

CITY OF NORTH RIDGEVILLE

PLANNING COMMISSION BY-LAWS

ARTICLE I - AUTHORITY AND DUTIES OF PLANNING COMMISSION

The authority, duties, and responsibilities of the Planning Commission shall be as stated in Article VIII, and specifically Sections 8.6 and 8.8 of The Charter of the City of North Ridgeville.

ARTICLE II - OFFICERS AND DUTIES

Section 1 - Officers

The Planning Commission shall annually elect from among its Members a Chairman and Vice-Chairman. It shall also appoint a Secretary who need not be a Commission Member. (See Section 8.5, Charter of the City of North Ridgeville.) It shall also appoint a Member as Liaison to the Board of Zoning and Building Appeals (Section 8.1, Charter of the City of North Ridgeville) and another Member as Alternate Liaison to the Board of Zoning and Building Appeals.

Section 2 - Election

Officers set forth in Section 1 above shall be elected at the first regular meeting in January by a majority vote of all the Members, and they shall hold office for one year. Officers may succeed themselves in office, if so elected annually.

Section 3 - Vacancy

If an office becomes vacant for any reason, such vacancy shall be filled in the manner specified by Section 8.3 of the Charter of the City of North Ridgeville.

Section 4 - Absence of Officers

In the absence of both the Chairman and Vice-Chairman, the Members shall appoint a temporary Chairman by majority vote, provided a quorum (3) is present.

Section 5 - Duties of Officers

- (a) The Chairman shall preside at all meetings of the Commission; shall approve all expenditures, agenda and correspondence; and shall exercise such other duties and authority as are commonly exercised by a chief executive officer.
- (b) The Vice-Chairman shall, in the absence of the Chairman, preside at meetings and

- exercise all duties and authority of the Chairman as set forth in Section 5(a) above.
- (c) The Secretary shall, under the Chairman's direction, notify the Members and public of all meetings as required by law, Charter, ordinance or regulation; post, in designated City locations, notices of "Requests for Action" at least ten (10) days before each meeting; prepare meeting agendas for delivery or mailing to Members on the Friday before meetings; keep an accurate permanent record of all meetings; provide copies of the minutes of all meetings to Members prior to the next regular meeting; and maintain accurate, complete and permanent files of Commission proceedings, Requests for Action (including plans, attachments, and related correspondence) and Commission actions.
 - (d) Liaison to the Board of Zoning and Building Appeals and Alternate shall attend meetings of that Board, exercise all powers of a full Member of that Board and report to the Commission on the activities of that Board, emphasizing opportunities for cooperation and coordination between the Board and Commission.

ARTICLE III - MEETINGS AND PROCEDURES

Section 1 - Roberts Rules of Order, Most Current Edition

All matters of parliamentary procedure shall be governed by Roberts Rules of Order, Most Current Edition, unless specifically otherwise provided by these By-Laws.

Section 2 - Permission to Speak

Any person, including Members, shall request permission from the Chairperson before speaking during proceedings. Non-Members shall state their name and address upon recognition by the Chairperson.

Section 3 - Regular Meetings

Regular meetings of the Commission shall comply with Section 8.6 of the Charter and will be held on the, second Tuesday of each month at 7:00 p.m., and shall adjourn by 10:00 p.m. unless extended by a majority vote of the Members present.

Section 4 - Special Meetings

Special Meetings of the Commission shall be held whenever called by the Chairman, or in the Chairman's absence by the Vice-Chairman, or by two or more Members, provided a new application is submitted 20 days prior to the meeting date or 12 days prior to the meeting date for applications previously considered. Not less than twenty- four (24) hours written notice shall be given to all Members and the media.. Notification to adjacent property owners shall be ten (10) days prior to the meeting date, posting shall be ten (10) days prior to the meeting date. Matters

considered at a Special Meeting shall be only those described in the Notice of the Meeting.

Section 5 - Public Meetings and Posting

All meetings of the Commission shall be open to the public. The Secretary shall, at least ten (10) days prior to each meeting, post, in designated City locations, a notice of the time and date of a meeting, applicant, owner, location and request of each application to be considered at that meeting. No application or referral shall be acted on by the Commission without this prior posting.

Section 6 - Waiver of Notice

Any requirement for notice to Members established by these By-Laws may be waived in writing by any Member of the Commission, only for themselves. Attendance at the meeting by a Member shall be considered a waiver of the notice requirement of that meeting.

Section 7 - Quorum

A quorum shall consist of a majority of the Commission Members (3).

Section 8 - Votes and Abstentions

Except as otherwise provided in these By-Laws, a favorable vote by at least three (3) Members (3-Yeas) is required as a majority vote for approval of any Request For Action. If a majority vote cannot be obtained for a matter, and if a Member or Members are absent, that matter shall be continued until the next meeting.

Any abstaining vote shall be counted as a non-vote and shall not be counted either for or against the matter before the Commission.

Section 9 - Order of Business

1. Call to Order
2. Roll Call
3. Minutes
4. Correspondence
5. Old Business
6. New Business
 - (a) Applications
 - (b) Referrals
7. Adjournment

Section 10 - Recess

The Chair, at its discretion, may call a recess.

ARTICLE IV - REQUESTS FOR ACTION AND REFERRALS

Section 1 - Filing

A Request For Action to be considered by the Commission must be filed with the City's Building Department no later than twenty (20) calendar days prior to the meeting at which they are to be considered. Applications shall include all information requested on the Commission's Request for Action form supplied through the Building Department. Applications shall be signed by officer(s) authorized to act for an owner, corporation, or by person(s) or groups which are owners or bonafide interest holders of property in North Ridgeville and must state the address of each signator. Copies shall be distributed in accordance with Exhibit A attached hereto.

Section 2 - Presentation and Action

A Request For Action shall be presented for consideration fact-finding/informational purposes at the first regular meeting twenty or more days following the date the application is received by the Building Department. The Commission shall act on each request referred under Article VIII, Section 8.8, of the Charter of the City of North Ridgeville within sixty (60) days, unless otherwise provided by ordinance of Council (e.g. Section 1210.02). All other requests shall be acted on within sixty (60) days of the date they first appear on the Commission's agenda.

Section 3 - Groups

Persons acting as a group with a common interest or purpose shall select a Chairman or spokesman who shall be empowered to receive communications for the group from the Commission's Secretary. Such appointment shall not preclude individuals of the group from also appearing before the Commission if they so desire.

ARTICLE V - ACTIONS OF COMMISSION

Section 1 - Authenticity of Actions

Actions or statements of the Commission shall be official and binding only if adopted by a majority vote of the Commission Membership taken at a public meeting. No action or statement of any Member or of any Committee of the Commission shall be the action or statement of the Commission unless adopted by a majority vote of the Membership at a public meeting. Members dissenting from any action or statement of the Commission are entitled to submit a minority report which shall be recorded in the minutes.

Section 2 - Council or Mayoral Referrals

Actions taken by the Commission on subjects referred to it by the Council or the Mayor of the City of North Ridgeville shall be communicated to the Council and Mayor in writing by the Secretary.

Section 3 - Administrative Review

All preliminary plans and maps submitted to the Commission shall be referred to the Mayor, Safety-Service Director, City Engineer, Law Director, Fire Chief and Police Chief (known collectively hereafter as Administrative Officers). Comments and recommendations by Administrative Officers, if any, shall be forwarded to the Commission Secretary not later than five (5) business days prior to the Commission meeting at which action is scheduled to be taken on the matter. Administrative Officers who have not acted within the allotted time shall be deemed to have concurred with aid maps and plans as submitted.

ARTICLE VI - POLICY

All matters of policy affecting the Commission shall be decided by an affirmative vote of at least three (3) Commission Members at a regular meeting or special meeting called for that purpose.

ARTICLE VII - ATTENDANCE

In the event that any Member of the Commission, appointed by Mayoral action, has three (3) consecutive unexcused absences from regularly scheduled meetings, the Secretary shall notify the Mayor that a de facto resignation by that Member may have taken place so that the Mayor can inquire into the matter and take appropriate action. If the Council Liaison Member has three (3) consecutive unexcused absences, the President of Council shall be so notified. Members may be excused from a meeting by notifying the Secretary or Chairman of the reason for such absence and the Chairman shall announce the absence prior to roll call in order that it be made record.

ARTICLE VIII - AMENDMENTS

By-Laws of the Commission may be amended by an affirmative vote of at least four (4) Commission Members voting at any regular meeting, provided that a written notice, including verbatim wording of the proposed changes, shall be given and served on each Member by the Secretary, at least five (5) days in advance, either at a prior public meeting or at the Member's usual place of residence.

ARTICLE IX - WAIVER OF RULE

Any rule established herein, except Article III, Section 5, may be waived by the affirmative roll call vote of at least four (4) Commission Members in attendance at that meeting.

“EXHIBIT A”

DISTRIBUTION OF REQUEST FOR ACTION AND DRAWINGS

COPY DISTRIBUTION

1	Office file copy (Original)
2 - 6	Commission Members
7	Mayor for comment and Safety-Service Director for comment
8	Law Department for comment and Police Department for comment
9	City Engineer for comment
10	Fire Chief for comment

POSTING

Notice of the time and date of a meeting and applicant, owner, location and request of each application to be considered at that meeting shall be posted at each (5) designated City location.

Revised 4/28/92

Revised 11/24/92

Revised 12/8/92

Revised & Adopted 3/23/93

Revised & Adopted 1/9/96

Revised & Adopted 10/22/96

Revised & Adopted 12/12/2000

Revised & Adopted 8/13/2002 (On page 2 of application form, ALL DRAWINGS,
...Engineer or of a Registered Surveyor.)

Revised & Adopted 8/10/2004 (Article III, Section 9, Order of Business)

Revised 1/08/2008 and adopted 2/12/2008 (Article II, Section 5 (c); Article III, Section 3, 4 and 5; Article III, Section 9 and Article VII)

Revised 2/12/08 and adopted 3/11/08 (Article IV, Section 2)

Repealed 10/15/08 the revision adopted 3/11/08 to Article IV, Section 2)