

BY-LAWS AND RULES OF PROCEDURE

ASHLAND CITY MUNICIPAL PLANNING COMMISSION

I. THE COMMISSION

A. Name. The name of the Commission shall be the "Ashland City Municipal Planning Commission" as established and provided by Section 13-4-101, Tennessee Code Annotated. It may also be known as the "Planning and Zoning Board".

B. Records. The records of the Commission shall be kept in City Hall and be available to the public during all normal business hours.

C. Membership. The membership of the Commission shall conform to the requirements of Section 13-4-101, Tennessee Code Annotated.

D. Order of Business

1. Approval of Agenda
2. Presentation and approval of minutes of previous meeting
3. Public Forum
4. Old business
5. New business
6. Adjournment

II. OFFICERS

A. Officers. The officers of the Commission shall be a Chairman, Vice-Chairman, and Secretary.

B. Elections. The chairman, vice-chairman, and secretary shall be elected at the January meeting of the Commission. In accordance with Section 13-4-102, Tennessee Code Annotated, the chairman shall be elected from among the appointive members. All officers shall serve for a term of one year and shall be eligible for re-election.

C. Chairman. The chairman shall preside at all meetings of the Commission and shall perform such other duties as the Commission shall authorize. The chairman may exercise his/her voice and vote as a member of the Commission.

D. Vice-Chairman. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman.

E. Secretary. The secretary shall maintain accurate minutes of the proceedings of the Commission. The secretary shall also perform such other duties as the Commission may direct,

including the certification of official records and transcripts and subdivision plats as required in Section 13-4-302, Tennessee Code Annotated. The Commission may elect a staff member of the Town of Ashland City as secretary.

F. Vacancies. Should any office become vacant, the City Council shall elect successors to serve for the unexpired term of said office.

III. MEETINGS

A. Regular Meetings. Regular meetings of the Commission shall be held on the first Monday of each month at 5:30 PM in City Hall of Ashland City or at such other place as designated by the chairman. Public notice of all regular meetings shall be posted and/or duly advertised in order to meet the legal requirements of Section 8-44-101, Tennessee Code Annotated. All meetings shall be open to the public, however, not all meetings are public hearings. Comments or testimony from the general public on any issue may be heard at the option of the Commission.

B. Special Meetings. The chairman may, and shall upon the request of two members, call a special meeting of the Commission for the purpose of transacting any business. Special meetings shall meet the public notice requirements as noted in Section III A above.

C. Quorum. A constitutional majority of the membership of the Commission shall constitute a quorum for the purpose of conducting the business of the Commission. Approval of any item of business shall require a favorable vote of a majority of the members in attendance.

D. Agenda. The secretary shall have prepared for each meeting an agenda specifying the order in which the items of business shall appear before the Commission. All items shall be submitted to the secretary at least three weeks prior to the meeting at which they are to appear on the agenda. This time period may be waived by special request to the Commission and by unanimous consent of all members present at such meeting.

E. Conflict of Interest. Any member who considers their personal interest involved in any matter before the Commission shall make a disclosure of such interest and be excused from voting on such matter. In such event, the member shall not be regarded as a member of the Commission for quorum or majority purposes on that particular vote. It shall be the responsibility of the Commission members to disclose any conflict of interest.

IV. PROCEDURES

A. General. Each item of business shall be introduced with a factual analysis by the city staff. Then, the applicant may present any information or exhibits to support the case. If there is opposition to the matter, the Commission may elect to hear the opponents. All testimony or questions shall be directed to the Commission, and cross examination shall not be permitted. All questions from any party shall be directed to the chairman.

B. Subdivision Plat and Site Plans. The steps for approval of a subdivision plat shall be in accord with the Subdivision Regulations. Site plans shall be reviewed in accord with the standards contained in the Zoning Ordinance.

C. Zoning Amendments. The Commission shall review all requests for zoning amendments as required by Section 13-7-204, Tennessee Code Annotated. If the proposed amendment involves the text of the ordinance, the applicant shall submit in writing a statement detailing the section of the ordinance suggested for change. If the proposed amendment involves a change in zoning on the official zoning map, the applicant shall:

1. file a map of the area proposed for rezoning showing the subject property and adjoining properties with accurate property lines,
2. file a statement which identifies the applicant's legal interest in the property and if the applicant is other than the owner, a statement of the owner agreeing to such change.

In all cases, the burden of proof to justify a change is on the applicant.

V. INTERPRETATION AND FILING

A. The Commission shall be the final authority as to the meaning of these by-laws and rules. The Commission may, in extraordinary cases, make an exception by majority vote. In any parliamentary matter not covered herein, Roberts Rules of Order shall apply.

B. Upon adoption, these by-laws and rules of procedure shall be filed in the office of the City Recorder.