

Northumberland County, Virginia



NORTHUMBERLAND COUNTY, VIRGINIA PLANNING COMMISSION BY-LAWS

(Adopted January 17, 2008)
(Readopted January 15, 2009)
(Readopted January 21, 2010)
(Readopted January 20, 2011)
(Amended April 21, 2011)
(Readopted January 19, 2012)
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(Readopted January 16, 2020)
(Readopted February 18, 2021)
(Readopted February 17, 2022)
(Amended and readopted January 19, 2023)

ARTICLE I - OBJECTIVES AND AUTHORITY

- 1-1. This Commission is established in accordance with the provisions of Chapter 22, Title 15.2 of the Code of Virginia, 1950, as amended, and pursuant to the vote by the Board of Supervisors of Northumberland County, Virginia, on the 28th day of November, 1966.
- 1-2. The title of this Commission shall be “The Northumberland County Planning Commission.”
- 1-3. The objectives of this Commission are to promote the orderly development of the County of Northumberland; to encourage the improvement of public health, safety, educational needs, and recreational facilities; that the needs of agriculture, industry, and business be recognized for future growth; that residential areas be provided with healthy surroundings for family life; and that the growth of the County be consonant with the efficient and economical use of public funds. In accomplishing the above, the Planning Commission shall serve primarily in an advisory capacity to the County Board of Supervisors.

ARTICLE II - MEMBERS

- 2-1. This Commission shall consist of no more than eleven (11) members appointed by the Northumberland County Board of Supervisors. There shall be two (2) members from each of the five (5) voting districts and one (1) Board of Supervisor Ex Officio member to the Commission. The Board of Supervisor Ex Officio member shall be allowed to participate in the discussions of agenda items, but shall not be allowed to make any motion or vote on any matter that is before the Commission. (By resolution of the Northumberland County Board of Supervisors at their January 10, 2008 meeting.)
- 2-2. The term of office of the members shall be for a period of four (4) calendar years. The Board of Supervisor ex officio member may serve a term coextensive with the term of office, unless the Board of Supervisors, at the first regular meeting each year, appoints another Board of Supervisor member to serve as their representative.
- 2-3. Members may serve for as many terms as the Board of Supervisors so desires, and may be removed by the same for neglect of duty, inefficiency, or malfeasance in office, or the commitment of any act not in the interest of the public.
- 2-4. Commission members may be removed from office by the Board of Supervisors in the event a Commission member is absent from any three consecutive meetings, or is absent from any four meetings of the commission within any 12-month period.
- 2-5. Members are encouraged to attend educational sessions that may be offered within the Northern Neck or the State regarding the function and/or duties of a local Planning Commission.

ARTICLE III – OFFICERS

- 3-1. The officers of the Commission shall consist of a Chairman, Vice-Chairman, and a Secretary. The Chairman and Vice-Chairman of the Commission shall be elected annually, upon nominations from the floor, at the first regular meeting each calendar year. The Secretary of the Commission shall be from County Staff in which they shall have no voting authority and need not be appointed by the Commission. If the Commission desires to have a Secretary from its membership and not from County Staff, then they shall be elected annually, upon nominations from the floor, at the first regular meeting of each calendar year.
- 3-2. A nominee receiving a majority vote of the Commission membership present and voting shall be declared elected to office. He or she shall take office immediately and serve for one (1) year, or until his or her successor shall take office.

- 3-3. Vacancies in office shall be filled in the same manner as hereinbefore stated at the next regular meeting of the Commission.

ARTICLE IV – DUTIES OF OFFICERS

- 4-1. The Chairman shall preside at all meetings of the Commission, appoint committees, rule on procedural questions (subject to a reversal by a majority vote of the members present), be informed immediately of any official communications and report same at the next meeting, and otherwise discharge the duties normally associated with the office.
- 4-2. The Vice-Chairman shall discharge the duties of the Chairman in cases of the Chairman's absence or inability to act.
- 4-3. The Secretary shall keep a written record of the proceedings of each meeting of the Commission; shall notify all members of special meetings; shall keep a file of all official records and reports of the Commission, the originals or copies of which may be submitted to other authorities or to the public; shall discharge whatever other secretarial duties may be assigned by the Chairman; and shall otherwise discharge the duties normally associated with the office.

ARTICLE V – COMMITTEES

- 5-1. The Chairman at his/her discretion, or at the request of a majority of the Commission's members, shall appoint standing committees and special committees to assist the Commission in the discharge of its duties, and shall fix the terms of special committees appointed hereunder.

ARTICLE VI – MEETINGS

- 6-1. Regular meetings of the Commission shall be held on a day and at a time to be set at the annual organizational meeting. Regular meetings of the Planning Commission shall be held at the New Courts Building located at 39 Judicial Pl. in Heathsville. If the Commission finds it necessary to hold a regular meeting at a time or public place different from the New Courts Building, such new time and/or place shall be posted on the door of the Courthouse and advertised in a newspaper having general circulation in the County.
- 6-2. Special meetings of the Commission shall be called by the Secretary upon the request of the Chairman, or upon the written request of two (2) members of the Commission.
- 6-3. All regular meetings, hearings, records, and accounts shall be open to the public.
- 6-4. Six (6) members of the Commission shall constitute a quorum, and no action of the Commission shall be valid unless authorized by a majority vote of those

present and voting. The Board of Supervisor Ex Officio member shall not be considered one (1) of the six (6) members to constitute a quorum. (By resolution of the Northumberland County Board of Supervisors at their January 10, 2008 meeting.)

6-5. The Secretary shall mail to all members of the Commission, at least four (4) days in advance of a meeting, a written notice fixing a time and place of the meeting and the purpose thereof.

6-6. During the public comment period at the beginning of a scheduled or special meeting when a public hearing is scheduled, the public is limited to commenting on any matters other than the subject of the night's public hearing.

(Amended on January 19, 2023)

ARTICLE VII – ORDER OF BUSINESS

7-1. The order of business, at both regular and special meetings, shall be determined by the Chairman, subject to the approval of the Commission, and shall include the following as applicable:

1. Call to Order- Determination of a quorum.
2. Invocation
3. Approval of the Minutes
4. Public Comments
5. Board of Supervisors Report
6. Public Hearings
7. Other Business
8. Public Comments

(Amended April 21, 2011)

(Amended January 19, 2023, to add a public comment period at the beginning of the meeting)

7-2. In matters of procedure, the current edition of Robert's Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these By-laws and any special rules of order the Commission may adopt. The following exceptions shall apply:

- a. The Chairman may make motions and vote on all questions.
- b. Citizens will follow the Public Hearing Rules of Conduct when addressing the Commission at Public Hearings.
- c. Commission members need not rise when speaking.
- d. There is no limit to the number of times a Commission member can speak to a question.
- e. Informal discussion of a subject is permitted while no motion is pending.

- f. The Chairman may speak in discussion without rising or relinquishing the Chair.

ARTICLE VIII – HEARINGS

- 8-1. In addition to those required by law, the Commission may hold such public hearings as it deems advisable in the protection of the public interest.
- 8-2. All public hearings, including those not required by law, shall be publicized in accordance with Section 15.2-2204 of the Code of Virginia, 1950, as amended.
- 8-3. At the commencement of each public hearing the Chairman or his/her designee shall state the purpose of the hearing and may make an explanatory statement of the matters involved.
- 8-4. Members of the public attending public hearings wishing to speak shall follow the following procedures:
 - 1.) Speakers are limited to one (1) opportunity of three (3) minutes; each speaker shall open his or her remarks by giving their name and physical address for the public record. Extensions to the time limit may be granted by the Commission.
 - 2.) Speakers shall address their comments to the Commission.
 - 3.) Speakers cannot assign time in whole or in part to other speakers.
 - 4.) Commission members may interrupt any speaker for questions or clarifications.
 - 5.) Speakers' remarks shall only be directed towards the merits or demerits or other issues germane to the public hearing.
 - 6.) Materials submitted for review and for consideration by the Commission, must be submitted to the recording secretary for entry into the proceedings.
- 8-5. The Secretary shall keep a record with the minutes of the meetings of the Commission, of the proceedings at public hearings, and of the names of those persons addressing the Commission at such hearings.

ARTICLE IX – AMENDMENTS

- 9-1. These by-laws may be amended by a 2/3 vote of the entire membership at any regular meeting of the Commission.
- 9-2. Should any of the provisions contained in these by-laws be found to be inconsistent with, or in violation of, any provision of the Code of Virginia, 1950, as amended, or as the same may hereafter be amended, then any such provisions shall thereafter be null and not thereby invalidate the remaining by-laws.

ARTICLE X – EFFECTIVE DATE

- 10-1. These by-laws shall become effective immediately upon their adoption by a 2/3 vote of the entire membership of the Commission at a regular meeting of the Commission, or at any special meeting called for the stated purpose of considering the adoption of By-laws.