

# CITY PLANNING BOARD

## BY-LAWS

March 2019

### ARTICLE I – CITY PLANNING BOARD, PURPOSE

Section 1: The name of this municipal board shall be The Livingston City Planning Board.

Section 2: The Livingston City Planning Board is organized for the purpose of encouraging local units of government to improve the present health, safety, convenience, and welfare of their citizens and to plan for the future development of their communities to the end that highway systems be carefully planned; that new community centers grow only with adequate highway, utility, health, educational, and recreational facilities; that the needs of agriculture, industry, and business be recognized in future growth; that residential areas provide healthy surroundings for family life; and that the growth of the community be commensurate with and promotive of the efficient and economical use of public funds.

The Livingston City Planning Board serves to advise the Livingston City Commission. The Board may propose policies for: subdivision plats; development of public ways, places, structures, and utilities; issuance of improvement location permits; and laying out public ways and services. Upon request of the governing body, the planning board will prepare a growth policy to promote public health, safety, morals, convenience, general welfare, efficiency, and the economy.

### ARTICLE II – MEMBERSHIP

Section 1: The membership of the Livingston City Planning Board shall be as provided in 76-1-221 MCA. The City Public Works Director or his designee will fill one of the seats as allowed by statute.

### ARTICLE III – MEETINGS

Section 1: The monthly meetings will be held on the third Wednesday of each month at the City-County Building. The meetings will start at 5:30 p.m.

Section 2: Special Meetings. Special meetings may be called by the Chair and one other Board member.

Section 3: Notice. All meetings will be noticed in accordance with City noticing policy, City Ordinance and State law.

## ARTICLE IV – ADVISORY BOARD

Section 1: Board Role, Size, Compensation. The Livingston City Planning Board is responsible for making recommendation, pertaining to land use and development, to the City Commission. The Planning Board must review and make a recommendation on subdivision applications before the City Commission can act on those applications. The Board shall have seven members as required by State Law. The Board receives no compensation other than reasonable expenses.

Section 2: Terms. The term of the City Commissioner appointed to the Livingston City Planning Board shall be coextensive with that City Commissioner's term of office as City Commissioner. All other members shall be appointed to two (2) year overlapping terms. To establish the overlapping terms of office, the appointment of three Planning Board members shall be for a one (1) year term and three members shall be appointed to two (2) year terms. Thereafter, except for the City Commissioner, all other appointments to the Planning Board shall be for two year terms.

Section 3: Quorum. A quorum consists of a majority of appointed Board members. No official action can be transacted or motions made or passed without a quorum present.

Section 4: Officers and Duties. At the first meeting of each calendar year, the Board will elect, from its members, a Chair and a Vice-Chair. The Chair will perform the following duties:

1. Control and run all meetings to include deciding who will have the floor, how debate will take place, and maintaining order.
2. Sign all official documents of the Board.
3. Assure that minutes are taken of the Board's meetings.
4. Promote efficient use of the Board's time while assuring that all interested parties have an opportunity to participate in Board activities.

The Vice-Chair shall perform the duties of the Chair in the Chair's absence.

Appointed City Staff shall act as Secretary. The Secretary shall be responsible for keeping records of the Board actions and/or recommendations, including overseeing the taking of minutes, sending out meeting announcements and distributing copies of minutes and the agenda to each Board member.

Section 5: Order. Meetings will be run under “Robert’s Rules of Order”. All speakers, including board members, must be recognized by the Chair and granted the floor before proceeding. Speakers should direct their comments to the Board through the Chair and avoid speaking directly to any member. Likewise, members must ask the Chair’s permission to directly question a speaker.

Formality must be maintained when conducting a public hearing. Comments for and against an issue must be called for three (3) times each and the Chair needs to see that the comments stay on the subject and do not become repetitive.

When voting on an issue, the Chair shall call for those “in favor” and those “opposed”. The Chair will tally the votes and, once the vote is done, will announce whether the motion passes or fails and state the number of votes for and against. The vote of each member will be reflected in the minutes of the meeting.

Section 6: Conduct of Business and Communication. In making recommendations to the City Commission relating to land use decisions, the Planning Board will seek to ensure the integrity of the public record of its proceedings. All evidence and/or testimony received by the Board shall occur in a properly noticed public hearing. When an individual Board member inadvertently receives information outside of this venue, it is incumbent upon that member to introduce such information into the Board’s public record at the earliest possible opportunity.

The Planning Board’s communication with the Governing Body shall be through its formal recommendation for each land use application. The Board’s recommendation will, at a minimum, include: A cover letter stating the recommendation; the Board’s adopted findings of fact; the Staff Report provided to the Board; the minutes of the meeting at which the public hearing took place; all written correspondence either for or against the action, and; any exhibits submitted at the public hearing or otherwise entered into the Board’s record.

Section 7: Vacancies. When a vacancy on the Board exists, the City Administration will initiate the advertising process outlined in the City Commission’s Board policy.

Section 8: Resignation, Termination and Absences. Resignation from the Board must be in writing and received by the Secretary. The Board shall recommend to the City Commission the removal of any member who has accumulated three unexcused absences from Board meetings in one year. A Board member may be removed for cause by the City Commission.

#### ARTICLE V – AMEMDMENTS

Section 1: These Bylaws may be amended when necessary by majority vote of the City Commission.

These Bylaws were approved at a regular meeting of the Livingston City Commission on April 2, 2019.

Faith Kinnick  
Recording Secretary