

**CITY OF DEARBORN
CITY PLAN COMMISSION**

**RULES AND REGULATIONS OF PROCEDURE
Adopted January 12, 2009**

ARTICLE I. OFFICERS AND THEIR DUTIES

Section 1. The officers of the Commission, in their line of authority, shall be a Chairperson, Vice-Chairperson and Secretary .

Section 2. The Chairperson shall preside at all meetings and hearings, approve all agendas, appoint all committees, and perform such other duties as normally conferred on such an officer, and as directed by the Commission.

Section 3. The Vice-Chairperson shall perform such duties as normally conferred on such an officer, and as directed by the Commission. In the absence of the Chairperson, the Vice-Chairperson shall act in the capacity of the Chairperson.

Section 4. The Secretary shall verify and be responsible for the minutes of each meeting and hearing and for the records of the Commission, and perform such other duties as normally conferred on such an officer, and as directed by the Commission. In the absence of the Chairperson and Vice-Chairperson, the Secretary shall act in the capacity of the Chairperson.

ARTICLE II. ELECTION AND SUCCESSION OF OFFICERS

Section 1. The Commission shall elect its officers annually at the September regular meeting of the Commission unless the Commissioners approve the holding of the election at some other regular meeting. The officers of the Commission at the time of adoption of the Rules and Regulations of the Procedure shall retain their offices until the September following the adoption of these rules.

Section 2. A candidate receiving a majority vote of the Commissioners present at the meeting shall be declared elected, shall take office immediately and shall hold office for a term of one year or until a successor is elected and assumes office.

Section 3. In the event of a vacancy in any office, the officer next in line of authority shall succeed to such office for the unexpired term. Any officer may decline to succeed to a vacant office. Should the officer next in line so decline, then the officer, if any, next in authority to the declining officer shall succeed to the vacant office.

Section 4. Should a vacancy occur in the office of Secretary, an acting Secretary may be appointed by the officer senior in authority until such time as a successor is elected.

Section 5. The Commission shall, by election, promptly fill for the unexpired term any vacancy in office not filled by the succession of officers as provided above.

ARTICLE III COMMISSION STAFF

Section 1. The City Plan Department shall provide supportive staff for the Commission as prescribed by ordinance.

Section 2. All communications, petitions and reports addressed or referred to the Commission shall be delivered or mailed to the City Plan Department.

Section 3. The City Planner shall assist the commission in carrying out its powers and duties. To that effect, the City Planner shall report the recommendations of the Commission, carry out its directives and be responsible for the professional and administrative work and coordinating the work, plans, policies, procedures, directives and recommendations of the Commission.

Section 4. The Commission shall designate a suitable and competent employee from the City Plan Department to act as Clerk to the Commission, who shall be charged with the duty of keeping the minutes of all meetings and hearings of the Commission, and shall perform such other duties as may be prescribed by the Commission and the City Planner, or either of them.

Section 5. As prescribed by ordinance, the Commission has the authority to appoint and remove the City Planner, subject to the Civil Service provisions of the City Charter.

Section 6. In the case of vacancy, absence or disability of the City Planner, the Commission, by resolution, shall designate from within the ranks of the planning staff and Acting City Planner who shall assume all the duties and responsibilities of the City Planner and exercise all the powers granted to the City Planner.

ARTICLE IV. MEETINGS AND HEARING

Section 1. Regular meetings of the Commission will be held on the first Monday following the first Tuesday of every month at 7:00 p.m. at the City Council Chambers, or on such other days and at such other times and places are scheduled by the Commission. When the regular meeting day falls on a legal holiday, the Commission shall select a suitable alternate day.

Section 2. Special meetings and hearings shall be called at the request of the Chairperson or any three Commissioners. Notice of special meetings and hearings shall be given by the Secretary to the Commissioners at least fifteen (15) days prior to such meeting or hearing. The notice shall specify the purpose of the meeting or hearing, and no other business may be conducted thereat except by unanimous consent of the Commissioners in attendance at such meeting.

Section 3. All regular and special meetings, hearings, records and accounts of the Commission shall be open to the public as required by law, excepting as otherwise specifically authorized or permitted.

Section 4. Five members of the Commission shall constitute a quorum for the transaction of business and the taking of official action for all matters, excepting that the adoption of a Master Plan, or any part of a Master Plan, or any amendment, extension or addition to a Master Plan, shall require the affirmative votes of not less than six (6) members of the Commission.

Section 5. Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting at which a quorum is present, by approval of the minutes of the meeting at which a quorum was not present.

Section 6. Persons addressing a meeting or hearing shall identify themselves by name and address. To assure that all those in attendance will have an opportunity to be heard, the presiding officer is authorized to announce and impose reasonable restrictions with respect to the conduct of the meeting, which restrictions may include limitations as the length of presentations and the number of persons to be heard.

Section 7. A person can be excluded or removed from a meeting or hearing for a breach of the peace.

Section 8. A meeting or hearing can be adjourned, recessed and reconvened as the Commission may determine, subject to compliance with the applicable legal requirements, if any, as to notice, posting and publication.

ARTICLE V. PUBLIC NOTICE

Section 1. The City Planner, on behalf of the Commission, shall arrange for and give all required notices of the meetings and hearings of the Commission in accordance with the governing laws.

Section 2. The City Planner shall give notice of meetings and hearings of the Commission on proposed rezoning to all record owners of property situated within three hundred (300) feet of the property proposed to be rezoned.

Section 3. The City Planner shall give notice of meetings and hearings of the Commission on proposed street and alley openings or closings to all record owners of property adjacent to the streets and alleys proposed to be opened or closed.

Section 4. The record owners entitled to the foregoing notices shall be those as shown by the City's current tax rolls.

Section 5. Neighborhood associations which have file with the Community Improvement Department a description of the boundaries of their association area, along with the names and addresses of their current officers, whose so described association area encompasses property proposed to be rezoned, or streets and alleys proposed to be opened or closed, shall be given notice by the City Planner of Commission meetings and hearings on such proposals. Such notice shall be addressed to the chief officer of the association.

Section 6. The Commission, by resolution, may direct the City Planner to give notice to persons in addition to those described above.

Section 7. Unless otherwise provided by law, the notice shall be sufficient if it is in writing, states the date, time and place of the Commission meeting or hearing, sets forth the involved and is mailed at least ten (10) days prior to the meeting or hearing.

ARTICLE VI. AGENDAS

Section 1. An agenda for each meeting or hearing of the Commission shall be prepared by the City Planner and approved by the Chairperson. The agenda may be amended, added to or altered by action of the Commission.

Section 2. An agenda package shall be mailed or delivered by the City Plan Department to each Commissioner at least five (5) days prior to the meeting or hearing. The package shall contain copies of the petitions, reports and other information then available to the City Planner so that the Commissioners may familiarize themselves with and be properly informed as to each item appearing on the agenda.

Section 3. The Commission may direct the City Planner to mail or deliver agenda packages to other concerned or affected persons.

ARTICLE VII. VOTING

Section 1. Each Commissioner in attendance at a meeting or hearing shall vote on all matters thereat put to a vote unless excused by unanimous consent of the Commissioners, or unless the Commissioner discloses prior to the taking of the vote a personal or pecuniary interest in the matter.

Section 2. A Commissioner who has a direct personal and/or financial interest in any matter before the Commission must disclose his or her interest prior to the Commission taking any action with respect to the matter, and such disclosure shall become a part of the record of the Commission's official proceedings. Such declaration shall be made before discussion on the item begins, and the declarant shall be recused from the meeting while the item is being discussed and voted upon. Any member of the Commission is permitted to inquire about potential conflicts that may exist among other members.

Section 3. All voting shall be by voice and shall be recorded by yeas and nays. Roll call votes will be taken and recorded upon every non-unanimous decision. Notwithstanding the foregoing, the Commission may provide for the election of its officers by secret ballot.

ARTICLE VIII. COMMITTEES

Section 1. Committees, which might include non-members of the Commission, may be appointed by the Chairperson for purposes and terms approved by the Commission. The Chairperson shall be an ex-officio member of all committees. The Commission shall have standing committees; Master Plan, Zoning, Platting, and Capital Improvements.

ARTICLE IX. ATTENDANCE

Section 1. Each member of the Plan Commission is required to attend a minimum of two-thirds of the regularly scheduled Plan Commission meetings in a calendar year. If a member has not fulfilled this requirement during a twelve (12) month period, the Commission may declare that member's position vacant by a majority vote of the Commission. The Plan Commission, shall in writing, notify the Mayor of its decision. The Plan Commission may grant a waiver, given sufficient explanation of extenuating circumstances.

ARTICLE X. MISCELLANEOUS

Section 1. The Commission may temporarily suspend any of these Rules and Regulations of Procedure by an affirmative vote of not less than six (6) members of the Commission.

Section 2. Excepting as provided herein, parliamentary procedure shall be governed by the latest revised edition of Robert's Rules of Order.

ARTICLE XI. AMENDMENTS

Section 1. These Rules and Regulations of Procedure may be amended by a two-thirds vote of the entire membership of the Commission. No vote on a proposed amendment shall be taken at the meeting when the amendment is first proposed unless there has been a suspension of this rule by the Commission.