

BY-LAWS
TOWN OF GURLEY
PLANNING COMMISSION
2018

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Pursuant to Title 11-52-1, 11-52-2 et. Seq., Code of Alabama 1975, as amended there has been established a Town of Gurley, Alabama Planning Commission, to provide for the organization of the Town Planning Commission, hereafter referred to as the Commission, establishing procedure for the conduct of meetings and rules for the transaction of business by said Commission.

I. ORGANIZATION

a. MEMBERSHIP – The Commission shall have six members appointed by the Mayor of the Town of Gurley, upon recommendation of the Planning Commission and three ex-officio (change to ex officio with no dash) members for a total of 9 members.

i. QUALIFICATIONS: Of the six appointed members, 4 shall be residents of the Town and 2 may be outside the town limits (however should have a vested interest in the success of the town) and represent various aspects of the community including but not limited to education, labor, agriculture, industry, commerce and citizens at large.

ii. EX-OFFICIOS: The three ex-officio member of the Planning Commission of the Town of Gurley should include: The Mayor, one of the administrative officers of the Town selected by the Mayor, and one member of the Town Council to be selected by said Town Council.

iii. TERMS: The term of each appointed member shall be six (6) years or until his (substitute "his/her" for his) successor takes office; except that the respective terms of five of the members first appointed shall be one, two, three, four and five years. The terms of ex-officio members shall correspond to their respective official tenures, except that the term of the administrative official selected by the Mayor shall terminate with the term of the Mayor selecting him.

iv. REMOVAL FROM OFFICE: Members other than the member selected by the Town Council may, after a public hearing, be removed by the Mayor for inefficiency, neglect of duty, or malfeasance in office. Non-attendance as specified under Section III, paragraph B-7 shall be grounds for removal from membership in the Commission without a Public Hearing. The Town Council may for like cause remove the member selected by it. The Mayor or Town Council as the case may be, shall file a written statement of reasons for such removal. Vacancies occurring other than through the expiration of term shall be filled for the unexpired term by the Major in the case of members selected or appointed by him, by the Town Council in the Case of the Council member selected by it.

v. COMPENSATION: Members shall serve without compensation, unless the Town Council shall provide otherwise.

b. OFFICERS

i. CHAIRPERSON: The commission shall elect a chairperson from amongst its appointed members, who shall preside at all meetings and hearings of the Commission, decide all points of order or procedure and perform any duties required by law, these rules, or the Commission. The term of the Chairperson shall be one year, and any member serving as chairperson shall be eligible for re-election.

ii. **VICE-CHAIRPERSON:** The Commission shall elect a vice-chairperson amongst its appointed members who shall perform all of the duties of chairperson during the absence or disability of the chairperson. The term of the vice-chairperson shall be one year, and any member serving in that office shall be eligible for re-election.

iii. **CHAIRPERSON PRO TEMPORE:** In the absence of the Chairperson and the Vice-Chairperson, a member designated by a majority vote of the members present shall serve as Chairperson pro Tempore.

iv. **SECRETARY:** The commission shall designate one of its members, or an employee, or other resident of the Town of Gurley, to act as Secretary of the Commission. The Secretary shall serve at the pleasure of the Commission. It shall be the duty of the Secretary to conduct all official correspondence of the Commission, send out all notices required by law and these rules of procedure, to keep a record of each meeting, hearing or other official action of the Commission, and to perform all other duties required by law, these rules, or the Commission.

v. **OTHER OFFICERS:** Other Officers shall have such authority and perform such duties as, from time to time, may be assigned by the Commission.

vi. **VACANCIES:** If an appointed position shall become vacant by reason of death, resignation, or any other reason, the Commission shall recommend a nominee to the Mayor, at the next regular meeting to hold the office for the unexpired term. (rephrase to say....the Commission shall recommend to the Mayor during the next regular meeting, a nominee to hold the office for the unexpired term)

C. **Committees –** The Chairperson may appoint Committees of any number from the membership with such authority as shall be designated by the Commission; however, no Committee shall take final action unless specifically authorized by the Commission.

i. **STANDING COMMITTEES:** The Chairperson may appoint members to the following standing committees, at the organization meeting or the first regular meeting thereafter, for the calendar year:

1. Executive
2. Mapping, Population & Economic Base
3. Land Characteristics & Use
4. Traffic & Transportation
5. Community Facilities & Services

ii. **STANDING COMMITTEE DUTIES AND FUNCTIONS:** Except for matters specifically assigned to other Committees, the Standing Committees shall have the following responsibilities:

1. **EXECUTIVE COMMITTEE** shall review and make minor decisions on all business for the purpose of streamlining the operations.
2. **MAPPING, POPULATION & ECONOMIC BASE COMMITTEE** shall have general charge of, and shall have referred to it, all matters of study relating to: 1) maps and aerial photographs, 2) population growth, distribution and characteristics, 3) employment as well as income changes and types, and 4) general economic activity.
3. **LAND CHARACTERISTICS AND USE COMMITTEE** shall have general charge of, and shall have referred to it, all matters of study relating to: 1) physiographic features including suitability of land for development and water as well as soil conservation, 2) existing and future use of land, and 3) regulation and control of land development.

4. TRAFFIC & TRANSPORTATION COMMITTEE shall have general charge of, and shall have referred to it, all matters of study relating to 1) present and future highway needs, and 2) standards of highway design.
5. COMMUNITY FACILITIES AND SERVICES COMMITTEES shall have general charge of, and shall have referred to it, all matters of study relating to 1) parks and outdoor recreation facilities including open space, 2) school plans, and 3) utility systems including water supply, sanitary sewage and drainage.

iii. SPECIAL COMMITTEES: The Chairperson may appoint, at any regular meeting, members to Special Committees for purposes and terms the Commission approves.

iv. CITIZEN PARTICIPATION: Any Committee may solicit advice and counsel from citizens who are not members of the Commission.

II. POWERS AND DUTIES - The primary function of the Commission is the preparation of the comprehensive planning program for the orderly growth and development of the community. The comprehensive planning functions (insert the word "shall" here) include the following activities:

- a. COLLECTION AND ANALYSIS OF DATA which must be considered in evaluating the overall needs of the planning area.
- b. PREPARATION AND ADOPTION of a comprehensive development plan.
- c. COORDINATION of planning activities, including state and federal programs, to assure their accordance with adopted plans and objectives.
- d. FORMULATION of measures to implement the recommendations of the various elements of the comprehensive plan. This would include the drafting and adoption of subdivision regulations and the drafting and recommending for adoption by the Town Council of a zoning ordinance.
- e. CONDUCTION of public hearings on all planning proposals.
- f. PROVISION OF TECHNICAL ADVICE to the local government on all matters pertaining to community development.
- g. CONTINUOUS UPDATING of the comprehensive plan in view of changing conditions and the continuous preparation of special studies on community problems and needs, such as annexation, site locations, detailing segments of the comprehensive plan, etc.
- h. STORAGE of all types of planning and development information. The Commission would become the one group providing a wide range of current data to public and private individuals.
- i. CARRYING ON A CONTINUOUS PROGRAM to inform and promote citizens understanding and support of the total planning program.
- j. CONTINUOUS REVISION and updating of existing zoning ordinance.
- k. REVIEW of subdivision plats and administration of subdivision regulations.

III. MEETINGS

a. SCHEDULE

i. REGULAR MEETINGS: Regular meetings of the Commission shall be held on the last Tuesday of each month at 235 Walker Street, beginning at 6:00 PM. If such a day be a legal holiday, the meeting shall be rescheduled by the Chairperson. Change of regular meeting date shall be submitted to the Commission for approval prior to the adoption by the Commission.

ii. ANNUAL ORGANIZATION: An organizational meeting shall be held at the regular January meeting of each year. At this time:

1. Executive officers shall be elected by ballot (should we have voted by ballot instead?) after proper nomination and a candidate receiving a majority vote of the membership present at the time of election shall be declared elected;
2. Members may be appointed to standing committees by the Chairperson.

iii. **SPECIAL SESSIONS:** The Chairperson may, in specific instance, call a special meeting. All members of the Commission shall be notified in writing of such special meeting twenty-four (24) hours in advance.

iv. **HEARINGS:** The Commission shall hold public hearings, in addition to those required by law when it is deemed such session would be in the best interest of the public and other parties concerned.

v. **EXECUTIVE SESSION:** The Commission may meet informally in closed session, or executive session, for discussion purposes. However, all meetings, or portions of meetings, at which Official Action is taken shall be open to the general public.

1. Notice of all public hearings shall be given pursuant to appropriate statutory requirement.
2. The order of procedure shall be prescribed by a written agenda.
3. The Commission may appoint one or more of its members or one or more of its staff to conduct any particular public hearing on its behalf.
4. Public hearings may be recessed or continued at the discretion of the presiding officer (add comma here) or by majority vote of the full Commission.
5. Upon majority vote of the Commission members present, the record of the hearing may be held open for a designated period.
6. A written transcript shall be made of all public hearings of the full Commission.
7. All statements and questions at public hearings by members of the general public shall be addressed to the presiding officer.
8. All public hearings relating to matters delegated to the Planning Boards shall be held by the respective Planning Boards.

b. **PROCEEDINGS – Roberts Rules of Order** shall govern the Commission proceedings except as specified otherwise by these By-Laws.

i. **ORDER OF BUSINESS:** Business of a meeting shall be conducted as follows:

1. Call to Order
2. Roll Call (determination of Quorum)
3. Approval of Minutes
4. Public Comments (to be limited to no more than 5 minutes)
5. Committee and Official Reports
6. Old Business
7. New Business
8. Correspondence and miscellaneous business
9. Additional Public Comments (to be limited to no more than 5 minutes)
10. Adjournment

ii. **QUORUM:** A quorum necessary for the transaction of business shall consist of five members of the Commission. Except as specifically otherwise provided by statute, or these rules of procedure, the business of the Commission shall be transacted by a majority vote of members present.

iii. VOTING: Voting membership shall be the nine members of the Commission. The number of affirmative votes necessary to transact business shall be a majority of the voting members present at a Commission or Committee meeting. The Commission may be polled, at the discretion of the Chairperson, or upon the request of a Commission member, on any controversial action. On a particular subject, a member may be excluded from voting when determined there exists a conflict of interest.

Such determination shall be made by a majority vote of the Commission.

iv. VISITORS: Visitors at a meeting may enter into a discussion, or present petitions, in the manner and for the time prescribed by the Chairperson.

v. STATEMENTS AND QUESTIONS: All statements and questions at meetings, either by Commission members or the general public, shall be addressed to the presiding officer.

vi. AGENDA: It shall be the duty of the chairperson, or a person designated by the Chairperson, to prepare prior to each regularly scheduled meeting, an agenda of items for consideration. Items not included on the agenda may be added only after approval of a majority of the members present.

vii. ATTENDANCE: Any member missing four consecutive, regularly scheduled meetings without just cause may be removed from the Commission by a recommendation of the majority of the Commission.

b. MINUTES AND RECORDS – It shall be the duty of the Secretary to keep minutes of the proceedings or each meeting of the Commission, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. The minutes of the Commission shall be kept in a well-bound book, and shall constitute a permanent public record.


In addition to the minutes of the Commission, the Secretary shall keep a permanent file of all plats, maps, charges, reports, resolutions, notices, correspondence and applications filed with and issued by the Commission. All of the records of the Commission shall be public records.

The Commission shall arrange with the Town Council to provide for the safekeeping of the records of the Commission.

IV. AMENDMENTS – The Commission may appoint such employees, as it may deem necessary for its work, whose appointment, promotion, demotion, and removal shall be subject to the same provisions of law as govern other corresponding civil employees of the municipality. The Commission may also contract with city planners, engineers, architects, and other consultants for such services as it may require. The expenditure of the Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the council, which shall provide the funds, equipment, and accommodations necessary for the Commission's work.

I. EMPLOYEES AND FINANCES – These By-Laws may be amended at any regular meeting by a majority vote of the total members of the Commission. The agency of such meeting, however, shall include a notice, text, and explanation of the proposed rule change. Upon the request of any member present at the first meeting at which the amendment is proposed, it shall be held for decision until the next regular meeting.

READ, ADOPTED AND APPROVED at a regular meeting of the Planning Commission of the Town of Gurley, Alabama, on the 27th day of March, 2018.(change date as required)


PAMELLA BERRY (Signature); Secretary


JOSEPH F. BELLES (Signature); Chairperson