

BY-LAWS AND GENERAL RULES OF PROCEDURE

TOWN OF SYLVA PLANNING BOARD

ARTICLE I. PURPOSE

The Planning Board shall be governed by the terms of Chapter 160 D-301, of the General Statutes of the State of North Carolina, as well as the “Ordinance to Establish a Planning Board for the Town of Sylva.” All members of the Planning Board shall thoroughly familiarize themselves with these laws. For the purposes of this set of by-laws, the Sylva Planning Board shall hereafter be referred to as the “Board.”

ARTICLE II. MEMBERSHIP

The Board shall consist of 7 members appointed by the Town of Sylva Board of Commissioners.

Section 1. All members shall have equal rights, duties and privileges on all issues brought before the Board.

Section 2. Six at-large members must reside within the town limits of Sylva. One member shall reside within the town’s extraterritorial planning jurisdiction and shall be appointed by the Jackson County Board of Commissioners, however, shall the county board fail to make such appointments within 90 days, the Town Board may make such appointments. The extraterritorial jurisdiction shall have proportional representation on the Planning Board.

Section 3. In the event of a vacancy on the Board, the Board of Commissioners shall appoint a new member to fill the unexpired term of the vacated position.

Section 6. Members shall serve three-year terms. All members shall serve a maximum of three consecutive full terms, with the exception of the representative from the extra-territorial jurisdiction. Terms of initial appointments shall be staggered so that all terms do not expire simultaneously.

Section 7. Any member who misses more than three (3) consecutive regular meetings, or more than half the regular meetings in a calendar year shall be replaced by the Town Board of Commissioners. Absences due to sickness, death, or other emergencies shall be excused absences.

ARTICLE III. POWERS AND DUTIES

Section 1. The Planning Board shall have the power to perform the following duties at the direction of the Board of Commissioners:

1. Make studies of the Town and the surrounding areas;

2. Determine objectives to be sought in the development of the study area;
3. Prepare plans for achieving these objectives;
4. Develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;
5. Advise the Board of Commissioners concerning the use and amendment of means for carrying out plans;
6. Perform any other duties that the Board of Commissioners may direct.

ARTICLE III. OFFICERS AND SUPPORT STAFF

Section 1. The officers of the Board shall be Board members and shall consist of a chairperson and vice-chairperson elected by a majority vote of the Board. Officers shall be chosen annually at the first meeting held after July 1st. Officers shall serve a one-year term and are eligible for reelection of additional terms.

Section 2. The chairperson shall preside at all meetings and hearings of the Board and shall have the duties normally conferred by parliamentary usage of such office.

Section 3. The chairperson shall have the privilege of discussing all matters before the Board, making motions or seconds and of voting thereon.

Section 4. The vice-chairperson shall act for the chairperson in his/her absence and shall exercise the same powers and duties as the chairperson in such instances.

Section 5. The Town Clerk shall keep all minutes, records, conduct all correspondence, arrange for all required public notices, notify members of pending meetings, their agenda, and generally oversee all aspects of the Board's clerical work.

Section 6. The Town Clerk shall keep the minutes of every meeting of the Board. The minutes shall show the record of all important facts pertaining to each meeting or hearing, every resolution acted upon by the Board and all votes of members of the Board upon any resolution or upon the final determination of any question.

ARTICLE IV. MEETINGS

Section 1. Regular Meetings. Regular meetings of the Board shall be held every month on the fourth Thursday of the month at 5:00 p.m. in the Town Hall provided that meetings may be held at any other convenient place in the Town of Sylva if directed by the chairperson in advance of the meeting. Faithful attendance at all meetings of the Board and conscientious performance of the duties required of members of the Board shall be considered a prerequisite of continuing membership on the Board. If a Board member fails to attend more than three (3) consecutive meetings, that member may be replaced.

Section 2. Special Meetings. Special meetings of the Board may be called at any time by the Town Clerk. At least forty- eight (48) hours written notice of the time and place of special meetings shall be given, by the Town Clerk or by the chairperson, to each member of the Board.

Section 3. Cancellation of Meetings. The Town Clerk may dispense with a regular meeting by giving written or oral notice to all members not less than twenty-four (24) hours prior to the time set for the meetings.

Section 4. Voting. All members may vote on any issue unless they have disqualified themselves for any reason. In all other matters, such as conducting general business of the Board and providing recommendations to the Board of Commissioners, issues may be decided by a majority vote provided a quorum is present. A quorum shall consist of at least four members.

Section 5. Conduct of Meetings. All meetings shall be open to the public. The order of business at regular meetings shall be as follows:

- a) Determination of quorum
- b) Approval of previous minutes
- c) Review and recommendations on agenda items
- d) Consideration of additional agenda items
- e) Adjournment

ARTICLE V. AMENDMENTS.

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of a majority of the members of the Planning Board, provided that such amendment be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.