

# **BYLAWS**

## **CHOCONUT - FRIENDSVILLE PLANNING COMMISSION SUSQUEHANNA COUNTY, PENNSYLVANIA**

### **ARTICLE I - NAME OF COMMISSION**

The name of this organization shall be the Choconut - Friendsville Planning Commission.

### **ARTICLE II - AUTHORIZATION; POWERS AND DUTIES**

#### **Section 1 - Authorization**

The authorization for the establishment of the Choconut - Friendsville Planning Commission is set forth under the Pennsylvania Municipalities Planning Code, 53 Pa. C.S. §10101 and the Pennsylvania Intergovernmental Cooperation Law, 53 Pa. C.S. §2301, and by the authority established by the Northern Tier Coalition Intergovernmental Cooperation Agreement for Multi-Municipal Planning and Implementation, as amended.

#### **Section 2 - Powers and Duties**

The Planning Commission shall have the powers and duties which are delegated to the Planning Commission by the Governing Bodies of the participating municipalities in accord with §209.1 of the Pennsylvania Municipalities Planning Code and the Ordinance to create the Planning Commission adopted by the Governing Body of each participating municipality.

### **ARTICLE III - MEMBERSHIP**

#### **Section 1 - Membership and Terms**

- A. The Planning Commission shall consist of nine (9) members.
- B. Seven (7) members shall be appointed by the Choconut Township Board of Supervisors and two (2) members shall be appointed by the Friendsville Borough Council.
- C. At least six (6) members of the Planning Commission shall be citizen members which shall not be officers or employees of any participating municipality.
- D. The members of the Planning Commission shall serve for a term of four (4) years, and terms shall expire on December 31<sup>st</sup> or until a successor is appointed and qualified. The terms of the members first appointed shall be so fixed that no more than three (3) shall be reappointed or replaced during any future calendar year. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

#### **Section 2 - Residency**

All members of the Commission appointed to the Planning Commission by a participating municipality shall be residents of that appointing municipality.

**Section 3 - Compensation**

Members shall serve without compensation except that they may be reimbursed for expenses incurred in carrying out their commission duties, but only with prior approval of the Governing Body that appointed the member.

**Section 4 - Removal**

The Planning Commission may make a recommendation to the Governing Body for removal of a member from office for malfeasance, misfeasance or nonfeasance in office or for other just cause. The failure of a member to attend a majority of regular and special Commission meetings in any calendar year shall also be deemed just cause for removal. The member may only be removed from office by a majority vote of the appointing Governing Body taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term.

**ARTICLE IV - OFFICERS**

**Section 1 - Officers**

The Officers of the Planning Commission shall consist of a Chairman, Vice-Chairman, and Secretary.

**Section 2 - Chairman; Vice-Chairman**

The Chairman shall preside at all meetings and hearings of the Planning Commission and shall have the duties normally conferred by parliamentary usage on such officers. In the absence of the Chairman the Vice-Chairman shall assume the duties of the Chairman.

**Section 3 - Secretary**

The Secretary shall keep the minutes and records of the Commission, and with the assistance of such staff as is available, shall prepare the agenda of regular and special meetings under the direction of the Chairman, provide notice of all meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a Secretary.

**ARTICLE V - ELECTION OF OFFICERS**

**Section 1 - Organization Meeting**

An annual organization meeting shall be held during the first regular meeting in January or at a special meeting following the organization meeting of the Governing Bodies.

**Section 2 - Nominations**

Nominations shall be made from the floor at the annual organization meeting and election of the officers specified in Section 1 of Article IV shall follow immediately thereafter.

**Section 3 - Election; Service**

A candidate receiving a majority vote of the nine-member board (i.e., minimum five votes to elect) of the Planning Commission shall be declared elected, and shall serve for one year or until his successor shall take office.

**Section 4 - Vacancies**

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

**ARTICLE VI - MEETINGS**

**Section 1 - Regular Meetings**

Regular meetings will be conducted at a date, time and location established by majority vote of the nine-member board (i.e., minimum five votes) of the Planning Commission. Public notice of said meetings shall be made in accord with the *Pennsylvania Sunshine Act*. In the event of conflict with holidays or other events, a majority of members at any duly convened meeting may change the date of said meeting.

**Section 2 - Quorum; Voting**

A quorum shall consist of five members, and a quorum shall be necessary to transact business. Voting shall be by roll call and a record of the roll call vote shall be kept as a part of the minutes.

**Section 3 - Special Meeting**

Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call a special meeting when requested to do so by a majority of members of the Commission. The Secretary shall notify all members of the Commission not less than 24 hours in advance of such special meeting and provide notice to the public as required by the *Pennsylvania Sunshine Act*.

**Section 4 - Meetings to be Public**

All meetings shall be open to the general public. Any person attending a meeting shall have the right to use recording devices to record all proceedings. Use of devices such as audio, video or other recording equipment shall be subject to rules and guidelines prepared and approved by the Commission. However, in accord with the *Pennsylvania Sunshine Act*, such rules or restrictions shall not serve to exclude use of recording devices to record the proceedings of a public meeting.

**Section 5 - Executive Session**

The Commission may only meet in executive session to discuss matters as specifically authorized by the *Pennsylvania Sunshine Act*.

**ARTICLE VII - ORDER OF BUSINESS**

Unless modified by a majority of the members present at a duly convened meeting, the order of business at regular meetings shall be as follows:

- Pledge of Allegiance
- Roll call
- Reading of minutes
- Communications and bills
- Reports of Officers
- Old business (with public comment prior to action on specific items of business)
- New business (with public comment prior to action on specific items of business)
- Public comments and questions
- Adjournment

**ARTICLE VIII - ANNUAL REPORT**

By March 1<sup>st</sup> of each year, the Commission shall make a written annual report of its activities to the Governing Body of each participating municipality.

**ARTICLE IX - FUNDING; EMPLOYEES**

**Section 1 - Funding**

As authorized by the Governing Body , the Commission may receive and expend for the purposes of its planning work, any gifts, grants and appropriations of money from any other source, including Commonwealth, Federal or local funds, and may contract with governmental or private agencies or individuals with respect thereto.

**Section 2 - Employees**

As authorized by the Governing Body and within the limits imposed by the funds available for its use, the Commission may employ such staff personnel and/or consultants as it deems necessary to aid in its work.

**ARTICLE IX - PUBLIC MEETINGS; PUBLIC HEARINGS**

In addition to those required by law, the Commission may conduct public meetings and public hearings when it decides that such hearings will be in the public interest. Notice of such hearings shall be provided in accord with the *public notice* requirements of the Pennsylvania Municipalities Planning Code and a record of the meeting/hearing shall be made and maintained by the Commission.

**ARTICLE XI - AMENDMENTS**

These bylaws may be amended by a majority vote of the nine-member board (i.e., minimum five votes) of the Planning Commission at any duly convened meeting following a minimum thirty-day notice to each Commission member of the specific changes proposed.

These bylaws adopted by majority vote of the entire membership of the Planning Commission on this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year 2008.

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary