



CITY OF EAST GRAND RAPIDS, MICHIGAN

EAST GRAND RAPIDS CITY PLANNING COMMISSION BY-LAWS AND RULES OF PROCEDURE

ARTICLE I – OFFICERS

1. At the July meeting of the Planning Commission each year, the Planning Commission shall elect from its members a Chairperson, Vice-Chairperson, and Secretary. The officers shall take office immediately following their election. They shall hold their office for a term of one year, or until their successors are elected and assume office. The officers elected shall be eligible for re-election for successive terms.

2. The Chairperson shall preside at meetings, but in the absence or during the disability of the Chairperson, the Vice-Chairperson shall preside and act in the capacity of the Chairperson. The Vice-Chairperson shall succeed to the office of the Chairperson in the event of a vacancy in that office, in which case the Commission shall select a successor to the office of Vice-Chairperson at the earliest practicable time.

3. The Chairperson, subject to these by-laws and rules, shall decide points of order or procedure, unless otherwise directed by a majority of the Planning Commission members present at the time.

4. The Chairperson may, from time to time, appoint members to subcommittees to consider appropriate matters for consideration by the full Planning Commission at a regular meeting. The chairperson shall be an ex officio member of all committees, with voice but no vote.

ARTICLE II – MEETINGS

1. Regular meetings of the Planning Commission shall be held monthly on the second Tuesday of the month at ~~5:00~~ p.m. in the City Commission Chambers in City Hall.

2. Special meetings may be called by the Chairperson or at the request of two members of the Planning Commission, provided that notice shall be given to each member at least twenty-four (24) hours before the time of the meeting or as is otherwise reasonable under the circumstances.

3. Proper notice of all meetings (regular or special) shall be given to the public as required by the Open Meetings Act. Any changes in the date, time or place of a meeting shall be posted and noticed in the same manner as originally established.

4. All meetings of the Commission shall be open to the public as required by the Open Meetings Act, a person shall not be excluded from a meeting of the commission except for breach of the peace committed by the person at the meeting.

5. A quorum shall consist of a majority of the Planning Commission members.

6. Minutes shall be prepared for each meeting of the Commission as required by the Open Meetings Act. A member of City Staff acting as a recording secretary shall prepare the minutes. The minutes shall contain a brief synopsis of the meeting, including a record of attendance; a complete statement of the conditions or recommendations made on any action; and other information or material as directed by a majority of the Commission.

*11-12-03
5:30pm
amended*

ARTICLE III – RULES AND PROCEDURE

1. All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure, as governed by “Robert’s Rules of Orders,” except as otherwise provided by these rules.

2. In order for the Commission to conduct business or take any official action, a quorum consisting of the majority of the members of the Commission shall be present. When a quorum is not present, no official action, except for adjourning the meeting may take place. In the absence of a quorum, the members of the Commission may discuss matters of interest, but may take no action until the next regular or special meeting at which a quorum exists. All public hearings without a quorum shall be scheduled for the next regular or special meeting and no additional public notice is required if the date, time and place of the next meeting is announced at the meeting.

3. The Chairperson shall restate motions before a vote is taken. The names of the Commissioners making and supporting the motion shall be recorded.

4. An affirmative vote of the majority of the members of the Commission shall be required for the approval of any requested action or motion placed before the Commission.

5. Voting shall ordinarily be voice vote, but a roll call vote shall be required if requested by any Commission member or directed by the Chairperson.

6. All members of the Commission shall vote on all matters. A member may be excused from voting only if that person has a bona fide conflict of interest as recognized by the majority of the remaining members of the Commission. A member who feels that he or she has a conflict of interest on any matter that is on the Planning Commission agenda shall voluntarily excuse himself or herself, shall vacate his or her seat, and shall refrain from discussing and voting on that matter as a Planning Commissioner.

7. A written statement containing the decision of the Planning Commission made regarding a request will be sent to the originator of the request.

ARTICLE IV – AGENDA (ORDER OF BUSINESS)

1. The Chairperson, with input and assistance from relevant City Staff, shall prepare an agenda for regular and special meetings of the Commission, listing each of the items to be considered at the meeting and including the following elements, as applicable to the meeting in question:

- Call to Order
- Roll Call
- Approval of Minutes of the Previous Meeting
- Public Hearings
- Petitions and Communications
- Committee Reports
- New Business
- Public Comment
- Adjournment

2. The order of consideration of items on the agenda may be changed at the discretion of the Chairperson as necessary for the expeditious conduct of business or as an accommodation to the public.

3. The deadline for filing a matter for placement on agenda shall be ten (10) calendar days prior to the meeting at which the matter will be considered.

4. In general, the following procedure will be observed in consideration of agenda items, subject to other applicable rules governing procedures for public comment (Article V) and public hearings (Article VI):

- City Staff presents its report and makes its recommendation, as applicable.
- The Planning Commission asks questions regarding the staff presentation and report.
- The proponent (applicant) of the agenda item makes its presentation.
- City Staff makes any additional comments it may have.
- Planning Commission proceeds with its discussion, asks any additional questions it may have of the proponents, opponents, or staff, and then takes a vote or other appropriate action.

ARTICLE V – PUBLIC COMMENT IN GENERAL

A person shall be permitted to address the Planning Commission in accordance with the Open Meetings Act, as follows:

1. At public hearings, in accordance with Article VI of these rules.

2. On a matter for which a public hearing is not required to be held, but on which the Planning Commission will be required to act, after the staff presentation of the item is made but before Planning Commission discussion, a person representing the petitioner shall be permitted to speak for a maximum of five (5) minutes. After that, any other interested persons will be permitted to speak regarding the item for a maximum of five (5) minutes each.

3. On a matter for which a public hearing will be held, after the staff presentation of the item is made but before Planning Commission discussion, at the discretion of the Chairperson, a person representing the petitioner may be permitted to speak briefly, within time lines imposed by the Chairperson up to a maximum of five (5) minutes. After that, at the discretion of the Chairperson, any other interested person may be permitted to speak briefly regarding the item, within time lines imposed by the Chairperson up to a maximum of five (5) minutes. On such items, the decision of the Chairperson as to whether to let anyone speak and for how long will depend on whether the Chairperson or other Commissioner believes that receiving the input prior to the public hearing will benefit the Planning Commission in its understanding of the issues in preparation for the public hearing.

4. At the conclusion of each meeting prior to adjournment, anyone wishing to address the Planning Commission on any other matter relevant to its functions and responsibilities, on which the public has not been afforded an opportunity to speak earlier in the meeting, shall be permitted to speak up to a maximum of five (5) minutes.

5. At the discretion of the Chairperson, a person may be permitted to speak at any time on any matter for any length of time deemed appropriate by the Chairperson, (even for periods longer than otherwise permitted by these rules) when the Chairperson or other commissioner determines the Planning Commission may benefit from such presentation.

6. Notwithstanding the foregoing, whenever circumstances warrant, due to the length of the meeting agenda, the unusual number of people wishing to speak, or other similar reason, the Chairperson shall have the right to limit redundant presentations. In no event, however, shall a person otherwise entitled to speak be deprived of the opportunity to give his or her name and address, whether they are in favor of or opposed to an item, and very briefly their reasons (for the same reasons as a previous identified speaker shall be sufficient).

7. Any person wishing to address the Commission shall first be recognized by the Chairperson. Upon recognition from the Chairperson, the person shall state their name, address and purpose for appearing.

8. All comments shall be addressed to the Commission and members of the public shall not, without permission from the Chairperson, engage in a direct public dialogue with one another.

ARTICLE VI – PUBLIC COMMENT AT PUBLIC HEARINGS

1. Where it appears necessary to maintain the efficient conduct of the Commission's business and to give all interested citizens an opportunity to be heard, the Chairperson may establish time limits for persons appearing before the Commission. Suggested limits are as follows:

- Five minutes for the applicant's initial presentation.
- Five minutes for a spokesperson appearing in opposition to the applicant.
- Five minutes for each person speaking in favor or in opposition to the proposal.
- Five minutes for a spokesperson appearing in opposition to the applicant.
- Five minutes for each person speaking in favor or in opposition to the proposal.
- Five minutes for the applicant to summarize the proposal or to rebut information submitted during the hearing.

2. Notwithstanding the above time limits, any member of the Commission may during the public hearing ask questions or seek additional information from any person appearing before the Commission. Following the close of the public hearing, Commissioners, and the public may make such inquiries may address the Commission, only at the discretion of the Chairperson.

ARTICLE VII – ATTENDANCE AT MEETINGS

1. A member of the Planning Commission who has knowledge of the fact that he or she will not be able to attend a scheduled meeting of the Planning Commission shall notify the recording secretary at City Hall at the earliest possible opportunity and, in any event, prior to 3:00 p.m. on the date of the meeting. The recording secretary shall attempt to notify the Chairperson and other members of the Commission in the event that the projected absences will result in the failure to obtain a quorum.

2. The Commission may take appropriate steps to remove from the Commission any Commissioner with more than 3 absences from regular Commission meetings for which advance notice of the absence was not provided as required by paragraph 1 of this article.

ARTICLE VIII – AMENDMENTS

These By-Laws and rules may be amended at any meeting of the Planning Commission, provided that notice of the Proposed amendment shall appear on the agenda of the meeting at which the amendments are to be considered.

THESE BY-LAWS AND RULES OF PROCEDURES ARE ADOPTED THIS 14TH DAY OF JANUARY, 1992.