



BYLAWS

DINWIDDIE

COUNTY

PLANNING

COMMISSION

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Planning Commission Code of Ethics

ARTICLE 1 – OBJECTIVES

- 1-1 This Commission, established in conformance with the motion by the Dinwiddie County Board of Supervisors in 1959, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Chapter 22, Title 15.2, Article 2, Code of Virginia.
- 1-2 The official title of this commission shall be the Dinwiddie County Planning Commission.

ARTICLE 2 – MEMBERS

- 2-1 The Dinwiddie County Planning Commission (“Commission”) shall consist of not less than five (5) nor more than fifteen (15) members appointed by the Board of Supervisors. One of the members may be a member of the Board of Supervisors. All members must reside in Dinwiddie County and at least one half of the members must be owners of real property.
- 2-2 The term of the members are terms for four (4) years from and after the effective date of resolution except for a member from the Board of Supervisors, whose term shall correspond with his tenure of office as a Supervisor. Their successors shall be appointed for terms of four (4) years. Any vacancy in membership shall be filled by appointment by the Board of Supervisors. Any member shall be eligible for reappointment. Any appointed member may be removed by the Board of Supervisors for inefficiency, neglect of duty or malfeasance in office. It is recommended that the Board of Supervisors provide payment of expenses incurred by the performance of the official duties of this Commission.

ARTICLE 3 – OFFICERS AND THEIR SELECTION

- 3-1 The officers of the Commission shall consist of a Chairperson and Vice-Chairperson.
- 3-2 Nomination of officers shall be made from the floor at the regular January meeting of each year. Election of officers shall follow immediately.
- 3-3 A candidate receiving a majority vote of the entire membership of the Commission shall be declared elected. He shall take office immediately and serve for one (1) year or until his successor takes office. No commission member shall serve as chairperson for more than four (4) consecutive years.
- 3-4 Officer vacancies shall be filled immediately by regular election procedures.

ARTICLE 4 – DUTIES OF OFFICERS AND STAFF

- 4-1 The Chairperson shall be a member of the Commission and shall:

- a. Preside at all meetings.
 - b. Appoint committees, special and/or standing.
 - c. Certify official documents.
 - d. Rule on all procedural questions. (Subject to a reversal by two-thirds (2/3) majority vote of the members present.)
 - e. Be informed immediately of any official communication and report the same at the next regular meeting.
 - f. Ensure new members are properly oriented to the Commission's bylaws and rules of order.
 - g. Carry out other duties as assigned by the Commission.
- 4-2 The Vice-Chairperson shall be a member of the Commission and shall:
- a. Act in the absence or inability of the chairperson to act.
- 4-3 Subject to the approval of the Board of Supervisors, the County Planner shall:
- a. Keep a written record of all business transacted by the Commission.
 - b. Notify all members of all meetings.
 - c. Keep a file of all official records and reports of the Commission.
 - d. Give notice of all hearings and public meetings.
 - e. Attend to the correspondence of the Commission.
 - f. Keep a set of minutes of all meetings.
 - g. Prepare and be responsible for the publishing of advertisements relating to public hearings.
 - h. Provide all necessary documents to all members of the Commission, but most especially provide bylaws and rules of procedure to newly appointed members.
 - i. Carry out other duties as assigned by the Commission.
 - j. Maintain an office at the Pamplin Building, Dinwiddie County, Virginia.
- 4-4 Subject to the approval of the Board of Supervisors, the County Attorney shall:
- a. Assist the Commission in analyzing the facts.
 - b. Provide advice and action in legal matters.
 - c. Serve as Parliamentarian at Commission meetings.

ARTICLE 5 – MEETINGS

- 5-1 The Commission shall adopt a regular meeting time, location and schedule for the year at its regular January meeting of each year.
- 5-2 Special meetings shall be called by the Chairperson or two members upon written request to the County Planner. Written notice of Commission meetings shall be given to each member, at least five (5) days prior to such meetings. Written notice of a special meeting is not required if the time of the special meeting has

been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice.

- 5-3 All regular meetings and hearings shall be open to the public.
- 5-4 A majority of the membership of the Commission shall constitute a quorum. No action of the Commission shall be valid unless authorized by a majority vote of those members present and voting. Voting shall be by voice vote or roll call, in which case a record shall be kept as a part of the minutes.
- 5-5 Commission members are encouraged to attend all meetings, regular and special, and to notify the Chairman or County Planner as soon as possible if unable to attend a meeting. Any member who misses three regular meetings in succession, or fails to attend at least sixty percent (60%) of regular scheduled meetings during any calendar year, without sufficient justification, is grounds for recommendation by the Commission to the Dinwiddie County Board of Supervisors for removal from office.

ARTICLE 6 – COMMITTEES

- 6-1 Special Committees may be appointed by the chairperson for the purposes and terms approved by the Commission.

ARTICLE 7 – ORDER OF BUSINESS

- 7-1 The order of business for a regular meeting shall be as follows unless amended by a majority vote of the Commission:
 - a. Call to Order by Chairperson
 - b. Pledge of Allegiance and Moment of Silence
 - c. Roll call to determine quorum
 - d. Review and approval of minutes from previous meetings
 - e. Review agenda
 - f. Citizens' Comments – unrelated to agenda items
 - g. Public Hearings
 - h. Unfinished Business
 - i. New Business
 - j. Adjournment
- 7-2 Members shall address only the Chairperson, or address each other through the Chairperson. A member must be recognized by the Chairperson before proceeding.
- 7-3 The Chair shall be allowed to participate in all matters without relinquishing the Chair.

- 7-4 All motions shall be restated by the Chairperson before a vote is taken. The names of the persons making and seconding motions shall be recorded.
- 7-5 The rules contained in the most recent edition of *Robert's Rules of Order* shall be the parliamentary authority in all cases not covered by the Commission's Bylaws.
- 7-6 The County Attorney or a designee of the Commission shall be Parliamentarian.
- 7-7 The Commission shall keep a set of minutes of all regular meetings, and these minutes shall be a public record.
 - a. The Chairperson or Vice-Chairperson shall sign the minutes after their approval by a majority of the members present and voting.

ARTICLE 8 – CITIZENS COMMENT PERIOD

To ensure that the affairs of the Commission may be conducted in an orderly manner, to ensure that all persons desiring to address the Commission on matters pertinent to it are afforded an opportunity to do so, to permit persons in attendance to observe and hear the proceedings of the Commission without distraction, and to permit to the fullest extent the Commission to conduct County business with minimal disruption, the following rules are established. Any individuals, who do not abide by the following rules, after a warning, may be asked to leave the meeting.

- 8-1 Rules for Citizens Comment Period
 - a. Each person desiring to speak must sign up in advance of the opening of the Citizens Comment Period on the agenda.
 - b. Each speaker shall be limited to a period of three minutes; when two minutes have passed the speaker will be reminded that there is one minute remaining.
 - c. Speakers who have signed up may use their allotted time only for themselves and may not donate their time to other speakers.
 - d. Comments must be confined to matters germane to the business of the Commission and shall not be cumulative or repetitive.
 - e. Speakers should address the Commission with decorum – loud, boisterous and disruptive behavior, obscenity, and vulgarity should be avoided as well as other words or acts tending to evoke violence or deemed to be a breach of the peace.
 - f. The Citizens Comment period is not intended to be a question and answer period or time for dialogue with County officials. Questions which are raised during a comment period may, at the discretion of the Commission, be responded to by County officials after sufficient time for appropriate investigation.
 - g. Speakers shall remain at the podium while addressing the Commission.
 - h. Speakers shall not be interrupted by audience comments, calls/whistles, laughter, or other gestures.

These rules do not preclude persons from delivering to the Commission or the County Planner written materials including reports, statements, exhibits, letters, or signed petitions or to prohibit persons from presenting oral and written comments on any subject germane to the business of the Commission to individual Commission members or to the Commission through the County Planner outside the context of the public meeting.

ARTICLE 9 – PUBLIC HEARINGS

- 9-1 In addition to those required by the law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.
- 9-2 No action at a public hearing shall be taken until after a notice of intention so to act has been published once a week for two (2) successive weeks in some newspaper published or having general circulation in Dinwiddie County. The term two successive weeks shall mean that such notice shall be published at least twice in such newspapers with not less than six days elapsing between the first and second publication. The notice shall specify the time and place of hearing at which persons affected may appear and present their views, which time of hearing shall be not less than 5 days nor more than 21 days after the second advertisement appears in the newspaper.
- 9-3 The case before the Commission shall be presented by the County Planner or another person delegated by the County Planner.
- 9-4 A record shall be kept of those speaking before a hearing.
- 9-5 The following rules shall govern the conduct of the public hearings:
- a. After the case has been summarized as provided in Section 9-3, the floor shall be open for citizen comments. No person may address the Commission unless he/she has first been recognized by the Chairperson.
 - b. The applicant shall have ten (10) minutes to address the Commission and present written and/or oral comments. Individuals who have signed up to comment on the case shall have three (3) minutes to present written and/or oral comments. All comments shall be directed to the Commission, not the audience or other individuals. Specified time limits may vary at the discretion of the Chairperson.
 - c. After all persons who desire to address the Commission have had the opportunity to do so, the Chairperson may grant additional time to persons who have spoken previously.
 - d. The Chairperson may terminate the hearing at any time after all persons who desire to address the Commission have had one (1) opportunity to do so.

- e. Commissioners may question each speaker at the end of his/her presentation.

ARTICLE 10 – VOTING

- 10-1 All matters before the Commission that require a majority vote shall be by roll call.
- 10-2 No member shall abstain from voting on a roll call vote unless he/she has a conflict of interest in the matter being voted upon, and so states for the record, or unless by the consent of a majority of commissioners present.

ARTICLE 11 – CORRESPONDENCE

- 11-1 It shall be the duty of the Planning Department to draft and sign all correspondence necessary for the execution of the duties and functions of the Commission.
- 11-2 It shall be the duty of the Planning Department to communicate by telephone or fax when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.
- 11-3 All official papers and plans involving the authority of the Commission shall bear the signature of the Chairperson or Vice-Chairperson together with certification by the Planning Department designee.

ARTICLE 12 – AMENDMENTS

- 12-1 These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days prior notice has been given to all members of the Commission and a copy of the proposed amendment is sent with the notice.

**CODE OF ETHICS AND STANDARDS OF CONDUCT
FOR MEMBERS OF THE DINWIDDIE COUNTY
PLANNING COMMISSION**

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Dinwiddie County Planning Commission should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States and of all governments therein and never knowingly be a part to their evasion.
2. Put loyalty to the highest moral principles and to the County as a whole above loyalty to individuals, districts, or particular groups.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that provide equal opportunity to all citizens without regard to national origin, race, color, religion, gender, age, disability, pregnancy, or sexual orientation.
6. Ensure the integrity of the actions of the Planning Commission by conducting official and private affairs in a way that clearly conveys that you cannot be improperly influenced in performing your official duties.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word, which can be binding on public duty.
8. Engage in no business with the County government, or the school system, either directly or indirectly, which is inconsistent with the conscientious performance of Planning Commissioners' duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.
9. Never use any information gained confidentially in the performance of Planning Commission duties as a means of making private profit.
10. Expose, through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the

Freedom of Information Act using closed sessions only to deal with sensitive personnel, legal or contractual matters as provided by the Code of Virginia.

12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Commission.
14. Review orally and in public session, at the annual organizational meeting, each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.