

# BYLAWS

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## CHATHAM COUNTY – SAVANNAH METROPOLITAN PLANNING COMMISSION

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# CHATHAM COUNTY - SAVANNAH METROPOLITAN PLANNING COMMISSION

## BYLAWS

### ARTICLE I

#### NAME

The name of the organization is the Chatham County - Savannah Metropolitan Planning Commission.

### ARTICLE II

#### CREATION

The Chatham County - Savannah Metropolitan Planning Commission was jointly created by the Board of Commissioners of Chatham County and the Mayor and Aldermen of the City of Savannah, pursuant to the provisions of GA. Laws 1957, pg. 420 and all amendments thereto. The Board of Commissioners of Chatham County acted by a resolution adopted May 25, 1961, and the Mayor and Aldermen of the City of Savannah acted by ordinance adopted March 25, 1960.

### ARTICLE III

#### VISION/MISSION STATEMENT

The powers and duties of the Chatham County - Savannah Metropolitan Planning Commission are those prescribed by GA. Laws 1957, pg. 420 and all amendments thereto and those assigned by Chatham County and the City of Savannah.

The **Vision Statement** of the Board is as follows:

The Chatham County – Savannah Metropolitan Planning Commission will be a leader in planning, development, and preserving a greater community through partnerships and an open process.

The **Mission Statement** of the Board is as follows:

It shall be the mission of the Chatham County - Savannah Metropolitan Planning Commission to provide an accessible planning process, sound professional planning products, and recommendations to ensure a greater quality of life for all to enjoy and a community that is historic, sustainable, mobile and prosperous.

## ARTICLE IV

### **PLANNING COMMISSIONERS CREED**

Members of the Chatham County - Savannah Metropolitan Planning Commission shall affirm and be subject to the following Creed:

As a member of the Chatham County - Savannah Metropolitan Planning Commission who is vitally interested in building and maintaining a viable community in which to live, work, and play, I hereby resolve to:

- Support and defend the Constitution of the United States of America and the Constitution of the State of Georgia.
- Uphold the laws of the United States of America and those of the State of Georgia.
- Concern myself with the advancement of the public interest in all matters that come before me.
- Place the competence and effectiveness of service to the public above all interests of persons, factions or parties.
- Not make available to any one citizen any services, tangible or intangible, that are not equally available under the law to any other citizen.
- Abstain from participation in a decision of the Planning Commission and/or the governing body in which I have a conflict of interest.
- Refuse personal gifts in every instance where I have reason to believe the gift would not have been extended to me except for my official position, where I have reason to believe the giver's interests are likely to be affected by my official actions, or where the gift is or may reasonably be considered to be designed to influence my official actions.
- Conduct myself in my contacts with other persons and groups in a manner keeping the trust and dignity in my position as a servant of the people and of my community. I shall further take care to guard not only the factual principles but also the appearance of justice and integrity.

## ARTICLE V

### STATEMENT OF ETHICAL PRINCIPLES IN PLANNING

Members of the Chatham County - Savannah Metropolitan Planning Commission shall affirm and be subject to the following statement of ethical principles:

The planning process exists to serve the public interest. While the public interest is a question of continuous debate, both in its general principles and in its case-by-case applications, it requires a conscientiously held view of the policies and actions that best serve the entire community.

Planning issues commonly involve a conflict of values and, often, there are large private interests at stake. These accentuate the necessity for the highest standards of fairness and honesty among all participants.

A. The planning process must continuously pursue and faithfully serve the public interest.

Planning Commission members should:

1. Recognize the rights of citizens to participate in planning decisions;
2. Strive to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;
3. Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;
4. Assist in the clarification of community goals, objectives, and policies in making plans;
5. Ensure that reports, records, and any other non-confidential information which is, or will be available to decision makers, is made available to the public in a convenient format and sufficiently in advance of any decision;
6. Strive to protect the integrity of the natural environment and the heritage of the built environment;
7. Pay special attention to the interrelatedness of decisions and the long-range consequences of present actions;
8. Never use any information coming to them confidentially in the performance of MPC duties as a means for making private profit;
9. Expose corruption wherever discovered to the appointing authority

B. The Planning Process must emphasize the responsibility to continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.

Planning Commission members should:

1. Exercise fair, honest and independent judgment in their roles as decision makers and advisors;
2. Make public disclosure of all "personal interests" they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker;
3. Define "personal interest" broadly as any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision; including: any financial or property interest as defined in Appendix B, any professional relationships, membership in an applicant related entity, time spent in an active volunteer capacity as an advocate for an applicant related entity, and situations where a member will accrue direct financial benefit as a result of the action;
4. Abstain completely from direct or indirect participation on any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record;
5. Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as an advisor or decision maker in the planning process;
6. Refrain from participation in any matter in which they have previously participated as an advocate unless such advocacy has been disclosed;
7. Step down from the podium to make statements on behalf of a petition or application or to take any action to influence the outcome of the vote on any petition or application in which they have, or may have, a personal interest;
8. Refrain from using confidential information acquired in the course of their duties to further a personal interest;
9. Refrain from disclosing confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons, provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions;

10. Refrain from misrepresenting facts or distorting information for the purpose of achieving a desired outcome;
11. Refrain from participating in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;
12. Respect the rights of all persons, including those protected under civil rights laws and regulations;
13. Endeavor, through diligent attendance, to represent the best interest of the community as a whole;
14. Seek to assimilate all pertinent information on matters before the Planning Commission prior to committing to an irrevocable judgment or decision;
15. Prepare for all items scheduled for presentation to the Planning Commission;
16. Strive to provide fiscally sound policies, matching expenditures to funds budgeted.

## ARTICLE VI

### **BOARD OF COMMISSIONERS**

1. **Composition:** The composition of the Chatham County - Savannah Metropolitan Planning Commission is set by the enactments of the Board of Commissioners of Chatham County and the Mayor and Aldermen of the City of Savannah. Under these enactments, the Commission consists of 14 members; six of which are appointed by the Mayor and Aldermen of the City of Savannah; six of which are appointed by the Board of Commissioners of Chatham County; and two of which are jointly appointed by the Mayor and Aldermen of the City of Savannah and the Board of Commissioners of Chatham County, who shall be the Savannah City Manager and the Chatham County Manager, who shall hold such appointments by virtue of their positions as City Manager and County Manager.

2. **Terms of Office:** Under the enactments of the Mayor and Aldermen of the City of Savannah and the Board of Commissioners of Chatham County, members of the Commission serve for a term of three years and are eligible for reappointment and shall serve until their successors are appointed. Additional policies of the respective Governing Boards may apply to the appointees of the two jurisdictions.

3. **Officers:** The officers of the Chatham County - Savannah Metropolitan Planning Commission shall consist of a Chairman, a Vice-Chairman, a Secretary, and a Treasurer.

A. **Election of Officers:** Officers shall be elected from among the members of the Commission.

B. **Terms of Office and Limitation of Number of Terms:** Officers shall be elected for a one-year term and may succeed themselves, but shall not serve more than two successive terms in the same office. Officers shall serve for one year commencing October 1 and extending through September 30. In the event the term of the Secretary or Treasurer expires before their terms of office expire, then a temporary replacement shall be appointed by the Chairman to serve until the election of new Officers.

C. **Removal from Office:** An officer may be removed from office if a simple majority of the total membership of the Commission votes for such removal.

D. **Powers and Duties of Officers:** The powers and duties of each officer shall be as follows:

(1) **Chairman:** The powers and duties of the Chairman shall be:

(a) Preside at all meetings of the Commission.

(b) Appoint all committees of the Commission, subject to the approval of the Commission.

(c) Appoint a Parliamentarian.



- (d) Authenticate, by his/her signature, along with that of the Secretary, Resolutions adopted by the Commission.
- (e) Review the procurement process for any contracts to ensure compliance with the MPC Purchasing process.
- (f) In the event of a vacancy occurring in the office of Secretary or Treasurer prior to the regular officer election date, the Chairman shall appoint a member of the Commission to fill the vacancy. The Commission will vote to approve the appointment and the newly appointed officer will serve until the regular election of officers.

(2) Vice-Chairman: The powers and duties of the Vice-Chairman shall be to exercise all the powers and discharge all the duties of the Chairman during his/her absence or disability, or when a vacancy occurs in the Office of Chairman.

(3) Secretary: The powers and duties of the Secretary shall be:

- (a) Authenticate, by his/her signature, along with that of the Chairman, Resolutions adopted by the Commission.
- (b) Preside at meetings in the absence of the Chairman and Vice-Chairman.

(4) Treasurer: The powers and duties of the Treasurer shall be:

- (a) To chair the Budget and Finance Committee.
- (b) To submit quarterly and annual written reports on the finances of the Commission.
- (c) Preside at the meetings in the absence of the Chairman, Vice-Chairman and Secretary.

E. **Oath of Office**: Upon their election, new officers shall at the first regular meeting thereafter, be administered the following oath of office:

"Do you solemnly swear that you hold no position of public trust or private interest which places you in a position of conflict of purpose with the charter of the Metropolitan Planning Commission, and that in accordance with the Constitutions of the United States and the State of Georgia, the laws of this state, and all applicable local ordinances you will faithfully discharge your duties as officers of said Commission, deciding each matter that shall come before the Commission on its merits alone, without fear or favor with regard to any affected parties or agencies."

The officers shall state, "I do."

The oath shall be administered by a person selected by the Chairman-Elect.

4. **Meetings:** Regular Meetings shall, be set for every third Tuesday as set by the annual calendar approved by the Commission in November of each year. In addition, the Commission shall hold planning meetings when necessary, on a Tuesday for the purpose of addressing comprehensive planning issues only. No zoning, site plans, subdivisions or other petitions shall be heard at such latter meetings. Special meetings, except for the purpose of considering removal of officers, shall be held when called by the Chairman or by seven or more members of the Commission; provided, however, that not less than 72 hours notice of a special meeting shall be given to each member. Consideration must also be given to any State of Georgia open meeting notice requirements.

Special meetings shall be called for specific purposes and only the items stated in the call shall be discussed at the meeting. All meetings shall be public, except in those instances where closed meetings may be held pursuant to the laws of the State of Georgia.

- A. **Record of Action Taken:** A record shall be kept of all actions of the Commission meeting. Such record shall describe the subject considered, the motion made, a brief summary of discussion on the motion, if any, and the results of the vote on the motion.
- B. **Rule:** Except as otherwise provided herein or required by city, county, state or federal rules or regulations, all meetings of the Commission shall be conducted in accordance with the current edition of "Roberts Rules of Order Newly Revised."
- C. **Agenda:** The Executive Director shall prepare an agenda for each meeting listing the items to be considered, information relating to such items, and for each item, when appropriate, the Executive Director's recommendation. The agenda shall consist of a Regular Agenda and a Consent Agenda. The Consent Agenda will be a part of the Regular Agenda.

The Consent Agenda shall include all items for which there are no known unresolved issues or for which there are no known controversies. At the pre-meeting, an item on the Consent Agenda shall be removed and placed on the Regular Agenda at the request of any Commission member present. Action on the Consent Agenda may be taken through a single motion.

The Regular Agenda shall follow the order of business specified below:

1. Call to Order and Welcome
2. Adoption of the Agenda
3. Notices, Proclamations and Acknowledgements
4. Presentations
5. Adoption of Minutes
6. Consent Agenda
7. Reports of Committees
8. Special Orders
9. Unfinished Business
10. Regular Business
11. Other Business
12. Board Member Information
13. Adjournment

For Regular meetings, the tentative agenda shall be delivered to each member at least four calendar days prior to the meeting. Nothing shall come before the Commission that is not on the final agenda except by an affirmative vote of two-thirds of the members present at the meeting. When such a non-agenda matter is placed before the Commission in this manner the matter may be acted upon at that meeting.

- D. **Quorum:** A quorum shall consist of one-half of the voting membership of the Commission, plus one. The continued presence of a quorum is presumed until the Chair or a member notices that a quorum is no longer present. In the absence of a quorum, the meeting may be continued to a date certain. The finding that a quorum is absent will not affect the validity of a prior action.
- E. **Voting:** For all matters that come before the Board, except for the election of officers, removal of an officer, amendments to the Bylaws, and the appointment of the Executive Director a simple majority vote of those members present at the meeting shall be required to adopt or reject a motion. For the election of officers, removal of a member, amendments to the Bylaws, and the appointment of the Executive Director, an affirmative vote of a simple majority of the total membership shall be required.

When electing officers, if a majority is not achieved on the first ballot, a second vote will be taken at the next regularly scheduled meeting with the requirement being a majority of all present.

Each member is expected to share in the discussion and vote on each question. As required by Georgia State Law () all members present must vote on all items unless there is a documented conflict of interest. Voting shall be by electronic means, a show of hands or by voice vote except when taking action on the election of officers or on a personnel matter where such vote may be by secret ballot.

- F. **Conflict of Interest:** No member shall vote on a question or participate in the discussion on a matter which the member, or a relative, has a financial or property interest as described in Appendix B. Where such a conflict is known to a member, the member shall complete a disclosure form and shall announce the conflict prior to commencement of discussion on the issue. When such conflict exists the member involved shall remove him/herself from the debate until the Commission has acted on the subject matter. Zoning, site plan and subdivision conflicts of interest shall be recorded on the form contained in Appendix B pursuant to the provisions of O.C.G.A., subsection 36-67A, effective July 1, 1991.
- G. **Media Relations:** In dealing with the media all members should be conscious that they are representatives of the Chatham County - Savannah Metropolitan Planning Commission and should therefore avoid making comments or participating in photo opportunities that may damage the long-term reputation of the Commission

Commissioners are advised to ensure they are properly briefed before talking to the media. Commissioners should refrain from stating personal opinions and observations prior to the petition coming before the Commission. If a Commissioner feels compelled to address the media following a decision, then the Commissioner shall first state that the Commissioner speaks for themselves and not for the entire Commission.

5. **Committees:** The Commission shall have a standing Personnel Committee, a standing Nominating Committee, a standing Budget and Finance Committee and such other Ad Hoc Committees as the Chairman may create.

A. **Personnel Committee:** The Personnel Committee shall:

- (1) Consist of the Commission Officers and the immediate past Chairman. Where the immediate past Chairman position is not filled, the Personnel Committee shall appoint another member of the Commission to fill the vacancy. The Commission Chairman shall chair the Personnel Committee.
- (2) Recruit and recommend to the entire Commission nominees for the position of Executive Director. The Personnel Committee shall have final authority over all personnel grievances and complaint matters except those with respect to the Executive Director.
- (3) Serve, when requested, as an advisory committee to the Executive Director in all other personnel matters.
- (4) Annually review the performance and compensation of the Executive Director.
- (5) Meet upon the call of the Chairman.

B. **Nominating Committee:** The Nominating Committee shall:

- (1) Consist of three members who shall be appointed by the Chairman at the first meeting in July.
- (2) Propose nominees for all officers to be elected.
- (3) Submit its report to the Commission at the first regularly scheduled meeting in August.

The election of officers shall take place at the next regularly scheduled meeting following the first regularly scheduled meeting in August.

- C. **Budget and Finance Committee:** The Budget and Finance Committee shall:
- (1) Consist of the Treasurer and three other members who shall be appointed by the Chairman.
  - (2) Be chaired by the Commission's Treasurer.
  - (3) Review the proposed Annual Work Program and Budget and recommend action thereon to the Commission.
  - (4) Review Quarterly Financial Reports.

## ARTICLE VII

### **EXECUTIVE DIRECTOR**

1. **Appointment:** The Commission, by an affirmative vote of a simple majority of the total membership, shall appoint an Executive Director for an indefinite term. The Director need not be a resident of the area or the State at the time of such appointment.
2. **Qualifications:** The Executive Director shall have the following qualifications:
  - A. Be a citizen of the United States.
  - B. Have as a minimum a degree from an accredited college or university in a field related to management, planning and/or administration. AICP designation is desirable.
  - C. Have demonstrated ability as an administrator and have had experience as the chief administrative officer of a major public or quasi-public organization. The experience should be broad and not limited to the field of planning, and should also include administration, finance, personnel, interagency relations and public relations.
  - D. Have demonstrated public speaking and writing skills.
3. **Removal:** The Commission may remove the Executive Director from office by an affirmative vote of two-thirds of all members; provided, however, an Executive Director so removed shall receive not less than two months termination pay, plus accrued annual leave.
4. **Powers and Duties:** The Executive Director shall be the chief administrative officer of the Commission. The Director shall be responsible to the Commission for the administration of Commission affairs placed in his/her charge by or under these Bylaws, and for implementing policy directives of the Commission. The Director shall have the following powers and duties:
  - A. Appoint and, when he deems it necessary, suspend or remove any employees for cause.
  - B. Maintain employee files and written personnel procedures as approved by the Commission.
  - C. Report to the Commission on all matters affecting the organization as directed by the Commission.
  - D. Prepare a proposed annual work program together with a proposed annual budget for submission to the Budget and Finance Committee for review and recommendation to the Commission for adoption, and upon adoption, execute the work program and budget.

- E. Oversee the purchasing process in compliance with VII, Purchasing in the Procedural Manual and execute all contracts.
  - F. Provide an annual report for the Planning Commission as outlined in VII, Purchasing in the Procedural Manual, section 3(E).
  - G. Recommend a classification and pay plan for all personnel employed by the organization.
  - H. Authorize the issuance of all checks of the Commission in accordance with established budgetary and fiscal procedures.
  - I. Prepare the agenda for and attend all Commission meetings with the right to take part in discussions, but without a vote.
  - J. Ensure that all provisions of laws affecting the Commission are enforced and executed, as intended.
  - K. Submit to the Commission, and make available to the general public, a complete management report on the administrative activities.
  - L. Keep the Commission advised quarterly as to the progress on the work program of the organization and make recommendations to the Commission concerning the affairs and operations of the organization, as deemed appropriate or necessary.
  - M. Have power, subject to the approval of the Commission, to change, consolidate, or abolish any of the departments or divisions of the organization.
  - N. Make recommendations to the Commission on producing comprehensive development guides, evaluation of grants and community plans, and other such matters as might be requested by the Commission.
  - O. Be responsible for the orientation of new members, including the development of an orientation manual and reviewing the same with new members.
  - P. Perform other duties as required or prescribed by the Commission.
5. **Compensation:** The salary of the Executive Director shall be fixed by the Commission at the time of his appointment, and shall thereafter be reviewed annually by the Personnel Committee prior to the time of the adoption of the budget.

## ARTICLE VIII

### PERSONNEL ADMINISTRATION

1. **Merit Principle:** All appointments and promotions of employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.
  
2. **Personnel Rules:** The Executive Director shall maintain confidential personnel records and prepare personnel rules for the agency and submit them to the Commission for adoption. These rules shall provide for:
  - A. An Annual Performance Review of all employees.
  - B. The classification of all positions and administration of the classification plan.
  - C. A pay plan for all positions and the administration of the pay plan.
  - D. The hours of work, attendance regulations, and provisions for sick leave, vacation leave, and holiday leave.
  - E. Grievance procedures.
  - F. A health and life insurance program and retirement plan.
  - G. A program of Continuing Staff Education.
  - H. Other provisions needed for the administration of the personnel program.



## ARTICLE IX

### BUDGET AND FINANCE

1. **Fiscal Year:** The fiscal year of the Commission shall begin January 1st and end December 31st.
2. **Proposed Budget:** On or before the first day of December of each year, the Executive Director shall submit a proposed budget and program of work for the ensuing fiscal year to the Budget Committee. The budget shall be a balanced budget.
3. **Adopted Budget:** Before the 15th day of December of each year, the Commission shall adopt a final budget and program of work for the ensuing fiscal year. Copies of the budget and program of work shall be sent to each political subdivision and each agency which is expected to contribute to the support of. the Commission during the next fiscal year.
4. **Appropriations:** From the date of the adoption of the budget by the Board of Commissioners, the amounts stated therein as proposed expenditures shall be appropriated to the programs and projects set forth in the budget.
5. **Limits on Expenditures:** Expenditures made under the budget shall not exceed the amounts appropriated by the budget. Whenever it appears that revenue collections together with unappropriated cash surpluses will fall below estimates, and that a budget deficit will result, appropriations and expenditures shall be adjusted to balance with actual income expected.
6. **Accounting System:** The Executive Director shall install an accounting system for the Commission. The Executive Director shall also develop and maintain a perpetual inventory of the Commission's fixed assets.
7. **Financial Report:** Each quarter the Executive Director shall submit to the Budget and Finance Committee a report on the financial condition of the Commission. At the end of each fiscal year, the Budget and Finance Committee shall report the financial condition of the Commission.

## ARTICLE X

### AMENDMENTS TO BYLAWS

1. **Procedure:** These Bylaws may be amended by an affirmative vote of a simple majority of the full membership of the Commission. A Bylaw change shall be presented for consideration at a Regular meeting of the Commission but shall not be voted upon until the Regular meeting next following the meeting at which the Bylaw change was proposed.

## **APPENDIX A**

The following information is a summary of the Roberts Rules of Order concerning the making of motions. This is included for the convenience of Commission members, and should not be interpreted as supplanting the published Roberts Rules of Order under which the Commission operates.

<b>MOTION</b>	<b>IN ORDER WHEN ANOTHER HAS THE FLOOR</b>	<b>MUST BE SECONDED<sup>1</sup></b>	<b>DEBATABLE</b>	<b>AMENDABLE</b>	<b>VOTE REQUIRED FOR ADOPTION</b>	<b>CAN BE RECONSIDERED</b>
1. A main motion or Question	No	Yes	Yes	Yes	A majority, except where: (a) By-Laws require otherwise; (b) adoption would suspend a rule of order or parliamentary right; or (c) adoption would amend something previously adopted	Yes
2. To adjourn	No	Yes	No	No	Majority	No
3. To adopt revised By-Laws	No	Yes <sup>2</sup>	Yes	Yes	As provided in existing By-Laws	Only a negative vote may be reconsidered
4. To amend a Pending motion (To make a Substitute motion)	No	Yes	Yes, if the motion to be amended is Debatable <sup>3</sup>	No	Majority	Yes
5. To amend an amendment to a pending main motion	No	Yes	Yes, If the motion to be amended is Debatable <sup>3</sup>	No	Majority	Yes

<b>MOTION</b>	<b>IN ORDER WHEN ANOTHER HAS THE FLOOR</b>	<b>MUST BE SECONDED'</b>	<b>DEBATABLE</b>	<b>AMENDABLE</b>	<b>VOTE REQUIRED FOR ADOPTION</b>	<b>CAN BE RECONSIDERED</b>
6. To amend something previously adopted, general case	No	Yes	Yes	Yes	Majority with prior notice given. Otherwise either two-thirds, or a majority of the entire membership is required	Only a negative vote may be reconsidered
7. To appeal a ruling of the Chair	Yes, at time of appealed Ruling	Yes	Yes <sup>3</sup> , unless it related to an indecorum, priority of business, or if the pending question is undebatable	No	Majority required to reverse chair's decision	Yes
8. To object to Consideration of a question	Yes, if debate on main motion has not begun or if a secondary motion has not yet been made	No	No	No	Two-Thirds	Yes

<b>MOTION</b>	<b>IN ORDER WHEN ANOTHER HAS THE FLOOR</b>	<b>MUST BE SECONDED'</b>	<b>DEBATABLE</b>	<b>AMENDABLE</b>	<b>VOTE REQUIRED FOR ADOPTION</b>	<b>CAN BE RECONSIDERED</b>
9. To divide a Question	No	Yes	No	Yes	Majority	No
10. To raise a point of information	Yes	No	No	No	This issue is never voted on	No
11. To table to later in the meeting	No	Yes	No	No	Majority	No
12. Motions relating to nominations (except to close or Reopen nominations) made while election is pending	No	Yes	No	Yes	Majority	Yes
13. To raise a point of order, question of order, or to call a member to order	Yes	No	No (but chair can permit full explanation and can submit questions to assembly, which then can be debated, in which case the rule is as for an appeal of a ruling)	No	Is ruled upon by chair (unless he submits question to the judgment of the majority in assembly); can then be debated	No But decision of chair can be appealed

<b>MOTION</b>	<b>IN ORDER WHEN ANOTHER HAS THE FLOOR</b>	<b>MUST BE SECONDED'</b>	<b>DEBATABLE</b>	<b>AMENDABLE</b>	<b>VOTE REQUIRED FOR ADOPTION</b>	<b>CAN BE RECONSIDERED</b>
14. To raise a parliamentary Inquiry	Yes	No	No	No	This issue is not voted on, but is responded by the chair	
15. To postpone a Pending Question to a certain time and make it a special order	No	Yes	Yes'	Yes	Two-Thirds	No
16. To call for the question; to call the previous question to immediately close debate and preclude the making of subsidiary motions except the motion to lay on the table	No	Yes	No	No	Two-Thirds	Yes; but if the vote was affirmative, the motion must be made before any vote has been taken on the actual question itself

MOTION	IN ORDER WHEN ANOTHER HAS THE FLOOR	MUST BE SECONDED'	DEBATABLE	AMENDABLE	VOTE REQUIRED FOR ADOPTION	CAN BE RECONSIDERED
17. To raise a question of privilege, while its regular introduction as a main motion is not in order	Yes, but should not interrupt a person who has begun to speak, unless unavoidable	No; but if the question of privilege thereby raised is in the form of a motion, the motion must be seconded	No	No	Admissibility of question is ruled upon by chair. No vote is taken unless appealed	No
18. To move a Question of Privilege (a) when it is brought up while an ordinary main motion is in order; and (b) when such Question is Pending irrespective of how it had been brought up	The floor should be obtained in the usual manner if the question is brought up while a main motion is in Order	Yes	Yes	Yes	Majority	No



<b>MOTION</b>	<b>IN ORDER WHEN ANOTHER HAS THE FLOOR</b>	<b>MUST BE SECONDED'</b>	<b>DEBATABLE</b>	<b>AMENDABLE</b>	<b>VOTE REQUIRED FOR ADOPTION</b>	<b>CAN BE RECONSIDERED</b>
19. To reconsider; (must be made by prevailing side on a question. On a Question requiring a two-third majority, the minority may be the Prevailing side)	When another has been assigned the floor, but not after he has begun to Speak	Yes	If motion to be reconsidered is debatable, in which case debate can go into that question	No	Majority	No
20. To take from the table	No	Yes	No	No	Majority	No

<sup>1</sup>Motions listed as requiring a second do not need to be seconded when made by direction of a board or committee.

<sup>2</sup>In practice, motion is usually made by the reporting member of a committee, in which case it does not require a second.

<sup>3</sup>Debate on motion must be confined to its merits only, and cannot go into the main question except as necessary for debate of the immediately pending question.

**APPENDIX B**  
**CONFLICT OF INTEREST DISCLOSURE**

**CONFLICT OF INTEREST IN ZONING, SITE PLAN AND SUBDIVISION ACTIONS**  
**DISCLOSURE OF FINANCIAL/PROPERTY INTERESTS**

A Planning Commission member who has one or more of the following interests in the rezoning, site plan or subdivision action identified herein, shall disqualify him/herself from voting on such action and shall not take any other action on behalf of him/herself or any other person to influence action on the application.

\_\_\_\_\_  
**Signature of MPC Member** **Date**  
**MPC File Number** \_\_\_\_\_  
**Property Location** \_\_\_\_\_

**CHECK THE FOLLOWING STATEMENTS WHICH APPLY:**

\_\_\_ I have a property interest in real property affected by this rezoning, site plan or subdivision action upon which I am authorized to vote.

\_\_\_ A member of my family (i.e. spouse, mother, father, brother, sister, son or daughter) has a property interest in the real property affected by this rezoning, site plan or subdivision action.

\_\_\_ I have a financial interest in a business entity which has a property interest in real property affected by this rezoning, site plan or subdivision action.

\_\_\_ A member of my family has a financial interest in a business entity which has a property interest in real property affected by this rezoning, site plan or subdivision action.

**NAME OF FAMILY**

**MEMBER:** \_\_\_\_\_

**DESCRIPTION OF NATURE AND EXTENT OF PROPERTY INTEREST:**

**DESCRIPTION OF NATURE AND EXTENT OF FINANCIAL INTEREST:**

Definition of terms:

**Business entity:** means any corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust.

**Financial Interest:** means all direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is 10 percent or more.

**Property Interest:** means the direct ownership of real property and includes any percentage of ownership less than total ownership.

**Real property:** means any tract or parcel of land and, if developed, any buildings or structures located on the land.

