proposed change in the by-laws must be given at least thirty (30) days prior to the meeting at which the amendments to the by-law shall be considered, and this notice must be in writing by first-class mail to all members of the commission.

Adopted by the Planning Commission Board Members on November 16, 2005 as recorded in the monthly minutes.

Adopted this date,

November 16, 2005