

PLANNING COMMISSION OF CALVERT COUNTY

By-Laws

ARTICLE I

AUTHORITY

The jurisdiction, authority, duties, appointment, terms, removal, replacement of members, and compensation of the Calvert County Planning Commission, hereinafter referred to as “Planning Commission”, shall be as defined in the *Land Use Article* of the Annotated Code of Maryland.

ARTICLE II

OFFICERS

- A. The Chairperson shall be elected annually, at the Annual Meeting in May, for a one-year term. The Chairperson is eligible for reelection subject to the condition that he/she shall serve not more than two (2) consecutive full or partial terms as a Chairperson. The Chairperson shall preside at all meetings of the Planning Commission, sign all appropriate documents and represent the Planning Commission before legislative, administrative and regulatory bodies.
- B. The Vice-Chairperson shall be elected annually, at the Annual Meeting in May, for a one-year term. The Vice-Chairperson is eligible for reelection subject to the condition that he/she shall serve not more than two (2) consecutive full or partial terms as a Vice-Chairperson. The Vice-Chairperson shall, in the absence of the Chairperson, assume all duties of the Chairperson.
- C. The Secretary of the Planning Commission shall be the Planning Commission Administrator or, in the event of the absence of the Planning Commission Administrator, such Acting Planning Commission Administrator as may be designated by the Director of the Department of Planning & Zoning, or their designee. The Secretary shall ensure that all official instruments of the Planning Commission, proceedings of hearings and meetings and the minutes, if required, of hearings and meetings shall be properly prepared. The Secretary shall, in consultation with the Chairperson, prepare the agenda for the meetings of the Planning Commission. The Secretary or the Chairperson shall sign all appropriate documents of the Commission and shall ensure the proper indexing of all Planning Commission documents as public records.
- D. The Clerk of the Planning Commission shall be responsible for providing administrative support and shall prepare agendas, summary of actions, ascertain that all public notices for meetings are completed and distributed properly, including additional items as assigned. The Clerk shall also be

responsible for the timely coordination and communication of information to the public as legally required.

- E. If there is a vacancy in the office of Chairperson, the Vice-Chairperson will become the Chairperson. At the next regular meeting there will be a special election for the next Vice-Chairperson.
- F. If there is a vacancy in the office of Vice-Chairperson, and the Chairperson is still in-place, there will be a special election for the position of Vice-Chairperson at the next regular meeting.
- G. Should both the Chairperson and Vice-Chairperson be absent from a duly constituted meeting or hearing, at which a quorum is present, the Planning Commission Administrator shall conduct the meeting until the attending members vote from among their membership, a temporary Chairperson, who shall be designated Chair Pro Tem.

ARTICLE III

QUORUM

A quorum for a meeting is the number of members who must be in attendance for business to be legally transacted. Attendance here refers to Planning Commissioners attending the meeting or hearing, either in-person or through electronic means. For the Planning Commission, four (4) members in attendance shall constitute a quorum. A quorum refers to the number attending, not the number voting.

ARTICLE IV

MEETING AND HEARINGS

- A. The Planning Commission may adopt rules or guidelines for conduct at public hearings and meetings.
- B. The Planning Commission should hold at least one regular meeting every month, and may schedule one or more special meetings, public hearings; or work sessions each month.
- C. Regular meetings of the Planning Commission shall be usually held on the third Wednesday of each month. These meetings shall be open to public attendance, except for any session lawfully closed to the public, in whole or in part. Attendance here refers to in-person or through electronic means.
- D. Annual Meeting: The Planning Commission shall meet annually in May during a regular or special meeting to review the year's work and the progress that has been made on implementation of the Comprehensive Plan and to elect a Chairperson and Vice-Chairperson. This shall be known as the Annual Meeting.
- E. Minutes of hearings and meetings shall be maintained as required pursuant to the MD. CODE ANN., GEN. PROV. § 3-306, as amended from time to time. However, minutes of any open session need not be prepared if live and archived video or audio streaming of said open session is available. The production of a Summary of Actions shall be an acceptable alternative.

- F. Special meetings of the Commission may be called by the Chairperson or by any two members upon written request to the Chairperson. Notice of a special meeting shall be given in accordance with the Maryland Open Meetings Act, as amended from time to time.
- G. Emergency meetings may be held in the event of an emergency as set forth in the Maryland Open Meetings Act, as amended from time to time. Such meetings shall be called by the Chairperson. The Planning Commission Administrator, or designee, shall poll all Planning Commission members individually to determine assent or dissent of the Chairperson's request. Such meetings shall be open to public attendance either in-person or through a pre-determined electronic means. A Summary of Actions of such meetings shall be maintained and carry the specific justification for such meetings.
- H. The Chairperson may allow public comment regarding a matter before the Planning Commission at any meeting, but is only obligated to accept public comments at a public hearing.
- I. The agenda of any meeting and hearing shall be prepared in advance, posted on a on the County's website, and be made available to the public as provided in the Maryland Open Meetings Act, as amended from time to time.
- J. The Planning Commission may deliberate and take action at any meeting or hearing.
- L. Subject to recusal for conflicts of interest, the Chairperson is eligible to vote on all motions.
- M. Attendance: The yearly attendance records of members of the Planning Commission shall be submitted to the Board of County Commissioners one-month following the Annual Meeting.

ARTICLE V
ORDER OF MEETING

Subject to the Planning Commission's right to modify the order of progress for the convenience of the public or of the Planning Commission said modification being approved by majority vote of the Planning Commission, the Order of Business at regular meetings shall be in accordance with the Planning Commission's RULES OF PROCEDURE, as amended from time to time.

ARTICLE VI
CONFLICT OF INTEREST

The Planning Commission follows and shall be bound by the Calvert County Ethics Ordinance, as amended from time to time. Any member shall recuse him/herself on any vote on which he/she has a conflict of interest. Any member may recuse him/herself on any vote on which it might be perceived he/she has a conflict of interest. The reason for such recusal need not be stated.

**ARTICLE VII
PROCEDURES**

Any procedural matter in the conduct of business not covered in these by-laws shall be conducted in accordance with: all applicable laws, the Planning Commission’s RULES OF PROCEDURE, RULES OF PROCEDURE FOR CONTESTED CASES, and ROBERT’S RULES OF ORDER.

**ARTICLE VIII
AMENDMENTS**

The adoption of these By-Laws shall require an affirmative vote of two-thirds or more of the members of the Planning Commission after, at least: 1) a 30-day public notice period; and, 2) after written notice has been sent to all members of the Planning Commission. Approval by the Calvert County Board of Commissioners is required.

These By-Laws shall be amended by an affirmative vote of two-thirds or more of the members of the Planning Commission after, at least: 1) a 30-day public notice period, where the notice contains a fair summary of the proposed amendment(s); and, 2) after written notice has been sent to all members of the Planning Commission. Approval by the Calvert County Board of Commissioners is required.

AFFIRMED:

SIGNATURE DATE

STEVEN R. JONES
Chairperson, Planning Commission for
Calvert County, Maryland

APPROVED:

SIGNATURE DATE

EARL F. HANCE
President, Board of County Commissioners for
Calvert County, Maryland