

WHITEFISH PLANNING BOARD
RULES OF PROCEDURE
GENERAL GOVERNING RULES
November 20, 2014

The Planning Board shall be governed by the provisions of all applicable statutes, local laws, ordinances, resolutions and these Rules. Meetings will be conducted using generally accepted principals of parliamentary procedure.

OFFICERS AND DUTIES

1. **Chair and Vice-Chair**

The Board shall elect annually from its members by a majority vote a Chair and Vice-Chair, who may be elected to succeed themselves. The Chair, or in his or her absence or incapacity, the Vice-Chair, shall decide all points of order or procedure and may administer oaths and compel the attendance of witnesses. The election of the Chair and Vice-Chair shall be held in the first regular meeting of the Board each calendar year. Both Chair and Vice-Chair shall be voting members and may vote on all issues or matters before the board. The Chair may appoint committees to work in special areas. Chairpersons of said committees shall be members of the Whitefish Planning Board and other committee members may be from the general public.

2. **Recording Secretary**

The Recording Secretary shall be a person hired by the City or a member of the staff to take the minutes of the meetings.

3. **Record of Meetings**

The Planning & Building Department shall keep all records, give notice, conduct all correspondence of the Board, and supervise the clerical work of the Board. The Planning & Building Department shall keep a minutebook of the proceedings of each meeting and each hearing, which shall include the vote of each member on each question, if so desired, or if absent or failing to vote, indicating such fact, the names of all witnesses, a summary of the facts to which they testify and the decision rendered by the Board and other official actions of the Board.

MEETINGS

1. Quorum

- a. A majority of members of the Board shall constitute a quorum.
- b. No action of the Board is official unless authorized by a majority of members of the Board in attendance at a regular or properly called special meeting.

2. Time of Meeting

- a. Regular meetings shall be held on the third Thursday of each month at 6:00 P.M., or at such other day and/or hour as the Chair may designate or as legally noticed. In case the third Thursday of the month is in conflict with a holiday, the regular meeting shall be held on such other date as the Chair may designate. Advance notice of at least 48 hours shall be given by the Chair to each member, by phone or in writing, of any change in meeting day or time.
- b. Special meetings may be called by the Chair at any time, provided that at least 48 hours written notice shall be sent to each member by the Recording Secretary before a special meeting is held. The Chair shall call a special meeting within ten (10) days of receipt of a written request from any two members of the Board. Written notice of a special meeting is not required if the time of the special meeting has been fixed in a regular meeting or if all members are present at the special meeting and waive their notification requirement.

3. Place of Meeting

The regular and special meetings of the Board shall be held at the Whitefish City Council Chambers, as legally noticed, in Whitefish, Montana, or in any other place designated by the Chair. The Chair, either prior to or during the meeting, may change the location of the meeting because of such unforeseen reasons as non-availability of the meeting room or overcrowding.

4. Cancellation of Meetings

Whenever there is no business to be considered at a regular meeting, the Chair may dispense with such meeting by so notifying each member at least 48 hours prior to the time set for such meeting.

5. Order of Business

Suggested order of business is:

- a. Call to Order and Roll Call.
- b. Approval of Minutes.
- c. Communication from the Public on non-action items.
- d. Old Business.
- e. Public Hearings and Action.
- f. Committee Reports.
- g. New Business.
- h. Good and Welfare.
- i. Adjournment.

6. Voting on Matters Before the Board

Matters shall be decided by either a roll call vote or vote by acclamation. The votes of the members shall be recorded in the minutes.

7. Disqualification of Members

No member of the Board shall sit in hearing, participate in discussion or vote on any matter in which he or she shall be in violation of the State of Montana Code of Ethics (2-2-1 01 through 2-3-304, M.C.A) or Whitefish Code of Ethics.

8. Continued Absence from Meetings

If a Board member misses three consecutive regular monthly meetings or more than four meetings in a calendar year, without legitimate reason, the Chair shall so inform in writing the governing body which has appointed the member and may recommend appropriate action.

9. Participation Via Telephone

Phone participation is allowed only if necessary to achieve a quorum.

PUBLIC HEARINGS

1. Matters Requiring Public Hearing

A public hearing shall be held on matters when required by statute or local regulation. In addition, the Board may decide to hold a public hearing on any matter on which it deems it necessary or advisable to receive public input.

2. Notice of Hearing

The Whitefish Planning & Building Department shall be responsible for giving notice(s) of the public hearing which may be required by statute, local regulations or ordinances. The public hearing notice, at a minimum, shall include:

- a. Purpose of the hearing;
- b. Description of the property involved (legal and common address)
- c. Location of the property involved;
- d. Date and time when the hearing will be held;
- e. Place where the hearing will be held;
- f. Place where additional information on the subject matter can be obtained.

No matter involving public hearing shall be decided until after due notice has been given and a public hearing has been held thereon. The information and file on the matter involving public hearing shall be available for public review in the Planning & Building Department office during regular office hours.

3. Conduct of Public Hearings

Any person may appear in person, by agent or attorney, at any public hearing. The order of proceedings in the hearing of each case at a public hearing will generally be as follows:

- a. Verification of the public notice for hearing by the Chair.
- b. Report by the staff.
- c. Presentation by the applicant or representative.
- d. Review of written comments submitted prior to meeting.
- e. Witnesses in favor of the proposal or opposed to the proposal.

f. Rebuttals.

The Chair or any member of the Board may require any witness to swear or affirm that his or her statements of fact are true.

4. Time Limits of Public Hearings

To ensure the hearing is conducted in an orderly, fair and timely method, the following rules are adopted:

- a. Any persons wishing to speak shall signify their intent by signing the speakers' sign-up sheet provided at the beginning of the hearing.
- b. The applicant(s) or representative(s) shall be limited to a maximum of 15 minutes for making a presentation.
- c. The hearing shall be open to comments from those persons speaking in favor of the application or opposed to the application for a maximum of 60 minutes and, at the Board's discretion, individual comments can be limited.
- d. Rebuttals shall be limited to five minutes for the applicant, five minutes for those speaking in favor of the application, and five minutes for those speaking in opposition to the application.

5. Amendments to Application

Amendment(s) to the application shall not be made after the official notice of the public hearing has been transmitted to the official newspaper for publication. Once public notice has been issued for an application, the public hearing shall be held.