

ORDINANCE # 07-156

AN ORDINANCE TO AMEND THE BY LAWS OF THE PLANNING COMMISSION OF THE TOWN OF UNICOI, TENNESSEE.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Unicoi, Tennessee as follows:

Section 1: The Town of Unicoi Planning Commission By-Laws, adopted by Ordinance No. 95-11, is hereby amended as follows, in Section 2, 3, 4, and 5:

Section 2: That Article I, is hereby amended to add a Section 1 with the following: The Planning Commission shall consist of up to nine (9) members: one of which shall be the Mayor of the Town of Unicoi; one (1) shall be a member of the Board of Mayor and Aldermen, selected by the Mayor; and the remaining members shall be appointed by the Mayor. The Board of Mayor and Aldermen may determine whether, and in what amount to compensate members of the Planning Commission. The compensation does not apply to members of the Planning Commission who also serve as members of a Board of Zoning Appeals. The terms of the members shall be staggered, with term expirations designated by the Mayor. The terms of the Mayor and the representative from the Board of Mayor and Aldermen shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the Mayor, who shall also have the authority to remove any appointive member at his will and pleasure.

Section 3: That Article II, Section 3 is hereby amended to add: The Chairman will be a voting commissioner on all matters which come before the Planning Commission.

Section 4: That Article IV, Section 1 is hereby amended to change the following sentence "Meetings shall be held on the 1st Monday of each month, at 5:30 pm at the Unicoi Town Hall." to read: Meetings shall be held

on an as-needed basis, on the 1st Monday of each month, at 5:30 pm at the Unicoi Town Hall.

Section 5: This ordinance shall be effective from and after its passage, the public welfare requiring it.

Voting by the Board, as follows, on August 20, 2007:

First Reading:

	<u>Aye</u>	<u>No</u>
Dwight Bennett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Doug Hopson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ken Kisiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Ramsey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Johnny Lynch	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Voting by the Board, as follows, on September 17, 2007:

Second Reading and Final Reading:

	<u>Aye</u>	<u>No</u>
Dwight Bennett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Doug Hopson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ken Kisiel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Ramsey	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Johnny Lynch	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Johnny Lynch, Mayor

ATTEST:

Connie R. Mullins

Connie R. Mullins, Town Recorder

BY-LAWS
OF THE
UNICOI, TENNESSEE PLANNING COMMISSION

ARTICLE I

Objective

The objective and purposes of the Unicoi Planning Commission shall be as set forth in Section 13-4-101 through 13-4-309 of the Tennessee Code Annotated, and amendments and supplements thereto, and those powers and duties delegated to the Planning Commission by the Board of Mayor and Aldermen by Ordinance, in accordance with the above mentioned enabling law.

Section 1. The Planning Commission shall consist of up to nine (9) members: one of which shall be the Mayor of the Town of Unicoi; one (1) shall be a member of the Board of Mayor and Aldermen, selected by the Mayor; and the remaining members shall be appointed by the Mayor. The Board of Mayor and Aldermen may determine whether, and in what amount to compensate members of the Planning Commission. The compensation does not apply to members of the Planning Commission who also serve as members of a Board of Zoning Appeals. The terms of the members shall be staggered, with term expirations designated by the Mayor. The terms of the Mayor and the representative from the Board of Mayor and Aldermen shall run concurrently with their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the Mayor, who shall also have the authority to remove any appointive member at his will and pleasure.

ARTICLE II

Officers and Their Duties

Section 1. The officers of the Planning Commission shall consist of Chairman, Vice Chairman and Secretary-Treasurer.

Section 2. The Chairman shall preside at all meetings and hearings of the Planning Commission and have the duties normally conferred by parliamentary usage of such officers.

Section 3. The Chairman shall be one of the appointive members of the Planning Commission. He shall have the privilege of discussing all matters before the Planning Commission. The Chairman will be a voting commissioner on all matters which come before the Planning Commission.

Section 4. The Vice Chairman shall be one of the members of the Planning Commission and shall act for the Chairman in his absence.

Section 5. The Town Recorder shall keep the minutes and records of the Planning commission, prepare with the Chairman, the agenda of regular and special meetings, provide notice of meetings to Planning Commission members, arrange proper and legal notice of hearings, and attend to correspondence of the Commission and such other duties as are normally carried out by a Secretary. In addition, the Town Recorder shall serve as Secretary-Treasurer *pro tem* of the Planning Commission for the sole purpose and duty of signing plats approved by the Planning Commission in the event the Secretary-Treasurer is out of town or otherwise unavailable to sign a plat or plats upon approval.

ARTICLE III

Election of Officers

Section 1. Nomination of officers shall be made from the floor and officers shall be elected at the annual organization meeting, which shall be held in the month of March of each year.

Section 2. The candidate for each office receiving a majority vote of the members present at the Planning Commission shall be declared elected.

Section 3. All officers shall be elected for a term of one year and all officers shall be eligible to succeed themselves.

Section 4. Vacancies in offices shall be filled immediately for the unexpired term by regular election procedure.

ARTICLE IV

Meetings

Section 1. Meetings shall be held on an as-needed basis, the 1st Monday of each month, at 5:30 p.m. at the Unicoi Town Hall.

Section 2. A quorum of the membership of the Planning Commission shall be a majority of the members. A majority of those present in voting shall be required to pass a motion.

Section 3. All plans, reports and recommendations of the Planning Commission must be approved by at least a majority of those members present and voting.

Section 4. A record of the vote of each member on each question shall be kept as a part of the minutes except when the vote is unanimous.

Section 5. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting when requested to do so in writing by a majority of the members of the Planning Commission. The notice of such a meeting shall specify the purposes of such a meeting and no other business may be considered except by unanimous consent of the commission. The Town Recorder shall notify all members of the commission in writing, in advance of such special meeting.

Section 6. All meetings at which official action is taken shall be open to the general public.

ARTICLE V

Order of Business

The order of business at regular meetings shall be:

- a) Roll Call
- b) Reading of minutes of previous meeting
- c) Recognition of persons having business with the commission
- d) Old business
- e) New business
- f) Adjournment

ARTICLE VI

Other

Section 1. The Planning Commission may appoint such employees and staff as it may deem necessary for its work and may contact the State Planning Office for assistance it may require.

Section 2. The expenditures of the Commission shall be within the amounts appropriated for the purpose by the Board of Mayor and Aldermen in the current budget.

Section 3. Any member not in attendance at three consecutive meetings will be automatically removed from the commission.

ARTICLE VII

Hearings

Section 1. In addition to those required by law, the Commission may at its discretion hold public hearings when it decides that such hearings will be in the public interest.

Section 2. Notice of such hearings shall be published in a newspaper of general circulation within the county prior to the date of such public hearing.

Section 3. The case before the Commission shall be presented in summary by the Chairman or a designated member of the commission and parties in interest shall have privilege of the floor. No statement shall be recorded or sworn to as evidence for any court of law without notice to the parties.

Section 4. A record shall be kept of those speaking before the Commission.

ARTICLE VIII

Amendments

These By-laws may be amended by a majority vote of the Board of Mayor and Aldermen.

By-laws amended on Sept. 17, 2007.

Johnny Lynch, Mayor

Attest:

Connie R. Mullins

Connie R. Mullins, Town Recorder

Approved as to form:

Lois B. Shults-Davis

Lois B. Shults-Davis, Town Attorney