

BY-LAWS  
CITY OF SELIGMAN  
PLANNING AND ZONING COMMISSION



ARTICLE I AUTHORITY AND OBJECTIVES

**Section 1.** The Planning and Zoning Commission was established in order to stimulate and guide the growth of the City. The functions include the preparation and submission to the Board of a master plan for the physical development of the City and recommendations, from time to time, of modifications to the plan to assure development in accordance with the existing and future needs of the City; the preparation and recommendation to the Board of a comprehensive plan for zoning and regulation as to the use of buildings, structures and land which are necessary or desirable for the general welfare of the inhabitants of the City; the general supervision and enforcement of zoning ordinances, hearing applications for amendments, modifications or revisions of the same and forwarding such applications to the Board of Aldermen with its recommendations thereon.

**Section 2.** The basic authority for the establishment and organization of the Planning and Zoning Commission of Seligman, Missouri, is Title IV of the municipal code of the City of Seligman, Missouri and Chapter 400 PLANNING AND ZONING COMMISSION of the Municipal Code of the City of Seligman, 1998, as Amended.

ARTICLE II MEMBERSHIP

The Planning and Zoning Commission of the City of Seligman, Missouri, shall consist of not more than fifteen nor less than seven members, including the Mayor, if he so chooses to be, and a member of the Board of Aldermen selected by the Board annually at its first organizational meeting, and thirteen (13) individuals who may live inside or outside the City of Seligman appointed by the Mayor with the approval of the Board of Aldermen. All members of the Commission shall serve without compensation. The term of each of the members shall be four (4) years, except that the terms of the members first appointed shall be for varying periods, so that the succeeding terms will be staggered. Any vacancy in a membership shall be filled for the unexpired term by appointment as aforesaid. The Board may remove any member for cause stated in writing, and after a public hearing.

ARTICLE III OFFICERS AND THEIR DUTIES

**Section 1.** The officers of the Planning and Zoning Commission shall be a Chairman, Vice-Chairman, Designated Alternate and a Secretary.

**Section 2.** The Chairman shall preside at all meetings and hearings of the Planning and Zoning Commission and shall have the duties normally conferred by parliamentary usage on such officer. The Chairman shall represent the Commission at public affairs.

**Section 3.** The Chairman shall be one of the citizen members of the Commission and shall have the privilege of discussing all matters before the Commission and of voting thereon.

Section 4. The Vice-Chairman shall be one of the citizen members of the commission and shall act for the Chairman in his/her absence or disability.

Section 5. The Designated Alternate shall preside at meetings in the absence of both the Chairman and Vice-Chairman.

Section 6. The Secretary shall keep the minutes and records of the Commission, prepare the agenda of regular or special meetings with the Chairman, provide notice of meetings to Commission members, arrange proper notice of hearings, attend to the correspondence of the Commission and such other related duties.

#### ARTICLE IV ELECTION OF OFFICERS

Section 1. The election of the Chairman, Vice-Chairman, Designated alternate and Secretary of the commission shall be held at the first regular meeting each calendar year. Nominations shall be made from the floor and the election shall follow immediately thereafter.

Section 2. A candidate receiving a majority vote of the voting members of the Commission shall be declared elected and shall serve for one (1) year or until his/her successor shall take office.

Section 3. Vacancies in the Offices of Chairman, Vice-Chairman, Designated alternate and Secretary shall be filled immediately by the regular election procedure.

#### ARTICLE V ETHICS AND EX-PARTE COMMUNICATIONS

Section 1. The Planning and Zoning Commission, and its members, shall adhere to, and be bound by, the applicable City and State laws and regulations pertaining to conflicts of interest and ethical conduct. No member shall use his/her position, or derived information for personal use or gain, as specified in the applicable laws and regulations.

Section 2. In no instance shall a citizen member, or citizen members, of the Planning and Zoning Commission communicate privately as an individual, or on a collective basis, with any outside party that has an active petition, or likely to submit a petition, that will be subject to the review by the Planning and Zoning Commission.

Section 3. Nothing shall be construed as imposing any limitations on the free exchange of ideas, views, and information between any person and the commission, or any member, provided that such communications relate to matters of general policy and do not address the merits of the specific facts, evidence, claims, or positions presented, or taken, relative to a pending petition before it.

#### ARTICLE VI MEETINGS

Section 1. The regular meetings of the Commission shall be held on the third (3rd) Monday of each month at the City Hall, 29144 Main Street, unless otherwise agreed to by a vote of the majority of the entire commission.

Section 2. Special meetings of the Commission may be called by the Chairman, or during his/ her absence by the Vice-Chairman, or by any two (2) voting members of the Commission.

Section 3. A majority of the voting members of the Commission, shall constitute a quorum.

Section 4. The Secretary shall notify all members of the Commission not less than three (3) days in advance of meetings, of the purposes of the meeting and shall furnish a copy of the agenda and of the Minutes of the prior meeting. Agenda items for Commission consideration shall be submitted to the Secretary no later than five (5) days prior to the Commission meetings.

Section 5. All meetings shall be open to the general public.

Section 6. Meetings of the Commission shall be conducted, and its proceedings governed by the Robert's Rules of Order and the Sunshine Law of the State of Missouri.

Section 7. No proposition or Motion shall be approved unless it receives the affirmative vote of a majority of those present and voting.

## ARTICLE VII ATTENDANCE

Members of the Commission shall attend regular and special meetings unless their absence is excused for good cause. The Board shall be advised in writing of the name of any member of the Commission who, without being excused for good cause, has failed to attend three (3) consecutive regular meetings of the Commission, or has failed to attend five (5) meetings during a period of twelve (12) consecutive months.

## ARTICLE VIII COMMITTEES

Section 1. The Chairman shall appoint all standing committees by the next regular meeting following the annual election of the Chairman and may in his/her discretion remove any person, at any time, from a committee or from the Chairmanship thereof.

Section 2. Each Committee shall consist of a Chairman and two (2) other members as appointed by the Chairman of the Commission.

Section 3. The Chairman of the Commission shall be an ex-officio member of all committees. He/she shall only vote upon committee matters when a majority of committee members is not present.

Section 4. There shall be appointed by the Chairman of the Commission standing committees for the consideration of the following matters and making recommendation thereof to the Commission:

1. Comprehensive Committee: This committee shall provide guidance and assist in the preparation and review of the City's Comprehensive Plan and its updates.
2. Code Review Committee: This committee shall consider and review all proposed text amendments to Chapter 405 Zoning Code and Title IV of the City Code of Ordinances.

Section 5. The chairman and members of each committee shall serve for one year or upon completion of the task. Any vacancy in any committee shall be filled by appointment by the Chairman of the Commission.

Section 6. The Chairman of the Commission shall appoint Temporary Committees for such purposes as necessary or as may be authorized by the Commission. The membership and duration of Temporary Committees is to be determined by the Chairman of the Commission.

## ARTICLE IX HEARINGS

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

Section 2. Notice of such hearings shall be published in the manner prescribed by law or, in the absence of any legal provision, in the manner determined by the Commission.

## ARTICLE X AMENDMENTS

These By-Laws may be amended at any regular or special meeting of the Commission by a majority vote of the members of the Commission, provided notice of any proposed amendment shall be given in writing at least seven (7) days before the regular or special meeting at which action thereon shall be taken.

Adopted On: 10/21/19

Motion to adopt the bylaws governing the Planning and Zoning Commission - McKinney

Second Avers

Aye - Avers, Hughes, McKinney, Jermain, Stepp, Tabor

Nay - None

Absent - Moreton, Burgess, Bermingham, Stanley

## Receipt and Acknowledgement of the Planning and Zoning Commission By-Laws

In effect: Oct 21, 2019 until further notice

I have read and been informed about the content, requirements, and expectations of the by-laws. I have received a copy of the by-laws and agree to abide as a condition of my position.

I understand that if I have questions, at any time, regarding the by-laws, I will consult with the chairman or applicable City official.

Please read the by-laws carefully to ensure that you understand before signing this document.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_