

# Rules for Procedure (By-Laws) for the Maricopa Planning and Zoning Commission

## I. Organization

### A. Chair

The Commission, organized as provided under Ordinance No. 10-04 of the City of Maricopa, shall elect a Chair from among its appointed members within sixty (60) days after the seating of new Commissioners during a City Council election year. The term of the Chair shall be one-year, except when new Commissioners are seated after a City Council election, the Chair shall be selected within sixty (60) days. The Chair shall be eligible for re-election. The Chair shall preside at all meetings and hearings of the Commission decide all points of order or procedure and perform any duties required by law, ordinance, or these rules.

### B. Vice-Chair

The Commission shall elect a Vice-Chair from among its appointed members within sixty (60) days after the seating of new Commissioners during a City Council election year. The term of the Vice Chair shall be one-year, except when new Commissioners are seated after a City Council election, the Vice Chair shall be selected within sixty (60) days. The Vice Chair shall be eligible for re-election. The Vice-Chair shall serve in the absence of the Chair.

### C. Secretary.

The City of Maricopa will designate a staff member, who is familiar with planning and zoning matters, to act as Secretary of the Commission. It shall be the duty of the Secretary to: post all agendas, send out all notices, to prepare and see to the delivery of all materials to be considered by the Commission, to be the custodian of the records, and to perform all the duties required by law, ordinance, or these rules of procedure.

### D. Legal Counsel.

The City Attorney, or his or her designated representative, shall be the legal counsel for the Commission. Advice of counsel shall be received and entered in the minutes before disposition of any question of law or matter requiring legal interpretation or advice.

### E. Vacancies in Chair and Vice-Chair.

In the event of a vacancy in the Chair and Vice-Chair position, the Commission shall fill the vacancy by electing a member from among its appointed members to fulfill the unexpired term of the vacated position within thirty (30) days of the vacancy being created.

## II. Meetings

### A. Regular Meetings.

Regular meetings of the Commission shall be held on the second and fourth Monday of each month beginning at six o'clock in the evening (6:00 P.M.).

### B. Special Meetings.

Special meetings for good cause may be held by the Commission on call of its Chair or by any three members, which call shall be filed with the Secretary, or as may be scheduled by a majority of the members at any previous meeting. The manner of the call shall be recorded in the minutes of the special meeting, and at least 24 hours notice of the meeting shall be given to each member and to the public as may be required by law, ordinance, or these rules of procedure.

### C. Public Meetings.

In accordance with A.R.S. §38-431 et. seq., all meetings and hearings of the Commission, except Executive Sessions, shall be open to the public. Any action calling for a formal vote shall take place only at public meetings.

**D. Procedures of Meetings.**

All meetings and hearings of the Commission shall be subject to A.R.S. §38-431 et. seq.. The Commission shall use "*Robert's Rules of Order*" as a guide for conducting meetings. Nothing in this section shall change Article 1, Section A, or Article III, Section A of these by-laws.

**E. Quorum.**

A quorum necessary for the transaction of business shall consist of at least four (4) members of the Commission except as specifically provided otherwise by statute, ordinance, or these rules of procedure. The business of the Commission shall be transacted by the majority vote of the quorum. A member of the Commission may abstain from voting on an issue only upon declaring a conflict of interest, which declaration shall be made prior to the presentation, and in which case such member shall not take part in either the discussions or deliberations on the matter and may leave the room.

**III. Order of Business.**

**A. Call to Order.**

The Chair shall take the chair precisely at the hour set for the meeting and shall immediately call the commission to order. In the absence of the Chair, the Vice Chair shall call the commission to order. In the absence of both the Chair and Vice Chair, the Secretary of the Commission shall call the commission to order and an acting Chair shall be selected to chair the meeting. Upon arrival of the Chair-or the Vice Chair, the Vice Chair or the acting Chair shall immediately relinquish the chair upon the conclusion of the business immediately before the commission. The Chair shall preserve order and decorum, decide all questions of order and conduct the proceedings of the meetings. The city attorney may serve as parliamentarian or a parliamentarian may be appointed by the council to be present at all regular meetings.

**B. Invocation and Pledge.**

The Chair or presiding official pursuant to paragraph A may request a commissioner or member of the general public open the meeting by invocation, which shall be followed by the pledge of allegiance.

**C. Roll Call.**

Before proceeding with the business of the commission, the Secretary of the Commission shall call the roll of the members, and the names of those present shall be entered in the minutes. If a quorum is not present, the members may adjourn.

**D. Call to the Public.**

At this time, the commission shall, as it deems necessary, consider all business not specifically provided for herein. Requests, petitions, communications, comments, or suggestions from citizens present shall be heard. All speakers must submit a written "Request to Speak" to the Secretary of the Commission in advance of this item or the Chair may waive this requirement. All such remarks shall be addressed to the commission as a whole and not to any member thereof. Such remarks shall be limited to three (3) minutes unless additional time is granted by the commission. Where a group or organization wishes to present comments or discussion, one person from the group shall be designated to present said comments or discussion. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer.

**E. Minutes.**

The Secretary of the Commission shall present the minutes of the preceding commission meeting which shall be approved if correct. Any error noted shall be corrected and initialed by the Secretary.

**F. Agenda and Public Hearings.**

Public hearings required by city ordinance, state statute or federal regulations shall be conducted by the commission and all interested parties given the opportunity to speak. The commission shall consider any business not heretofore considered including, but not limited to, rezoning requests, site plan reviews and comprehensive sign plans. No member of the public shall be permitted to speak on these items unless invited to do so by the commission after first filing a written request to speak with the Secretary.

**G. Report from Commission and/or Staff.**

The commissioners or members of the city staff may present information pertinent to items under consideration or information related to the operation of the city.

**H. Adjournment.**

The commission may, by a majority vote of those present, adjourn at the conclusion of business. A motion to adjourn shall always be in order and decided without debate.

**IV. Official Records**

**A. Definitions.**

The official records shall include these rules and regulations, and the minutes of the Commission together with all findings, decisions, and other official actions.

**B. Recording of Vote.**

The minutes shall show the vote of each member on every question on which the Commission is required to act, or if in abstention, or if absent and shall indicate that fact.

**C. File Retention.**

The Secretary shall keep, in accordance with City policy or state law, a file of all plats, maps, charts, reports, resolutions, notices, correspondence, or other matters filed with or issued by the Commission.

**D. Public Record.**

All the records of the Commission shall be public records and shall be open to public inspection during customary working hours unless exempted by law (e.g.) executive session minutes).

**V. Rules and Amendments**

**A. Amendment Procedure.**

Amendments to these bylaws may be proposed by the Commission upon the affirmative vote of the majority of all Commission members; provided, however, any such proposed amendment was proposed at a preceding meeting, or was submitted in writing at a prior regular meeting of the Commission and is recorded in the minutes of such meeting or meetings. Amendments proposed as above shall be submitted to the City Council for approval and shall become effective at the next regular meeting of the Commission following the approval of said amendment by the Council. In no event shall any amendment conflict with the city code or any other Council adopted policy/ordinance.