

BY-LAWS
CITY OF DOUGLAS PLANNING COMMISSION

CHAPTER I

GENERAL PROVISIONS

Section 1. Authority.

The Commission shall have authority as provided in sections 15-1-501 through 15-1-512 and 15-1-601 through 15-1-611 of the Wyoming State Statutes 2003 Republished Edition, as amended, and Title 2 of the Douglas Municipal Code, specifically 2.60 and 2.68. Pursuant to the same, the Commission of the City of Douglas, Wyoming, adopts the following Rules of Procedure.

Section 2. Statement of Purpose.

The purpose of the Planning and Zoning Commission is to promote the health, safety and general welfare of the community and foster the most appropriate development of land within the community. The Planning and Zoning Commission shall, in accordance with the public interest, oversee the development of and updates to a community comprehensive plan. The Commission shall submit recommendations to the City Council on the adoption of ordinances and codes established to enact the community development policies of the comprehensive plan, and rule on matters pertaining to the enforcement of said adopted codes and ordinances, specifically relating to conditional use permits, rezoning, proposed annexations, and subdivisions, plats, and site plans pursuant to the requirements of the Unified Land Development Code.

Section 3. Definitions.

- A. "Continued" - Any petition(s), proposal(s) or other items of business for which the Commission wishes to postpone consideration.
- B. "Commission" - The Planning and Zoning Commission of the City of Douglas.
- C. "Community Development Plan" - the general plan for land use, street and roadway network, community facilities, or other plans related to the comprehensive plan adopted by the Planning and Zoning Commission and City Council.
- D. "Council" - The City Council of the City of Douglas, Wyoming.
- E. "Director" - The Community Development Director for the City of Douglas, Wyoming.
- F. "Owner" - The owner of real property who was, in the last calendar year, liable for a property tax or would have been liable but for legal tax exemption.

- G. "Person" - Any individual, partnership, corporation, association, governmental corporation or entity.
- H. "Street" - Includes highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and rights-of-way and other public ways.
- I. "Subdivision" - The division of a tract or parcel of land into one (1) or more part for immediate or future sale or building development.
- J. "Tabled" - See "continued"

CHAPTER II

ADMINISTRATION

Section 1. Organization.

The Planning Commission shall elect from its membership a Chairperson and Vice Chairperson, and appoint a Secretary, who shall be a City employee and not be an appointed member of the Commission/Board. The officers shall be elected by the Commission at the January meeting of each year.

- A. Chairperson. The Chairperson's duties generally include: presiding over and calling to order all regular and special meetings; announcing business to be conducted; providing for swift, orderly, and pertinent discussion of questions arising during proceedings and putting them to a vote. The Chairperson shall also announce the result of the votes and authenticate by his/her signature, when necessary, all acts, orders, and proceedings of the Commission.
- B. Vice Chairperson. The Vice Chairperson in the absence of the Chairperson shall automatically become the presiding officer of the Commission and have all of the powers of the Chairperson.
- C. Secretary. The Secretary shall be responsible for; records and minutes of each meeting or hearing of the Commission; a roll of the members and calling roll when required; notification of officers and committees of their appointment and furnishing committees with all papers referred to them; signing with the Chairperson all documents authorized by the Commission; recording the number of votes for and against each question put to vote; indication of any absences or disqualifications from voting when a question is put to vote; and such other duties as may be assigned from time to time.
- D. Substitute Presiding Officer. Where both the Chairperson and Vice Chairperson are absent, those members present, through a majority vote, shall select a member to preside over the meeting as Chairperson.

- E. Quorum. A quorum shall consist of a majority of the members of the Commission, and a quorum is required for the transaction of all official business of the Commission.
- F. Term of Office.
 - 1. The governing body shall appoint five (5) members who are residents of the city to the planning Commission in accordance with W.S.S. 15-1-502 2003, as amended. Each member shall be appointed for a term of three (3) years. When a member, due to resignation or removal does not serve his/her full term, an appointment shall be made for the remainder of that term.
 - 2. The planning Commission shall also be appointed to serve in the capacity of Board of Adjustment under the terms and provisions of Chapter 2.60 of the Douglas Municipal Code.
- G. As provided in section W.S.S. 15-1-502, the member shall serve without compensation, except for reasonable expenses.
- H. Meeting Attendance. Members of the Commission are to attend meetings on a regular basis to insure that a quorum can be achieved and business conducted. Members who miss four (4) meetings in a single calendar year will no longer be considered in good standing and may be asked to resign or may be removed by the City Council under the terms of Section 2.68.050 of the Douglas Municipal Code. A new member to fill the vacancy on the Commission will be appointed by the City Council.

CHAPTER III

MEETINGS

Section 1.

Regular meetings of the Douglas Planning Commission shall be held on the third Monday of each month, unless there is no business to conduct; provided that in all instances that the Monday is observed as a legal holiday, the Commission meeting will be held on the following day. Special meetings may be called by the chairperson or by any two (2) members of the Commission or at the request of the Governing Body. Meetings of the Commission shall be open to the public and public notice of all special meetings shall be made prior to the meeting. Minutes of meetings are public records.

Section 2.

All meetings, including special meetings, shall adhere to the following procedure:

- A. The meeting will be called to order by the Chairperson. If the Chairperson is not present, then the Vice Chairperson, or in the Absence of the Chairperson and Vice Chairperson, then a member as provided in Chapter II, Section 2.D will preside.
- B. Minutes of the previous meeting shall be reviewed for accuracy prior to approval.
- C. The presiding officer will read the items which will be considered as stated on the agenda.
- D. Consideration of those items not involving a public hearing shall be as follows:
 - 1. The presiding officer will call for testimony from staff and any other person who has properly requested to be heard on the matter.
 - 2. The staff member will state all primary and basic facts relating to the item being considered and enter into the record all written documents, maps, and other data relating to the item.
 - 3. The presiding officer will call for a motion and a second to approve the item.
 - 4. Upon receipt of a motion, the presiding officer will then call for any comments from the members of the Commission. If no motion and second are received, the presiding officer will then call for the question.
 - 5. After all testimony and comments of the Commission have been completed, the presiding officer will then call for the question and the vote will be recorded.
 - 6. For a motion on any regular item to be declared passed, where a quorum is present, a simple majority of votes must be cast on the motion.
 - 7. Items requiring Council action will be forwarded to the Council for consideration along with the vote and recommendation of the Commission.
- E. Items which involve a public hearing shall be conducted as follows:
 - 1. The hearing will be called to order by the Chairperson, Vice Chairperson, or presiding officer.
 - 2. The presiding officer will call on staff to state all primary and basic facts relating to the petition or proposal which shall be noted and included in the written record. All maps and other written documents concerning the item shall be included.
 - 3. The presiding officer, based upon the number of people waiting to give testimony before the Commission, may establish the maximum time that each person will be given for their presentation.

4. If requested by the proponent or opponent, the presiding officer, after reviewing the facts of the petition or proposal, may permit rebuttal by the previous speakers.
 5. After each presentation from those speaking for (proponents) or those speaking against (opponents), the presiding officer shall ask the members of the Commission if they have any questions.
 6. After hearing testimony from those present and after all questions have been answered to the Commission satisfaction, the presiding officer shall then close the public hearing.
 7. The presiding officer will call for a motion and a second to approve, or approve with conditions. A substitute motion to deny or table that motion may then be offered.
 8. After the Commission has concluded its discussion on the petition or proposal, a vote shall be taken and recorded.
 9. For a motion on any public hearing item to be declared passed, where a quorum is present, a simple majority of votes must be cast on the motion.
- F. If there is more than one proposal, the Chairperson, upon motion and approval by a majority of the Commission, may take each item under advisement. Each subsequent item will follow the above procedures.
- G. Reports from the Director and Commission members will be read.
- H. Communications from persons with comments will be presented.
- I. Upon Completion of all items on the agenda, the presiding officer will call for a motion for adjournment; and upon approval of a majority of the members present, the meeting will be adjourned.
- J. Items requiring Council action will then be forwarded to the council for consideration along with the vote and recommendation of the Commission/Board.

Section 3.

The rules of parliamentary practice set forth in Robert's Rules of Order Newly Revised, shall govern the Commission in all cases to which they are applicable and in which they are consistent with these rules, any Wyoming State Statutes, or Douglas Municipal Code.

Section 4.

Agenda items before the Commission shall be available for public inspection at least three (3) calendar days prior to the meeting at which such items will be considered.

Section 5.

Notice of meetings and public hearings shall be given in accordance with Wyoming State Statutes and Douglas City Code.

Section 6.

The Commission shall act upon all “tabled” or “continued” items within sixty (60) working days of the date of the meeting at which the items were originally taken under advisement. Said action shall be taken at a public meeting. Any items that have not been acted upon within sixty (60) working days of the date of the meeting at which the items were originally taken under advisement shall be forwarded to the City Council without recommendation from the Planning Commission.

CHAPTER IV

AMENDMENTS

These By-laws may be amended by the Commission at any meeting by the affirmative vote of a simple majority of the members thereof.

BY-LAWS APPROVED BY ALL MEMBERS

Dated: January 21, 2019

Ratified by Douglas City Council: _____

Chairperson

Vice Chairperson

DP Commission member

DP Commission member

DP Commission member