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STATE OF GEORGIA  
CITY OF BROOKHAVEN, GEORGIA

A RESOLUTION ADOPTING AND APPROVING RULES AND PROCEDURES FOR  
PLANNING COMMISSION MEETINGS

**WHEREAS:** Well-organized meetings allow a Planning Commission to reach decisions in a fair and consistent manner; and

**WHEREAS:** Efficiency is served when the process of planning and conducting public meetings is clearly stated and understood by public officials and citizens; and

**WHEREAS:** Public participation and access to the governmental decision-making process is a key element of an open and transparent organization.

**NOW, THEREFORE, BE IT RESOLVED** that all meetings of the Brookhaven Planning Commission shall be conducted in accordance with the provisions of this meeting organization ordinance as outlined in the attached Rules and Procedures.

**SECTION 1.** That the Rules and Procedures for Planning Commission Meetings are adopted and attached hereto as if fully set forth herein; and

**SECTION 2.** That this Resolution shall become effective upon its adoption.

**SO RESOLVED** this the 4th day of December, 2013.

Approved:



Stan Segal, Chairman

Attest:

  
Ben Song, Secretary

(Please Do NOT Remove)

Attachment: Planning Commission Rules and Procedures Resolution - 12\_4\_13 (1194 : Planning Commission Rules and Procedures)

## RULES AND PROCEDURES FOR PLANNING COMMISSION MEETINGS

**Section 1. Open Meetings.** All meetings of the Planning Commission shall be held in accordance with the provisions of Title 50, Chapter 14 of the Official Code of Georgia Annotated. The public shall be afforded access to meetings in compliance with Georgia law.

**Section 2. Visual and Sound Recordings.** Visual, sound, and visual and sound recordings shall be permitted for all public hearings, as long as such recordings are in accordance with State law. *[Cross-reference: O.C.G.A. § 50-14-1(c)]*

**Section 3. Order of Business.** All regular Planning Commission meetings shall substantially follow an established order of business. The order shall be as follows:

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Organizational and Procedural Items
5. Unfinished Business
6. New Business
7. Adjournment

**Section 4. Quorum.** A quorum must be present for conducting meetings of the Planning Commission. A quorum is four (4) members of the Planning Commission. Any Commission Member may raise a point of order directed to the Chairman or presiding officer if he or she believes that a quorum is not present. If, during the course of a meeting, a Commission Member or Commission Members leave and a quorum no longer exists, the meeting may not continue. If a quorum is not attained within thirty (30) minutes, the meeting may be rescheduled by the Chairman or presiding officer with the approval of the Commission Members present.

**Section 5. Voting.** Under normal circumstances, passage of a motion shall require the vote of at least four (4) Commission Members, and must receive the affirmative vote of a majority of those voting at which a quorum is present. Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the record, but any member of the Planning Commission shall have the right to request a roll-call vote and such vote shall be recorded in the journal.

**Section 6. Abstentions.** No Commission Member shall abstain from voting except in the case of a conflict of interest or if absent when a motion being voted upon was made. If a conflict of interest does exist, the Commission Member shall provide a specific explanation of the conflict, and the explanation shall be recorded in the journal.

**Section 7. Presiding Officer and Hearing Procedure.**

- a) Presiding Officer. The presiding officer shall preside over the respective public hearing. In the case of the Planning Commission, the chairman of said commission shall preside, or

in the absence of the chairman, the vice chairman if designated or if neither is present to preside, another member of the commission shall be designated to preside.

- b) Opening of Public Hearing. The presiding officer shall indicate that a public hearing has been called on one or more applications made pursuant to the Brookhaven Zoning Ordinance or other requirements, and shall open the public hearing. Thereupon, the presiding officer shall call the first case and the Commission shall consider each application on an individual basis in succession as printed on the published agenda or as otherwise approved by the Commission provided, however, that the presiding officer may at his or her discretion call and consider more than one application simultaneously when more than one application involves the same piece of property, and when proceedings would be efficiently completed by combining the hearing and discussion on more than one scheduled matter.
- c) Report of Staff. Upon opening the public hearing, the presiding officer shall recognize the city staff, who shall provide a summary of the application and present any recommendations or results of investigations. The staff shall with respect to each zoning proposal investigate and make an oral statement of the findings and stipulated to the staff report regarding each of the matters as outlined within the Zoning Ordinance. Any member of the hearing body upon recognition by the presiding officer may ask questions of the staff providing the report or recommendations.

A limited supply of copies of findings of the staff recommendation shall be available at the hearing or meeting and available on request to interested members of the public.

- d) Applicant. Following the report of the staff, the presiding officer shall recognize the applicant or his or her agent, spokesperson, or each of them, who shall present and explain the application. There shall be a minimum time period of ten (10) minutes per application at the public hearing for the applicants to present data, evidence and opinions, the City shall not be obligated to provide the full ten-minute period to the applicants if they elect not to use that much time. Any member of the hearing body, upon recognition by the presiding officer, may ask questions of the applicant or agent of the applicant.
- e) Public. At the conclusion of the applicant's presentation, the presiding officer shall initiate the public comment portion of the public hearing. There shall be a minimum time period of ten (10) minutes per application during the public hearing for the proponents and ten (10) minutes per application during the public hearing for the opponents to each present data, evidence, and opinions; the city shall not be obligated to provide the full ten-minute period to the proponents and opponents if they elect not to use that much time.

Prior to speaking, each speaker shall complete and submit a public comment card and upon speaking shall identify him or herself and state his or her current address. Each speaker shall speak only to the merits of the proposed application under consideration and shall address his or her remarks only to the hearing body. Each speaker shall refrain from personal attacks on any other speaker or the discussion of facts or opinions irrelevant to the proposed application under consideration. The presiding officer may limit or refuse a

speaker the right to continue, if the speaker, after first being cautioned, continues to violate this procedure.

- f) Applicant's Rebuttal. At the conclusion of public comment, or upon the expiration of time allotted for public comment, the applicant or his or her agent, or both, shall be allowed a short opportunity for rebuttal and final comment, and the time devoted to any rebuttal shall be counted toward the total ten (10) minutes allotted to the applicant under paragraph 4 above. Any member of the hearing body, upon recognition by the presiding officer, may ask questions of the applicant, his or her agent, or both.
- g) Close of Hearing. After the above procedure has been completed, the presiding officer will indicate that the public hearing is closed. Upon the closing of the public hearing, the applicant or his agent and any member of the public shall no longer address the hearing body in any way, including hand waving or motion for attention; provided, however, that at any time considered appropriate the presiding officer may permit Commission members to ask questions directly to the applicant, staff, or any particular speaker.
- h) Decision. After the public hearing is closed, the hearing body may either vote upon the application or may delay its vote to a subsequent meeting provided that notice of the time, date and location when such application will be further considered shall be announced at the meeting during which the public hearing is held.

**Section 8. Decorum.** All Commission Members shall conduct themselves in a professional and respectful manner. All remarks shall be directed to the Chairman and not to individual Commission Members, staff, or citizens in attendance. Personal remarks are inappropriate and may be ruled out of order. A Commission Member should not speak at a meeting until he or she has been recognized by the Chairman. All comments made by a Commission Member shall address the motion that is being discussed. The Chairman shall enforce these rules of decorum. If a Commission Member believes that a rule has been broken, he or she may raise a point of order. A second is not required. The Chairman may rule on the question or may allow the Planning Commission to debate the issue and decide by majority vote.

**Section 9. Public Participation.** Public participation in meetings of the Planning Commission shall be permitted in accordance with the provisions of this section.

(a) **Decorum.** Members of the public shall not make inappropriate or offensive comments at a Planning Commission meeting and are expected to comply with the rules of decorum that are established for Commission Members. Individuals violating any rules of the Planning Commission may be ruled out of order by the Chairman or on a point of order made by a Commission Member. A majority vote of the Planning Commission shall rule on the point of order. An individual violating the rules of decorum may be removed from the meeting at the direction of the Chairman.

**Section 10. Roberts Rules of Order.** This document shall serve as the rules and procedures of the Planning Commission. In the absence of applicable rules and procedures which may from time to time be encountered during the public meetings, Roberts Rules of Order shall be followed.