

# **TOWN OF WARRENTON, VIRGINIA**

## **PLANNING COMMISSION**

### **BY-LAWS**

PREAMBLE- These By-laws set forth the rules for the transactions of business by the Planning Commission of the Town of Warrenton which operates under the authority of the laws of Virginia and the ordinances of the Town of Warrenton.

#### **ARTICLE 1 – OBJECTIVES**

- 1-1 Per §15.2-2210 of the Code of Virginia, every locality shall by resolution or ordinance create a local planning commission in order to promote the orderly development of the locality and its environs. In accomplishing the objectives of § [15.2-2200](#) the local planning commissions shall serve primarily in an advisory capacity to the governing bodies.
- 1-2 The Planning Commission, as established by the Town Council, has adopted the subsequent Articles in order to facilitate its powers and duties under Title 15.2, Chapter 22, 2, Code of Virginia.
- 1-3 The official title of this Commission shall be the Town of Warrenton Planning Commission.

#### **ARTICLE 2 – MEMBERS**

- 2-1 The Warrenton Planning Commission shall consist of not less than five nor more than fifteen members, appointed by the Town Council all of whom shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; provided, that at least one-half of the members so appointed shall be owners of real property. Advisory non-voting members shall include one member of Town Council.
- 2-2 The members shall be appointed for terms of four years. Any vacancy in membership shall be filled by appointment by the Town Council and will fulfill the unexpired term of the member being replaced. Any member missing three consecutive meetings or four meetings within a twelve month period may be removed from office by the Town Council and may be replaced after proper advertising. Members may be removed for malfeasance in office.
- 2-3 The Planning Commission shall inform the Town Council when a member's term is expiring to allow time for the Town Council to advertise a new Planning Commission term

appointment. Seated Planning Commission members may choose to reapply for a new term but reappointment is not assumed without Town Council action.

- 2-4 The Commission members are strongly encouraged to attend training sessions sponsored by the State of Virginia or other planning agencies, in order to more effectively carry out their responsibilities to meet the objectives of the Planning Commission.

### ARTICLE 3 – OFFICERS

- 3-1 The Commission shall appoint a Secretary who need not be a member of the Commission.
- 3-2 Nomination of officers shall be made from the floor of the regular meeting held at the first meeting of the calendar year.

3-2-1 Each candidate for office shall be nominated by and seconded by one member of the Commission.

3-3-2 A candidate for an office of the Commission receiving a majority vote of the members shall be declared elected and shall take office immediately upon the conclusion of the regular meeting and serve for one year or until his successor shall take office.

### ARTICLE 4 – DUTIES OF OFFICERS

- 4-1 The Chairman shall:

4-1-1 Preside at all meetings and call the meetings to order at the appointed time;

4-1-2 Announce the business in its proper order;

4-1-3 Preserve order and decorum;

4-1-4 State and put all questions properly brought before the Commission;

4-1-5 Rule on all procedural questions. Such rulings may be reversed by a majority vote of the members present.

4-1-6 Be informed immediately of any official communication and report the same at the next regular meeting;

4-1-7 Affix his/her signature to all correspondence issued by the commission and all official minutes; and

4-1-8 Appoint committees as necessary.

- 4-2 The Vice Chairman shall assume the duty of the Chairman in the Chairman's absence or in the Chairman's inability to act.
- 4-3 The Secretary or the Secretary's appointee shall:
  - 4-3-1 Keep a written record of all business transacted by the Commission;
  - 4-3-2 Notify all members of all meetings;
  - 4-3-3 Keep a file of all official records and reports of the Commission;
  - 4-3-4 Certify all records and reports of the Commission;
  - 4-3-5 Attend to correspondence of the Commission;
  - 4-3-6 Serve notice of all hearings and public hearings;
  - 4-3-7 Keep a set of minutes of all meetings which shall become a public record; and
  - 4-3-8 Prepare and be responsible for publishing of advertisements relating to public hearings.
  - 4-3-9 Ensure all meeting packet materials are submitted to Planning Commission members one week prior to a meeting.
  - 4-3-10 Submit minutes of Planning Commission meetings to the Town Council.

## ARTICLE 5 – DUTIES OF THE PLANNING COMMISSION

To effectuate this chapter, the local planning commission shall:

- 5-1. Exercise general supervision of, and make regulations for, the administration of its affairs;
- 5-2. Prescribe rules pertaining to its investigations and hearings;
- 5-3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the governing body;
- 5-4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;

- 5-5. Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction;
- 5-6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
- 5-7. Prepare and submit an annual budget in the manner prescribed by the governing body of the county or municipality; and
- 5-8. If deemed advisable, establish an advisory committee or committees.

## ARTICLE 6 – MEETINGS

- 6-1 When applications or other Commission business are pending, regular meetings of the Commission shall be held the third Tuesday of each month. Work sessions will be held the fourth Tuesday of each month. As a general practice, regular meetings and work sessions shall not be held on the same night unless approved by the Chair of the Planning Commission prior to public notice requirements.
- 6-2 When a meeting falls on a legal holiday, the meeting shall be held on the following Tuesday unless otherwise designated by the Chairman or by a vote of the Commission.
- 6-3 When no application or other business is pending, no meeting will be held. The Commission shall meet at least once a year.
- 6-4 The meetings shall begin at 7:00 p.m.
- 6-5 A regular meeting may be adjourned if all business cannot be addressed on the meeting date set. The meeting may be reconvened at a later date, as set at the meeting, or properly advertised.
- 6-6 Special meetings of the commission may be called by the Chairman or by two members upon written request to the Secretary. The Secretary shall mail to all members, at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice.
- 6-7 A member, other than the Chairman, may introduce a motion. Any member of the Commission may second a motion. Motions shall be restated by the Chairman before a vote is taken. The names of persons making and seconding motions shall be recorded.

- 6-8 Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order, revised.
- 6-9 A quorum of the Commission shall consist of majority of the members, and no action of the Commission is valid unless authorized by a majority vote of those present and voting.

#### ARTICLE 7 – ORDER OF BUSINESS REGULAR MEETING

- 7-1 The order of business for a regular meeting shall be:
- A. Call to order by the Chairman and determination of a quorum;
  - B. Adoption of minutes;
  - C. Hearing of public hearing items;
  - D. New Business;
  - E. Worksession items (if approved by the Chair of the Planning Commission);
  - F. Comments from the Commission;
  - G. Comments from the Staff;
  - H. Adjournment.

#### ARTICLE 8 – PROCEDURES FOR HEARING ITEMS

- 8-1 The order for the public hearing shall be:
- 8-2 A staff presentation on each item prior to the applicant's comments.
- 8-3 The applicant or his representative should appear at the public hearing and shall be afforded the privilege of making a statement.
- 8-4 All interested parties desiring to be heard shall have an opportunity to speak at the public hearing.
- 8-5 The applicant or his representative may have the opportunity for rebuttal and answer further questions by the Planning Commission.
- 8-6 The Chairman shall then close the public hearing and the Planning Commission shall deliberate on the application and make its recommendation to the Town Council. Only input from the staff shall be permitted at this time, however, the Commission may ask specific questions of the applicant or his representative.
- 8-7 The Chairman may impose time limits for presentations by the applicant and other persons wishing to speak at the public hearing. All information relating to a public hearing must be submitted to staff at least eighteen calendar days prior to the public hearing. Any new information submitted after that time will not be considered by the Planning Commission until the next scheduled Regular Public Hearing Meeting, unless waived by the Planning

Commission Chair.

## ARTICLE 9 – ORDER OF BUSINESS FOR WORK SESSIONS

9-1 The order of business for work sessions shall be:

- A. Call to order by the Chairman
- B. Work Session Items
- C. Administrative Items
- D. Comments from Commission
- E. Comments from Staff
- F. Adjournment

## ARTICLE 10 – AMENDMENTS

These by-laws may be amended by a majority vote of the entire membership of the Commission at a regularly scheduled meeting, provided notice of intent to amend these by-laws has been given at a prior regularly scheduled meeting by at least two members.

ADOPTED: December 17, 1996  
Revised December 16, 1997  
Revised December 20, 2013  
Revised September 20, 2016