

BY – LAWS
OF THE
TIPTON COUNTY REGIONAL PLANNING COMMISSION

ARTICLE I

AUTHORITY

These by-laws are adopted under the authority of Tennessee Code Annotated and amendments thereto as set forth in Section 13-3-103 as follows: “Each regional planning commission shall adopt rules for the transaction of business which shall include, but not be limited to, the selection of additional officers from among its members it deems appropriate to fulfill the organizational needs of the regional planning commission, the requirements for the regional planning commission to make findings of fact, statements of material evidence and reasons for its actions as part of each motion or action of the regional planning commission and the keeping of a record of its resolutions, transactions, motions, actions, and determinations which shall be a public record.”

OBJECTIVE

The objectives and purposes of the Tipton County Regional Planning Commission shall be as set forth in Section 13-3-101 through 13-3-104 of the Tennessee Code Annotated and amendments and supplements thereto, and those powers and duties delegated to the Planning Commission by the chief legislative body in accordance with the above-mentioned enabling legislation.

ARTICLE II

MEMBERSHIP

Section 1. The Tipton County Regional Planning Commission shall have seven (7) members, which shall consist of the following:

Less than a majority of members may be designated from the County Legislative Commission and the remaining members to be appointed by the Chief Legislative Officer.

Section 2. All members of the Planning Commission shall reside within Tipton County.

Section 3. The term of any member designated from the County Legislative Commission shall be coterminous with their term of office on the Legislative Commission. The term of all appointed members shall be four (4) years.

ARTICLE III

OFFICERS AND THEIR DUTIES

- Section 1. The officers of the Planning Commission shall consist of a Chairman, Vice-Chairman and Secretary.
- Section 2. The Chairman shall preside at all meetings and hearings of the Planning Commission and have duties normally conferred by parliamentary usage on such officer.
- Section 3. The Chairman shall be one of the appointive members of the Planning Commission. He/She shall have the privilege of discussing all matters before the Planning Commission and to vote thereon.
- Section 4. The Vice-Chairman shall be one of the appointive members of the Planning Commission and shall act for the Chairman in his/her absence.
- Section 5. The Secretary shall certify the minutes and records of the Planning Commission, certify Planning Commission approval of subdivision plats and other documents acted upon by the Planning Commission, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a secretary or requested by the Chairman. The Secretary shall be one of the appointive members of the Planning Commission.

ARTICLE IV

ELECTION OF OFFICERS

- Section 1. Nomination of officers shall be made from the floor and officers shall be elected at an organizational meeting each January. During this election process, a member of the staff personnel shall act as Chairman pro tem. The Commission shall elect its Chairman from among the appointive members.
- Section 2. The nominee for each office receiving a majority vote of the membership present shall be declared elected and shall take office immediately following the election.
- Section 3. All officers shall be elected for a term of one (1) year and shall be eligible to succeed themselves. Vacancies shall be filled immediately for the un-expired term by the regular election procedure.

ARTICLE V

STAFF PERSONNEL

- Section 1. The Planning Commission may appoint or employ such staff as the Commission deems necessary in accordance with Section 13-3-103 of the Tennessee Code Annotated and may contract with planners, engineers or other consultants for such services as it may require.
- Section 2. The appointed professional staff shall take action and make recommendations in the name of this Planning Commission in accordance with such plans, policies, and procedures as are approved or established by this Commission from time to time.

ARTICLE VI

COMMITTEES

- Section 1. The Chairman may appoint special committees for those purposes and terms as designated by the Planning Commission.
- Section 2. The chairman shall be ex-official member of any committee and shall have the right to cast a vote as a member of such committee.

ARTICLE VII

MEETINGS

- Section 1. All meetings of the Tipton County Regional Planning Commission shall be held on the fourth Monday of each month at 6:30 p.m. at the Tipton County Justice Building or such other place and time, as shall be designated in advance by the chairman.
- Section 2. A majority of the entire membership of the Planning Commission shall constitute a quorum. A quorum shall be present before any business is transacted. In the event of any vacancy on the Commission, a majority of the members still acting shall constitute a quorum.
- Section 3. All plans, reports and recommendations of the Planning Commission must be approved by a majority of the members of the Commission present at the meeting.

- Section 4. A record of the vote of each member on each major question shall be kept as a part of the minutes when requested by the Chairman.
- Section 5. Special meetings of the Planning Commission may be called: (1) by the Chairman upon written notice, (2) by the Vice-Chairman if the Chairman is not acting or (3) by any three (3) members of the Commission by giving at least five (5) days' notice thereof in a newspaper of general circulation in the county.
- Section 6. Notice of the Special Called meetings of the Planning Commission shall be put in the newspaper five (5) days prior to meeting setting forth time and place of meeting. Staff personnel will notify the newspaper of the special called meeting.
- Section 7. Except as set forth herein, Roberts Rules of Order shall prevail as to any matters of procedure.
- Section 8. All meetings at which official action is taken shall be open to the general public.
- Section 9. At all meetings, each member attending shall be entitled to cast one vote. Voting shall be by an appropriate method chosen by the Chairman. In the event that any member shall have personal interests in the business before the Commission, this Commissioner shall disclose the interest and be disqualified from voting upon the business.
- Section 10. Affirmative vote of a majority of the members attending the meeting is necessary for approval of any proposed subdivision or zoning matter. In the event that a majority of those present at the meeting shall not vote affirmatively on a matter, a subsequent motion for denial must be entertained.
- Section 11. All public meetings will make an allowance for public comment on issues, which are within the jurisdiction of the Planning Commission. Commission members may ask questions for clarification but should avoid discussion during this segment of the meeting. Commission members or staff may respond with comments regarding policy or procedures and items may be referred to staff for further investigation. Speakers shall be limited to three (3) minutes as determined by the Chairman. The public comment segment of the meeting shall not exceed fifteen (15) minutes.

ARTICLE VIII

PROCEDURE

- Section 1. All matters to be presented to the Commission should be presented with one (1) copy at the office of the enforcing officer before 12:00 P.M. (Noon) at least fourteen (14) days prior to the submittal of the application to the Planning Commission at which it is to be considered for review. The required number of corrected copies shall be presented before 12:00 P.M. (Noon) at least fourteen (14) days prior to the regular (officially opened) meeting of the Planning Commission at which it is to be considered.
- Section 2. An agenda of matters to be presented at the meeting shall be prepared by the Planning Commission staff prior to the general meeting by the Commission and additions to the agenda shall be allowed upon approval of the Planning Commission.
- Section 3. The Planning Commission shall not accept the submission of a Preliminary Plat and a Final Plat in the same meeting on the same subdivision plat, nor shall the Planning Commission conditionally approve any Final Plat other than required signatures. All site plans shall have a subsurface sewage disposal system permit, proof of such system or written approval of connection to a public sewer system to be considered for approval or conditional approval.
- Section 4. If the petitioner or applicant or their representative is not present when the Planning Commission is to consider their case, consideration will be deferred until the next regular or advertised Planning Commission meeting. If the petitioner or applicant or their representative is not present at the meeting following the initial deferral, the Commission shall either approve or deny the petition.
- Section 5. A petitioner or applicant or their representative may withdraw their petition, without penalty, at any time prior to any official action by the Commission.
- Section 6. All votes shall be recorded by the Secretary and kept in the official minutes of the meeting.
- Section 7. The minutes of the meeting shall be the official acts of the Commission and any change therefore in any correspondence shall not be valid, unless written documentation by the Planning Office (signed and dated) detailing the actions of the Commission have been provided to the applicant.
- Section 8. The Secretary shall be the person responsible for the correctness of all minutes, although the actual taking of the minutes, arranging proper and legal notice of hearings, attending to correspondence of the Commission and such other duties as are normally carried out by a secretary or requested by the Chairman may be delegated to other persons (the Recording Secretary).

- Section 9. The Recording Secretary shall fulfill the duties of the Secretary of the Planning Commission in the case of an extended absence. The Recording Secretary shall sign the Secretary of the Planning Commission's name and then sign the initials of the Recording Secretary.
- Section 10. In situations where the Board of Zoning Appeals and Planning Commission approval are both required, approval through the Board of Zoning Appeals shall take place prior to the Planning Commission taking any action on such petition.
- Section 11. The Planning Commission shall not knowingly take action on any petition that is currently involved in litigation with the exception of road renewal bonds/letters of credit.

ARTICLE IX

PUBLIC HEARINGS

- Section 1. In addition to those required by law, the Commission may, at its discretion, hold public hearings when the Commission deems hearings will be in the public interest.
- Section 2. Notice of such hearings shall be published in a newspaper of general circulation within the Tipton County Planning Region at least five (5) days prior to the date of such public hearings, unless otherwise required.
- Section 3. During a public hearing, the case before the Commission shall be presented in summary by a member of the staff or by a Commission member designated by the Chairman. Interested parties shall then have the privilege of the floor or by submitting in writing for no longer than three (3) minutes.

ARTICLE X

FILING

- Section 1. All matters to be presented to the Commission shall be filed at the Tipton County Building Inspector's Office with the number of copies provided as required by the appropriate resolution or regulations.

All matters shall be submitted to the planning assistance staff as required.

ARTICLE XI

CONFLICT OF INTEREST

- Section 1. Any member shall disclose a conflict of interest prior to any discussion of or voting on any matter on the meeting agenda in which they have a direct or indirect personal interest. The member shall vacate their seat during deliberation on any matter from which they have disclosed a conflict of interest. The member shall not be replaced for the vote.
- Section 2. The burden of revealing any such conflict rests with individual members of the Planning Commission.
- Section 3. Failure to disclose such conflict of interest shall nullify such action and require a reconsideration and vote upon such conflict becoming known.

ARTICLE XII

ADOPTION AND AMENDMENT

- Section 1. These by-laws herein shall be in full force and effective at the first meeting and all subsequent meetings following the adoption of this document by a majority vote of the entire membership of this Planning Commission.
- Section 2. These rules may be amended by a majority vote of the entire membership of the Planning Commission at any time by placing on the agenda of any regular meeting an item of their amendment or by a Special Meeting called for that purpose as set forth herein.

Adopted this 17th day of December, 2024


Chairman of the Tipton County Regional Planning Commission

ATTEST:


Secretary of the Tipton County Regional Planning Commission