

BY-LAWS OF THE PLANNING COMMISSION OF

CADIZ – TRIGG COUNTY

AMENDED

ARTICLE I

OBJECTIVES

The Objectives and purposes of the Planning Commission of Cadiz and Trigg County, are those set forth in Kentucky Revised Statutes, Chapter 100 and amendments and supplements thereto and those powers and duties delegated to the Planning Commission by the City Council and Fiscal Court, by Ordinance No. 629 of August 3, 1971 in accordance with the above mentioned enabling law, as amended by vote on March 16, 1989.

ARTICLE II

OFFICERS AND THEIR DUTIES

SECTION 1.

The officers of the Planning Commission shall consist of a Chairman, Vice-Chairman, and a Secretary. All of these officers shall be citizen members.

SECTION 2.

The Chairman shall be the presiding officer at all meetings and hearings of the Planning Commission and shall perform his duties as described by proper preliminary procedure.

SECTION 3.

Under parliamentary procedure the Chairman's general duties are: to open and call the meeting to order; to announce the business to be conducted; to recognize members entitled to the floor; to state and put to vote all questions which are regularly moved or necessarily rise in the course of proceedings and to announce the result of the vote; to vote only to break a tie vote and to refrain from debate on any question to be voted on; to protect the commission from unnecessary or frivolous motions by not recognizing them; to speed up proceedings as much as possible; to require order and sincerity in meetings; to inform the group present to a point of order or a practice pertinent to pending business; and to authenticate, by his signature when necessary, all acts, orders, and proceedings of the commission.

SECTION 4.

The Vice-Chairman shall assist the Chairman in any way possible subject to the Chairman's request. Upon the absence of the Chairman, the Vice-Chairman shall automatically become the presiding officer of the Commission.

SECTION 5.

The duties of the Secretary/Treasurer are as follows: to keep records and minutes of each meeting or hearing of the Commission; to keep a roll of the members and to call this roll when required; to notify officers and committees of their appointment and to furnish committees with all papers referred to them; to record the number of votes for and against each question put to vote; to indicate any absenteeism or disqualification from voting when a question is put to vote; to forward reports on Board action to the City of Cadiz Legislative Body and Fiscal Court; to administer funds received from any and every source and deposit the same in an official depository and shall disburse same on order of the Commission; to sign all checks; to have books and accounts for inspection by Commission Members and by authorized Auditors.

ARTICLE III

NOMINATION AND ELECTION OF OFFICERS

SECTION 1.

Nominations of officers shall be made from the citizen members at the annual organization meeting which shall be held on the 4th Thursday of August in each year. Nominations of citizen members only shall be accepted. All officers shall be eligible for re-election at the expiration of their term.

SECTION 2.

Election of officers shall take place immediately following nominations. Voting shall take place in one of the following ways; voice; show of hands; rising; balloting; roll call; or general consent.

SECTION 3.

A Candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected and shall serve for a term of one (1) year or until his successor shall take office.

SECTION 4.

Vacancies in unexpired terms of office shall be filled immediately by regular election procedure.

ARTICLE IV

MEMBERSHIP

SECTION 1.

Vacancies due to resignation, removal or termination of membership, the Secretary shall promptly notify the appropriate appointee in writing and shall be filled within sixty (60) days by the appropriate appointing authority. If the authority fails to fill the vacancy within sixty (60) days and after receiving written notice of the vacancy, the Commission shall fill the vacancy using the same procedure to elect its officers. When a vacancy occurs other than through expiration of the term of membership, it shall be filled for the remainder of that term.

ARTICLE V

MEETINGS

SECTION 1.

Meetings shall be held on the 4th Thursday of each month at 7:00 p.m. at City Hall in Cadiz, Kentucky.

SECTION 2.

A quorum is a simple majority (one over half) of the total membership (required) of a Planning Commission as established by regulation or agreement. For the purpose of establishing a quorum, a member of a Planning Commission shall not be counted if he has any direct or indirect financial interest in the outcome of any question before the Commission.

SECTION 2.

- (A) To transact any official business, a simple majority vote of all members present that constitutes a quorum shall be necessary.
- (B) To adopt or amend the Commission's by-laws, a simple majority vote of the total required membership shall be necessary.
- (C) To adopt or amend elements of the comprehensive plan or regulations, a simple majority vote of the total required membership shall be necessary.

SECTION 3.

Special meetings may be called by the Chairman. Such a meeting may be

requested by a quorum of the Commission and must be called by the Chairman. The notice of such a meeting shall specify the purpose of such a meeting and no other business may be considered except by unanimous consent of the Commission. The City Clerk shall notify all members of the Commission. The City Clerk shall notify all members of the Commission by oral or written notice not less than seven (7) days in advance of such special meeting. This notice shall contain the date, time, place, and subject of discussion.

SECTION 4.

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

ARTICLE VI
ORDER OF BUSINESS

SECTION 1.

The order of business at regular meetings shall be:

- (a) Roll Call
- (b) Reading of Minutes of Previous Meeting
- (c) Communication and Bills
- (d) Reports of Officers and Standing Committees
- (e) Old and Unfinished Business
- (f) New Business
- (g) Adjournment

ARTICLE VII
TRANSACTION OF BUSINESS

SECTION 1.

Any member of a Planning Commission who has any financial interest in any question called to vote shall notify the Commission of such interest and thus disqualify himself or herself from voting on the matter.

SECTION 2.

Any members of a Planning Commission who fails to notify the Commission of his or her financial interest in a question called to vote, shall have his or her voting qualification judged by the Commission as to the amount of interest in the question and his or her right to vote on it.

SECTION 3.

Any member of a Planning Commission found to have any direct or indirect financial interest in a question called to vote shall not be considered in the quorum count prior to voting.

ARTICLE VIII

EMPLOYEES

SECTION 1.

The Commission may employ a Clerk to assist the Secretary in the performance of his duties and perform such other duties as may be assigned to him by the Chairman.

SECTION 2.

The Commission may employ staff and planning assistance to aid in the work of the Commission. Such employment shall be approved by a single majority of the total required membership.

ARTICLE IX

HEARINGS

SECTION 1.

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

SECTION 2.

Notice of such hearings shall be distributed to the "publication area" as defined in the Kentucky Revised Statutes 424.110. Notice shall be published at least once but may be published two or more times, provided that one publication occurs no less than seven (7) days nor more than twenty-one days before the occurrence of the hearing.

SECTION 3.

The matter before the Commission shall be presented in summary by the Secretary or a designated member of the Commission and parties in interest shall have privilege on the floor. No record of 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 by the Secretary.

SECTION 5.

The Planning Commission may appoint one or more of its members to act as a hearing examiner or examiners and report his or her findings to the Commission.

ARTICLE X
ADMENTS

SECTION 1.

These by-laws may be amended by a vote of a simple majority of the total membership of the Commission. Notice of any proposed changes or amendments be given a (10) day notice.

Adopted by: CADIZ-TRIGG COUNTY PLANNING COMMISSION

Bruce Perkins
Chairman

Krista S. Venable
Secretary

March 16, 1989
Date