

**RULES OF PROCEDURE
VERGENNES PLANNING COMMISSION**

SECTION I. ESTABLISHMENT OF RULES OF PROCEDURE

- A. Authority: The Planning Commission of the City of Vergennes shall be governed by the provisions of all applicable state statutes, the City Charter, and these Rules of Procedure adopted by the Planning Commission in accordance with 24 V.S.A. § 4323. Upon adoption of the rules, a copy of these rules and all amendments shall be filed with the City Clerk as a public record and be made available to the public upon request and posted on the City's website at *vergennes.org*.
- B. Amendments: These rules may be amended at any regular meeting by an affirmative vote of a majority of the Planning Commission provided that such amendment has been presented in writing to each member of the Planning Commission at least 48 hours preceding the meeting at which the vote is taken.
- C. Annual Review: These rules shall be reviewed by the Planning Commission at the annual meeting in November.

SECTION II. PURPOSE

The Vergennes Planning Commission shall have all powers granted municipal planning commissions under the general laws of the State of Vermont, including, but not limited to the following:

- A. Overseeing the pattern of land use in the city.
- B. Representing all members of the community in the planning process.
- C. Educating the public about the purpose of planning and specific recommendations to address local planning issues.
- D. Proposing courses of action related to planning efforts.
- E. Preparing a municipal development plan and amendments for consideration by the City Council and review any amendments initiated by others.
- F. Preparing and presenting to the City Council proposed zoning and subdivision regulations and making recommendations to the City Council on proposed amendments to such regulations.
- G. To perform such other acts or functions as it may deem necessary or appropriate to fulfill the duties and obligations imposed by, and the intent and purpose of 24 V.S.A. Chapter 117.
- H. To perform any other duties which may be assigned to it by the City Council.

SECTION III. MEMBERS AND OFFICERS

Members: The Planning Commission of the City of Vergennes shall have not less than three (3) nor more than nine (9) members appointed, and any vacancy filled, by the City Council. The Planning Commission shall perform such planning functions and duties as may be required by the City Council, charter, ordinances, or applicable state laws.

Officers: The Planning Commission shall consist of a Chair, Vice-Chair and Clerk, elected by the Planning Commission at the annual meeting for a term of one year. In the event the Clerk shall be absent from any meeting, the officer presiding shall designate an acting Clerk.

A. Duties of Officers

1. Chair: The Planning Commission shall elect a chair from among its members by a majority vote annually in the month of November. The Chair shall perform the duties prescribed by State law and these rules. The Chair shall call the meeting together, preside over all meetings and hearings of the Commission, put all questions, maintain order, decide all questions of order and procedure subject to these rules.
2. Vice-Chair: The Planning Commission shall elect a Vice-Chair from among its members by a majority vote annually in the month of November. The Vice-Chair shall perform all of the duties of the Chair in the Chair's absence or when the Chair is not presiding.
3. Signature: The Chair's signature shall be the official signature of the Planning Commission and shall appear on all applicable documents pertaining to actions of the Planning Commission which were made at meetings of the Planning Commission when the Chair was present and presiding. The Vice-Chair's signature shall appear on all documents pertaining to actions of the Planning Commission which were made when the Chair was not present or when the Chair was not presiding.
4. Clerk: A Clerk, who may or may not be a member of the Planning Commission, shall be appointed by a majority of the Planning Commission. The Clerk shall perform the following duties:
 1. Prepare the agenda based on input from the Chair and post the agenda in three public places as determined by the City Council and post on the City's website at *vergenes.org*.
 2. Keep the minutes of all Planning Commission actions and proceedings, showing the vote of each member upon every question, or if absent, disqualified, or failing to vote, shall so indicate; and shall include in the minutes the names and addresses of all witnesses, and a summary of the facts on which the decision is based and the decision rendered.
 3. Preserve and keep the records of the Planning Commission's examinations and other official actions.

4. Cause to be filed all minutes and records of examination and other official actions with the City Clerk as a public record and posted on the City's website at *vergennes.org*.

SECTION IV. POWERS AND DUTIES

The Planning Commission shall have all powers granted municipal planning commissions under the general laws of the State of Vermont, including, but not limited to the following:

- A. Prepare a municipal development plan and amendments for consideration by the City Council and review any amendments initiated by others;
- B. Prepare and present to the City Council proposed bylaws and make recommendations to the City Council on proposed amendments to such bylaws;
- C. Administer bylaws adopted under subchapter 7 of Chapter 117, except to the extent that those functions are performed by a development review board;
- D. Undertake capacity studies and make recommendations on matters of land development, urban renewal, transportation economic and social development, urban beautification, and the design improvements, historic and scenic preservation, the conservation of energy and development of renewable energy resources and wetland protection; data gathered by the Planning Commission that is relevant to the geographic information system established under 10 V.S.A. § 122 shall be compatible with, useful to and shared with that system;
- E. Hold public meetings and hearings;
- F. Require from other departments and agencies of the city such available information as relates to the work of the Planning Commission;
- G. In the performance of its functions, enter upon land to make examinations and surveys;
- H. Participate in a regional planning program;
- I. Retain staff and consultant assistance in carrying out its duties and powers;
- J. Undertake comprehensive planning, including related preliminary planning and engineering studies;
- K. Perform such other acts or functions as it may deem necessary or appropriate to fulfill the duties and obligations imposed by, and the intent and purposes of Chapter 117.

SECTION V. QUORUM

At any meeting of the Planning Commission, a quorum shall consist of a majority of the voting members of the Planning Commission. No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date.

SECTION VI. CONFLICT OF INTEREST

- A. No Planning Commission member shall participate or vote on any matter in which he or she has a personal or direct or indirect financial interest. The disqualified member shall not preside at the meeting or hearing, or be counted by the Planning Commission in establishing the required quorum, but may participate in the hearing as a private citizen.
- B. The applicant or any interested party to a hearing may request that a member recuse him- or herself due to conflict of interest or perception thereof.
- C. Members of the Planning Commission shall not communicate directly or indirectly with any party, party's representative, party's counsel or any person interested in the outcome of the proceeding, on any issue in the proceeding while the proceeding is pending, without notice and opportunity for all parties to participate.

SECTION VII. MEETINGS

All meetings and hearings with the exception of Executive Sessions held in accordance with 1 V.S.A. § 313 are open to the public.

A. Regular Meetings 1 V.S.A. § 312(c)(1).

- 1. Regular meetings of the Planning Commission shall be held at the Vergennes City Hall Offices at 7 p.m. on the first Monday of each month.
 - 2. Regular meetings of the Planning Commission shall consider all matters properly brought before the Planning Commission without the necessity of prior notice thereof given to any members.
 - 3. A regular meeting may be cancelled by the Chair with written notice thereof given to all members.
 - 4. Meeting Procedure
 - a) At any regular meeting of the Planning Commission, the following shall be the order of business:
 - 1. Amendments to Agenda
 - 2. Attendance
 - 3. Hear Visitors
 - 4. Approve Minutes
 - 5. New Business
 - 6. Old Business
 - 7. Adjournment
 - 5. All meetings of the Planning Commission shall be conducted in accordance with Robert's Rules of Order for executive boards and small committees.
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1. Special meetings of the Planning Commission shall be held at a time and place designated by the Chair or Vice-Chair.
2. Written notice thereof shall be given to all members not less than twenty-four hours in advance.
3. A public notice shall be posted at City Hall and in at least two other designated public places in the city at least twenty-four hours in advance.

C. Emergency Meetings 1 V.S.A. § 312(c)(3).

1. Emergency meetings of the Planning Commission may be held in the event of a true emergency, i.e. when “necessary to respond to an unforeseen occurrence or condition requiring immediate attention”, without public announcement as long as long as some public notice is given as soon as possible before the meeting.
2. An emergency meeting should not be used if the Planning Commission is able to comply with the 24-hour notice requirements for special meetings