

Houma - Terrebonne Regional Planning Commission

By-Laws



Prepared by

T.P.C.G.

Department of Planning & Zoning

For

Houma-Terrebonne Regional Planning Commission

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HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION

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HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION

BY-LAWS

ARTICLE I - NAME

- 1.1 The name of the organization shall be the HOUMA-TERREBONNE REGIONAL PLANNING COMMISSION referred to in these by-laws as the "COMMISSION."

ARTICLE II – AUTHORIZATION

- 2.1 The Commission was created and its powers were granted to it by the Terrebonne Parish Council, acting under its Home Rule Charter, and under the authority granted in La. R.S. 33:131 through 33:140 and as contained in Section 20 Article IV of the Terrebonne Parish Code.

ARTICLE III – PURPOSE

- 3.1 The purpose of the Commission shall be to guide and coordinate the total development of Terrebonne Parish by examining the parish as a whole, through the elevation of population characteristics, economy, natural resources, land uses, transportation system(s), public facilities, utilities, and services. The Commission also serves to monitor special needs and problems, both physical and social, and controls the development of Terrebonne Parish to the extent that these needs and problems are properly addressed to insure the health, safety, and welfare of all its citizens.

ARTICLE IV – OFFICIAL OFFICE

- 4.1 The Commission shall maintain an official office to conduct business.

ARTICLE V – OFFICIAL JOURNAL

- 5.1 The official journal of the Commission shall be *The Courier*.

ARTICLE VI – MEMBERSHIP OF THE BOARD

- 6.1 The Commission shall be comprised of nine (9) members. Each member, during his term of office shall be:
- a. A citizen of the United States;
 - b. A qualified voter residing within the limits of Terrebonne Parish.
- 6.2 **Appointments to the Commission.** Members of the Commission shall be appointed by the Terrebonne Parish Council and the Terrebonne Parish President as provided by applicable law.
- 6.3 **Compensation.** The Commission shall be paid a per diem of fifty dollars (\$50.00) for each attendance at a regular or special meeting of the full Commission. In no event, shall the payment of a per diem exceed two (2) such meetings per month as per Revised Statute La. R.S. 33:140, which states no Commission member shall receive more than \$100.00 per month.
- a. The funds used in payment of the per diem shall be derived from funds of the Commission.
 - b. If it becomes necessary to increase fees charged by the Commission as a result of depleted funds due to the payment of the aforementioned per diem, approval by the Parish Council must be obtained prior to the implementation of any and all such increase(s) in charges.
- 6.4 **Tenure.** Seven (7) Commission members shall be appointed by the Parish Council for (staggered) terms of five (5) years from and after the expiration of the terms of their predecessors. Two (2) Commission members shall be appointed by the Parish President whose terms shall be concurrent with the President's term of office.
- 6.5 **Oath of Office.** All incoming members shall be administered the oath of office by the Terrebonne Clerk of Court, or any other person authorized to administer oaths, prior to assuming the responsibilities as a Commission member.
- 6.6 **Vacancies.** Any vacancy in the membership of the Commission shall be filled in the manner of the original appointment. Upon a vacancy occurring, the Chairman shall forward a letter to the Parish Council and Parish President advising same of the vacancy and requesting that an appointment be made.

ARTICLE VII – OFFICERS OF THE BOARD

- 7.1 The Commission shall elect from amongst its membership a Chairman, Vice-Chairman and Secretary/Treasurer.

- 7.2 The election of officers shall be made from the floor at the annual organizational meeting of the Commission to be held at any special or regularly scheduled meeting during the month of December.
- 7.3 Nominations shall be made from the floor at the annual organizational meeting and election of officers shall follow immediately thereafter.
- 7.4 A candidate receiving a majority vote of the entire membership of the Commission shall be declared elected, and shall serve for a term of one (1) year, with eligibility for re-election.
- 7.5 Vacancies in an office of the Commission shall be filled immediately by regular election procedures.
- 7.6 **Duties.** The Chairman shall preside at all meetings of the Commission and shall have the duties normally conferred by parliamentary usage on such officer.
- a. The Vice-Chairman shall assume the Chairmanship in absence of the Chairman.
 - b. The Chairman or his designated representative shall keep the minutes and records of the Commission, and with the assistance of such staff (when available), shall prepare the agenda of regular and special meetings, provide notice of all meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission and perform such duties as are required.
 - c. The Secretary/Treasurer shall act for the Chairman and Vice-Chairman in their absence. In the event all three officers of the Commission are not present at any official meeting in which a quorum is present, the present members in attendance shall elect any or all officers needed to conduct the official business of the Commission.
 - d. In the event of a vote on any official issue, the Chairman may exercise his prerogative under *Robert's Rules of Order Newly Revised* to break a tie vote or to make a tie vote. The Chairman may exercise his right as a Commission member to debate on a motion only after relinquishing the chair to the Vice-Chairman.
 - e. No subdivision plat shall be valid unless signed by the Chairman or his designated representative.
 - f. The Secretary/Treasurer, along with staff, shall maintain and keep records of all receipts and disbursements of the Commission.

ARTICLE VIII – MEETINGS

- 8.1 Regular meetings will be held on the third Thursday of each month. In the event of a conflict with holidays or other event(s), the Chairman may change the date of said meeting.

- 8.2 The place and time of the meeting will be arranged by the Chairman.
- 8.3 **Public Notice.** The Chairman or his designated appointee shall provide for public notice of all regular and special meetings of the Commission which shall include, but not be limited to, the publication of a meeting notice in the official journal stating date, time, and the place of the meeting.
- a. The notice shall be published in the legal section of the official journal in accordance with applicable state statutes.
- 8.4 **Quorum.** A quorum shall consist of five (5) members of the Commission.
- 8.5 **Voting.** Voting shall be *viva voce* and shall be recorded in the minutes of the Commission's meeting. Any Commissioner, including the Chairman, may additionally request a roll call vote, which shall also be recorded in the minutes of the Commission's meeting.
- 8.6 **Parliamentary Procedure.** The current edition of *Robert's Rule of Order Newly Revised* shall govern the proceedings at the meetings of the Commission in all cases to which they are applicable and in which they are not inconsistent with these by-laws and any special rules of order the Commission may adopt.
- 8.7 All meetings or portions of meetings shall be open to the general public, except when authorized by applicable law.
- 8.8 **Order of Business.** Prior to each regular or special meeting, the Chairman and the Planning Department staff shall prepare an agenda of all matters to be considered at the meeting. Said agenda should be published according to law. By majority vote of the members present the order of the agenda items may be rearranged. Unless applicable law requires prior and/or public notice, items may be added to the agenda by the affirmative unanimous vote of the quorum present after first allowing the opportunity for public comment on any such motion.
- 8.9 Special Meetings may be called by the Chairman or upon written request of three (3) Commission members. The Chairman shall notify all members of the Commission in writing not less than three (3) days in advance of such special meetings.
- a. Public notice for a special meeting shall conform to the provisions as set forth for regular meetings of the Commission.
- 8.10 **Proxies.** No member of the Commission shall be represented by or vote by proxy.
- 8.11 **Annual Organizational Meeting.** The Commission shall hold its annual organizational meeting at any special or regularly scheduled meeting in December. The Election of Officers and the selection of an Auditor shall take place at any special or regularly called meeting in the month of December of each year.

ARTICLE IX – POLICIES AND PROCEDURES

- 9.1 The Commission shall adopt, by a two-thirds (2/3) vote of the entire Commission present, By-Laws, fiscal and administrative policies which govern the operation of the Commission at any regular or special meeting. The Chairman shall give thirty (30) days notice prior to proposed changes to the By-Laws. The Parish President and Terrebonne Parish Council shall be notified on all administrative policy proposals and any policies so adopted shall not be effective sooner than thirty (30) days after their adoption.
- 9.2 Any and all actions of the Commission relative to personnel, administrative, and fiscal matters shall be referenced in the minutes according to the appropriate policy and procedure.
- 9.3 In the absence of an applicable policy or procedure, the Commission may take such action as is necessary for the operation of the Commission by two-thirds (2/3) vote. Such action shall become a policy or procedure of the Commission only after being enacted per 9.1 above.
- 9.4 Sections 9.1 and 9.2 shall become applicable no later than six (6) months from the date of adoption of these By-Laws.
- 9.5 **Fiscal Year.** The fiscal year for the Commission shall commence on January 1 and end on December 31.
- 9.6 **Annual Budget.** Prior to the last regular meeting of the fiscal year, the Chairman or his designated representative shall submit to the Commission a proposed operating budget for the upcoming year for review by the full Commission.
- a. The budget shall be adopted no later than the regularly scheduled Commission meeting in December.
- 9.7 **Acceptance of Contributions.** The Commission may accept contributions from individuals, groups, corporations, foundations, or any branch of government. Such contributions shall be regulated according to applicable state law.
- 9.8 **Audit.** The Commission shall conduct a financial audit of the Commission on an annual basis.
- 9.9 The Treasurer shall ensure the preparation of an annual financial report which shall be presented to the Legislative Auditor pursuant to the provisions of La. R.S. 24:513 et seq.

ARTICLE X – COMMITTEES

- 10.1 **Standing Committees.** The Chairman may present to the Commission his recommendations for the formulation of a standing committee(s) and the applicable functions of same for ratification by the Commission.

- a. The Chairman shall select from the Commission a Chairman of each standing committee subject to the ratification by the Commission.
 - b. Membership of each standing committee shall be no less than three (3) members selected by the Commission Chairman. Committee membership may include members from outside the Commission and ALL members shall serve at the discretion of the Chairman. The Chairman may serve as a non-voting, ex-officio member of all standing committees.
- 10.2 **Special Committees.** Special Committees may be formed to address specific issues of interest to the Commission.
- a. Membership is not restricted to any group and may include elected officials.
 - b. Reporting to the full Commission shall be done in a timely manner. In the event reporting is not done timely, the Chairman may use his discretion to disband the Committee or appoint new Committee representatives.

ARTICLE XI – ANNUAL REPORT

- 11.1 The Commission shall render annually to the Terrebonne Parish Council and the Terrebonne Parish President a generalized report of its activities, including the status of the Master Plan and goals for the upcoming year, at least one hundred twenty (120) days after each fiscal year.

ARTICLE XII – MISCELLANEOUS

- 12.1 The Commission shall conform in every way to all applicable local, state, and federal laws in its functioning.

ARTICLE XIII – AMENDMENTS TO BY-LAWS, POLICIES & PROCEDURES

- 13.1 The By-Laws and administration and fiscal procedures of the Commission may be amended at any regularly scheduled or special meeting provided that:
- a. The proposed amendment is presented, in its entirety, to all Commission members for preliminary consideration at least thirty (30) days prior to the date of the meeting at which official action on the proposed amendment is scheduled.

ARTICLE XIV – ADOPTION

- 14.1 These By-Laws, in entirety, as revised, were adopted by the Commission on the 15th day of March, 2012.