

**TOWN OF MOUNTAIN LAKE PARK**

**RESOLUTION NO. 2020-01**

**PLANNING COMMISSION BY-LAWS**

**THIS IS A RESOLUTION** of the Mayor and Town Council of Mountain Lake Park to approve the By-Laws of the Mountain Lake Park Municipal Planning Commission pursuant to the authority granted under the Local Government Article of the Maryland Annotated Code, or any amendment thereto or any successor statute.

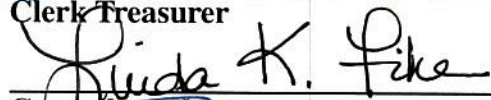
**NOW, THEREFORE, BE IT RESOLVED**, this 6th day of February 2020, by the Mayor and Town Council of Mountain Lake Park, that the By-Laws dated August 16, 1979 are repealed and replaced by the attached By-Laws of the Mountain Lake Park Municipal Planning Commission.

**THIS RESOLUTION**, having been duly posted in accordance with the policy of the Mayor and Town Council of Mountain Lake Park for advertising for the adoption of resolutions, shall become effective upon the adoption of this Resolution.

**READ AND PASSED THIS 6TH DAY OF FEBRUARY 2020.**

**ATTEST:**

  
\_\_\_\_\_  
Clerk Treasurer

  
\_\_\_\_\_  
Councilmember

  
\_\_\_\_\_  
Councilmember

**APPROVED:**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Councilmember

  
\_\_\_\_\_  
Councilmember

\_\_\_\_\_  
Councilmember

# MOUNTAIN LAKE PARK PLANNING COMMISSION BY-LAWS

## **ARTICLE I. NAME AND AUTHORITY**

A. The name of this organization shall be the Mountain Lake Park Municipal Planning Commission.

B. The Commission having been appointed by the Mayor and Town Council derives its authority and responsibilities from the Land Use Article of the Annotated Code of Maryland.

## **ARTICLE II. MEMBERSHIP**

A. The Commission shall consist of three residents of Mountain Lake Park, Maryland, appointed by the Mayor and Town Council. Not more than one Town Council member may be a member of the Planning Commission at any one time.

B. The term of each member shall be five years, or until his or her successor is duly appointed, except that vacancies occurring other than through expiration of term shall be filled only for the unexpired portion of the term, and except that the respective terms of the first three members shall be on a staggered basis.

C. Each member shall be entitled to one vote.

D. A member may be removed by the Mayor and Town Council for incompetence, misconduct, or in the same manner as for a member of a State board or commission:

1. failure to attend meetings under Section 8-501 of the State Government Article; or
2. conviction of a crime in accordance with Section 8-502 of the State Government Article.

The procedure for removal shall be according to the rules stated in the Land Use Article, Section 2-102.

E. The Compensation, if any, for all Commission members and employees of the Commission shall be set from time to time by a resolution passed by the Town Council as specified in the Municipal Charter; Article 26-56.

## **ARTICLE III. ELECTION OF OFFICERS**

A. Annually at its August meeting the Commission shall elect a Chairman, a Vice-Chairman and a Secretary from among its members. Nominations shall be made from the floor and the election shall follow immediately thereafter.

B. A candidate receiving the vote of the majority of the entire membership shall be declared elected and shall serve for one year, or until his or her successor shall be elected. Members shall be eligible for re-election.

C. Vacancies in office shall be filled immediately, by the regular election procedure, for the unexpired term.

D. The Commission may create such other elected or appointed officers as it deems necessary.

#### **ARTICLE IV. DUTIES OF OFFICERS**

A. The Chairman shall preside at all meetings and hearings of the Commission, and shall have the duties and authority normally conferred by parliamentary usage in such office. The Chairman shall see that all orders and resolutions of the Commission are carried into effect.

B. The Chairman shall prepare the agenda for each regular and special meeting and shall send the same as notice to each member not less than three days before such meetings. The Chairman shall arrange for proper legal notice and for recording of testimony at each hearing conducted by the Commission. The Chairman shall attend to the Commission's correspondence, and shall perform such other duties as may, from time to time, be assigned by the Commission.

C. The Vice-Chairman shall act for the Chairman in his or her absence.

D. The Secretary shall be responsible for keeping the minutes, accounts and other records of the Commission, all of which shall be a public record.

#### **ARTICLE V. EMPLOYEES**

A. Within the limits of the monies available for its use, the commission may employ such professional and other staff as it deems proper to aid its work. Such staff persons shall be selected by a majority vote of the entire Commission, subject to concurrence by the Mayor and Town Council. Such persons shall serve at the pleasure of the Commission, and shall have the duties assigned by the Commission.

B. If a Municipal Planning Director is employed, the Commission may authorize and direct him or her to perform any or all of the duties specified for the Chairman in Article IV. B., and for the Secretary in Article IV. D.

#### **ARTICLE VI. MEETINGS**

A. Annually at its November meeting the Commission shall establish a calendar of meeting dates and times. Meetings are to be held at the Town Hall. In the event of conflict with a holiday or other event, a majority vote at any prior meeting may change the date of a regular meeting. The Chairman, or the Municipal Planning Director, if any, may change the location and time of a regular meeting if circumstances warrant and shall give due notice to the members.

B. The chairman shall call a special meeting if requested to do so by one of the Commission's members. All members shall be notified of the time, place and purpose of such a meeting not less than four days before the meeting.

C. A quorum shall consist of two members. The number of votes necessary to transact business shall be two. At the request of any member, the vote shall be taken and be recorded in the minutes by roll call.

D. If any member has a personal interest in a matter before the Commission, he or she shall disclose the same and shall be disqualified from discussing or voting upon the matter.

E. All meetings or portions of meetings at which official action or vote is taken shall be open to the public, provided that the Commission may meet in executive session for discussion purposes only.

F. Unless otherwise specified in these By-Laws, the procedures in Roberts' Rules of order shall govern the proceedings of the Commission's meetings.

1. The order of business at a regular meeting shall be:

- a. Call to order and roll call
- b. Action or minutes of previous meeting
- c. Reports of officers and committees
- d. Unfinished business
- e. New business
- f. Adjournment

2. A motion from the floor must be made and passed to dispense with considering any item on the agenda, except that the Chairman, with the unanimous consent of the members present, may modify the order of business.

## **ARTICLE IX. HEARINGS**

A. In addition to those required by law, the Commission may conduct public hearings on matters pertinent to the Commission's responsibilities.

B. Notice of the time, place and subject of such hearings shall be published at least once in at least one newspaper of general circulation in the County; such publication shall not begin earlier than three weeks before the hearing.

C. The chairman shall designate a member of the Commission and/or of the Commission's staff to present, at the hearing, a summary of the subject under consideration. Parties of interest shall have the privilege of the floor to address the Commission.

D. No record or statement shall be recorded or sworn to as evidence for any Court of Law without prior notice to the parties.

E. To the greatest extent possible, a record shall be kept of the names and statements of all persons addressing the Commission. The Chairman may direct that a transcript of the recorded comments be prepared and be made available for public inspection.

## **ARTICLE X. AMENDMENTS**

A. These By-Laws may be amended by a vote of the majority of the members of the Commission. Any repeal, modification or amendment of these By-Laws requires the approval of the Mayor and the Town Council by resolution.