

WEST BOUNTIFUL CITY PLANNING COMMISSION BYLAWS

Chapter 2.36 of the West Bountiful City Municipal Code establishes a Planning Commission (the "Commission") and authorizes the Commission to adopt policies and procedures to govern the conduct of its meetings, the processing of applications, and to accomplish any other purposes considered necessary for its functioning. Any procedural issues not addressed by these rules shall be determined by the Commission Chairman in his or her reasonable discretion subject to the West Bountiful City Municipal Code and other applicable law.

A. Order of Business.

1. **Regular and Special Meetings.** Regular meetings of the Commission shall be held on the second and fourth Tuesday of each month at 7:30 p.m. at the West Bountiful City Hall, unless otherwise determined by the Commission. Special meetings may be held at other times as called by the Chairman, as warranted. Notice of all regular and special meetings shall be provided to the public in accordance with the Utah Open and Public Meetings Act. The Commission may deliberate and take substantive votes on all agenda items during its meetings, or table the items for further review.
2. **Cancelled Meetings.** Meetings may be cancelled by the Chairman if it is determined that a quorum of commissioners will not be available for the meeting, there is not enough business to warrant the meeting, or the regularly scheduled meeting falls on a national or state holiday. Notice of the cancelled meeting will be published on the Utah Public Notice Website, and posted on the City's website.
3. **Public Hearings.** Public Hearings required for certain items by city ordinance or state law shall be noticed in compliance with those ordinances and laws.
4. **Quorum.** A quorum of the Commission shall consist of three (3) voting members. A quorum must be present before any business may be conducted.
5. **Meeting Agenda.**
 - a. The West Bountiful City staff shall prepare a written agenda for each meeting of the Commission. Staff shall review the agenda with the Chairman prior to finalization and public notice. The agenda and all relevant information and materials shall be available at the city offices no later than 5:00 p.m. on the Friday prior to a regular meeting. The agenda will be published on the Utah Public Notice website, and posted on the City's website at least twenty-four (24) hours prior to the meeting. The Commission may not consider or discuss any item that has not been properly noticed.
 - b. Any person who is scheduled to appear and present an agenda item must provide all written materials to City staff no later than 5:00 p.m. one week prior to the meeting. An incomplete application or failure to provide timely relevant

information may be grounds to remove an item from the agenda or to table the item until the required information has been provided.

- c. For each land use application, City staff will notify the applicant of the date, time and place of each public meeting and provide each applicant a copy of any staff report or memorandum regarding the applicant or the pending application at least three (3) business days before the public hearing or public meeting.
6. **Chairman to Preside.** The Chairman shall preside at all Commission meetings and shall provide general direction for the meetings. In the event the Chairman is absent from the meeting, the Vice Chairman will function as the Chairman in his or her absence. The Chairman will be a voting member of a five (5) member Commission which may also include an alternate non-voting member. An alternate commissioner may fully participate in discussion, hearings and meetings but will not vote on any matter unless needed to fill a vacancy during the absence of a regular member. The Chairman will be appointed by the Mayor of West Bountiful City with the consent of City Council. The Vice Chairman will be appointed by the Chairman of the Commission with the consent of Planning Commission. If neither the Chairman nor Vice Chairman is present, the acting Chairman will be appointed by the Planning Commissioners in attendance.
 7. **Meeting Attendance.** Each member of the Commission shall attend all Commission meetings unless duly excused or unless unable to attend because of extenuating circumstances. Any member who desires to be excused shall notify the Chairman or City staff as far in advance of the meeting as possible. Members of the Commission shall take such time as is reasonably necessary to prepare themselves for hearings and meetings.
 8. **Conflict of Interest.** A commissioner must disclose actual or potential conflicts of interest between public duties and personal interests when there is an actual, apparent, or reasonably foreseeable conflict of interest on any agenda item. Such verbal disclosure shall be made as part of the open meeting and noted in the minutes. After disclosing a conflict of interest that can or may result in financial gain, the commissioner shall not participate in the discussion or vote on the matter, nor attempt to influence the debate in any manner.
- B. Order and Decorum. Members of the Commission and the public will speak with respect, civility and courtesy.
1. **Public Participation at Commission meetings.** During all meetings of the Commission, the public may be present but shall remain silent unless specifically invited by the Chairman to provide comment.
 2. **Public Participation at Public Hearings.** During a public hearing, the public will be encouraged to provide comments when called upon by the Chairman.
 3. **Written comments** may be submitted to the City Offices prior to the hearing and will be read at the hearing by a neutral third party. Reading of anonymous letters will be at the discretion of the Commission Chairman.

4. **When invited to speak**, the speaker will state their name and address and limit their comments to the subject which is being considered.
- C. **Consideration of Agenda Items.** The following procedure for consideration of business items on the agenda will normally be observed. However, the procedure may be modified by the Chairman, if necessary, for the expeditious conduct of business.

1. Public Hearings

- a. By Motion, the public hearing is opened;
- b. Chairman introduces the agenda item;
- c. City Staff is invited to summarize the subject of the hearing;
- d. Petitioner, if applicable, is invited to present additional information, if necessary;
- e. Public is invited to provide comments and/or recommendations;
- f. Commissioners receive and analyze information; and
- g. By Motion, the public hearing is closed when all members of the public have been given an opportunity to speak.

2. Deliberative Business Meetings

- a. Chairman introduces each agenda item;
- b. City Staff is invited to present the proposal and provide comments and/or recommendations;
- c. Petitioner, if applicable, is invited to present additional information, if necessary, and stands available to answer questions;
- d. Commissioners ask questions and seek clarification on issues presented.
- h. Commissioners discuss and debate the proposal.
- i. Chairman requests a motion on the proposal.
- j. Upon motion and second, the Chairman may invite further discussion or call for a vote. As called, the commissioners vote on the proposal. Any commissioner may, prior to casting a vote, explain the basis for his or her vote. The Commission may approve, deny, table, or approve with conditions, the proposal before them.

D. **Motions**

1. **Making Motions.** Any commissioner may make a motion. Motions should include a statement of findings and conclusions supporting the motion. All actions of the Commission shall be considered conclusive as of the date of such action.
2. **Seconding Motions.** A second to the motion is necessary before the motion may be discussed or a vote taken.
3. **Withdrawing a Motion.** The maker of the motion may withdraw the motion if no member of the Commission objects to its withdrawal. If an objection is made, the Chair may call for a vote of the Commission regarding the withdrawal of the motion.
4. **Substitute Motions.** All amendments or substitute motions shall be offered as amendments to the main motion first made. The procedure for amendments shall be

the same for any motion. Action is to be taken on the amendment first before any action is taken on the main motion.

5. **Non-debatable Motions.** A motion to adjourn, take a recess, or to retrieve an item from the table shall be voted upon without debate.

E. Reconsideration

1. **Move to Reconsider.** Any motion made in the course of a Commission meeting may be reconsidered during the meeting in which the motion is made. Only a member of the Commission who voted with the majority on the motion in question may make a motion for reconsideration of the motion.
2. **Vote Required for Reconsideration.** When a motion to reconsider has been properly made, a majority of the members of the Commission present must vote in favor of reconsideration in order for the item to be reconsidered.

F. Voting

1. **Voting Process.** A quorum of Commission members must vote on every motion. Commissioners must be physically present in order to vote. All members must vote unless a member declares an abstention. All votes are to be cast verbally. A roll call vote may be requested by any member of the Commission. For a motion to pass, a minimum of three favorable votes is necessary. For a motion to be denied, a minimum of three contrary votes is necessary. Any motion that does not pass or is not denied by the minimum number of votes will be deemed to be tabled.
2. **Announcement of the Decision.** Voting or changing a vote after the decision is announced by the Chairman is not allowed.
3. **Rationale for Vote.** The reasons for voting either in favor of or against a motion may be stated at the time of making the vote and included in the minutes of the meeting, at the discretion of the commissioner making the vote.

G. Amendment of Bylaws

The Commission may recommend amendment of these bylaws at any meeting of the Commission, provided that the proposed amendment is included on the agenda and notice is given in accordance with these bylaws, City ordinances, and State statutes. Any such amendment will be subject to approval by the City Council.

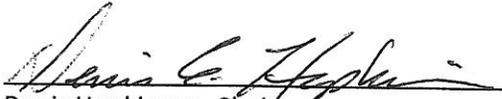
H. General

1. **Compliance with City Ordinances.** Commissioners shall comply with the West Bountiful Municipal Code, State statutes and any other applicable laws in carrying out the duties of the Commission.
2. **Minutes.** The minutes of all Commission meetings shall be approved by the Commission as soon as reasonably practicable after the meeting is held.

3. **Open and Public Meetings Act.** The Commission shall comply with the Open and Public Meetings Act, UCA 52-4-101.
4. **Planning Commission Ordinance.** These bylaws are subject to and in addition to applicable provisions of the West Bountiful Municipal Code, including Section 2.36 and Titles 16 and 17.

This amendment will supersede the January 2009 Bylaws document.

Bylaws of the West Bountiful Planning Commission amended and adopted on this 16th day of October, 2012.


Denis Hopkinson, Chairman
West Bountiful City Planning Commission

WEST BOUNTIFUL CITY

RESOLUTION #300-12

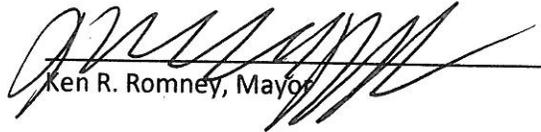
A Resolution Modifying the 2009 Bylaws of the West Bountiful Planning Commission.

WHEREAS, the Planning Commission recognizes the importance of following up to date policies and procedures to conduct their business; and

WHEREAS, modifications are necessary to comply with the Municipal Land Use, Development, and Management Act of the Utah Municipal Code, Title 10-9a.

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that the following Planning Commission Bylaws be adopted.

Approved by the City Council of West Bountiful City this 16 day of October, 2012, per Resolution #300-12


Ken R. Romney, Mayor

VOTING:

Mark Preece	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
James Ahlstrom	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
James Bruhn	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
David Tovey	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Debbie McKean	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

ATTEST:


Heidi Voordeckers, City Recorder

