

Possible Outline of Articles of Rules of Procedure for Planning Boards

Name of Local Government; give most recent date of amendment

Article 1: Authority

- Cite state enabling legislation (municipalities 160A-361; counties 153A-321)

Article 2: Jurisdiction

- Define the political-geographical jurisdiction, including any extra-territorial jurisdiction

Article 3: Duties and powers

- Outline what the Planning Board will be doing—can cite G.S. listing seven duties in 160A-361 (a) for municipalities and 153A-321 (a) for counties

Article 4: Appointments and terms

- Specify how many members, how long they serve, alternates (if any), procedure to handle vacancies

Article 5: Officers and their duties

- How many officers, how and when they are chosen, how long they serve, what responsibilities they have
- For example: governing board appoints Chair, members vote on Vice-Chair, Chair conducts meetings, Vice-Chair provides orientation to new members; who conducts meeting when both Chair and Vice-Chair are absent; who takes the minutes

Article 6: Rules of conduct

- Removal for cause/attendance policy
- Conflicts of interest; procedure to handle when Board member raises issue regarding him/herself, or when a member is concerned about another member's possible conflict; challenges by concerned citizens of undisclosed conflict of interest; discussion of matters outside of meeting with interested citizens; whether Board member should leave meeting room after having been excused due to a conflict

Article 7: Meetings

- Time and location of meetings; notification procedure for special/emergency meetings; notification procedure to cancel meeting when no business is coming before the Board
- What constitutes a quorum when full membership is the case; how quorum is calculated when there is reduced membership such as from excused conflicts of interest, vacant seats
- Types of meetings
- Administrative calendar; annual meeting

Article 8: Voting; conduct at meetings

- Form and character of motions (for example, motion must include findings); may the Chair make or second a motion; what happens in case of a tie
- how abstaining vote is counted of an unexcused member; how a vote is taken
- Order of business
- How business is considered that is not identified on the agenda

Article 9: Requirements for agenda items

- Forms required for agenda items; deadlines for submittal
- Requests for rehearings

Article 10: Conduct of persons before the Planning Board

- Times when members of the public shall be given time to speak, and when the public may be present but shall remain silent unless invited by the chair to provide comments;
- The importance of civil order; procedure to handle disruptive persons

Article 11: Separability

- Should any article of the rules of procedure be found to be illegal, the remaining articles shall remain in effect

Article 12: Adoption and amendments of rules of procedure

- Number of votes needed to amend; how long before they take effect