

**BY-LAWS
OF THE
OKALOOSA COUNTY PLANNING COMMISSION**

ARTICLE I • NAME AND AUTHORIZATION

A. NAME

The name of the Board is the Okaloosa County Planning Commission as established in accordance with Florida Statute and Okaloosa County Code of Ordinances, herein after referred to as the "Planning Commission". The office of the Planning Commission is administered by the Okaloosa County Growth Management Department (or its successor), herein referred to as the "Office", where all official records shall be kept. Copies of all official documents, records, minutes, etc., shall be filed or recorded in the office of the Clerk of Court when required by Florida law.

B. AUTHORIZATION

The Planning Commission exists by the authority of the Okaloosa County Board of County Commissioners pursuant to the Okaloosa County Code of Ordinances Land Development Code, Appendix E, Chapter 11 and Florida Statutes, including, but not limited to chapter 163 part II, Florida Statutes. The Planning Commission and its members serve at the will of the Board of County Commissioners and may be modified or abolished by action of the Board of County Commissioners.

ARTICLE II • PURPOSE AND FUNCTION

A. PURPOSE

The Planning Commission is the local planning agency, as defined by law, the land development regulation commission, and when appropriate the airport zoning commission. The Planning Commission has the duties, responsibilities and powers to hear, decide recommend and approve those matters specifically authorized by law which delegates the authority to the Planning Commission.

B. FUNCTION

The functions of the Planning Commission shall include:

1. Preparation of the comprehensive plan.

include two (2) nonvoting members, a representative of the school district and a representative of the local military installations.

3. The voting Planning Commission members shall serve staggered terms and the terms of office shall be three (3) years, but shall continue to serve until a vacancy is filled. At the expiration of a term, the Board of County Commissioners may renew any membership for additional terms. If a vacancy occurs prior to the expiration of any member's full term, the Board of County Commissioners whose district the member represented shall appoint a member residing within the County Commissioner's district to fill the remainder of the term, which shall be confirmed by the Board of County Commissioners.

4. All members of the Planning Commission shall serve without compensation; none are entitled to pension or retirement benefits for service on the Planning Commission.

5. A member of the Planning Commission may be removed from office with or without cause by a vote of three (3) or more members of the Board of County Commissioners.

6. Whenever a member of the Planning Commission shall fail to attend three (3) consecutive meetings without having been excused by the Chairman of the Planning Commission, the Planning Commission Chairman shall promptly certify in writing such absence to the Board of County Commissioners. Upon such certification, the defaulting member may be removed at the discretion of the Board of County Commissioners.

7. Resignations from the Planning Commission shall be in writing and transmitted to the Chairman of the Planning Commission, who will then forward via the Planning Commission's recording secretary a copy to the Board of County Commissioners.

B. ELECTION OF OFFICERS

1. The Planning Commission shall elect from its members a Chair and Vice-Chair. Any member of the Planning Commission may volunteer for, or be nominated by another Planning Commission member for, the offices. Persons nominated *for an* office may decline the nomination; a person cannot be elected to an office without his or her consent. Officers shall be elected by a simple vote.

2. Officers shall be elected annually during the regularly scheduled organizational meeting of October and will assume office during the first meeting of the Planning Commission following the turn of the year.

B. MEETINGS

1. The Planning Commission will meet regularly based upon a schedule adopted by the Planning Commission which will be provided to the Growth Management Department. Meeting dates may be changed by the Chair with notification in advance by mail or email to Planning Commission members, written notice to the Growth Management Department, and notice to the public in compliance with the Florida Sunshine Law. Special meetings may be called by the Chair or by a majority of the Planning Commission members, with reasonable notice to the public and to the Growth Management Department.

2. All meetings will be open to the public. For advertising purposes, the Planning Commission will publish a notice of its meetings and notice of any changes in meeting times as required by the Florida Sunshine Law. The Planning Commission will also provide a schedule of its meetings and provide notice of any changes in meeting times to the County's Growth Management Department. The Planning Commission will ensure agendas and minutes of its meetings are available to the public in accordance with the State Sunshine Laws.

3. The Planning Commission shall be governed by the Florida Sunshine Law, Public Records Law, the Okaloosa County Code of Ordinances, Florida Statutes, and these Bylaws.

4. Members of the Planning Commission, when possible, are to notify the recording secretary at least 48 hours in advance if they will not be present at any regular or special meeting.

5. Meetings of the Planning Commission may not go past 9 p.m. CST. Any matters not taken up before 9 p.m. CST shall be required to be continued to a time and date certain of a Special or Regular Meeting.

C. QUORUM

Three (3) voting members of the Planning Commission present shall constitute a quorum and shall be necessary to conduct business or take any official action, except to cancel or continue a meeting that has no quorum.

D. VOTING RIGHTS

1. Proxy votes and absentee ballots shall not be permitted. Each member shall be entitled to one (1) vote and shall cast that vote on each item submitted.

2. No member of the Planning Commission who is present at any meeting at which an official decision, ruling or other act is to be taken or adopted may abstain from voting in regard to any such decision, ruling or act, except when,

indicating that the organization has appointed such individual to speak on its behalf. The authorization must be signed by the organization's president or secretary. The authorization must be provided each time said individual speaks on a matter and will be effective for one year unless amended or revoked by the organization.

3. Persons speaking during public hearings and workshops of the Planning Commission shall be limited to the time period set aside for public comment. The time limits set forth above shall be observed during public hearings and workshops.

4. The requirements set forth in subsection (2) above do not apply to:

- a. An official act that must be taken to deal with an emergency situation affecting the public health, welfare or safety if compliance with the requirements would cause an unreasonable delay in the ability of the Planning Commission to act;
- b. An official act involving no more than a ministerial act, including but not limited to approval of minutes; or
- c. A meeting during which the Planning Commission is acting in a formal quasi-judicial capacity, if other ordinances, policies and/or regulations have been specifically put in place for quasi-judicial proceedings.

5. Individuals who violate the rules of public participation/civility and decorum code for public hearings shall be requested to leave the podium and return to their seat. The use of insulting, threatening, vulgar, or profane language and/or gesturing directed at the Planning Commission, any member thereof or at members of the audience or staff shall not be tolerated. Any such conduct may result in law enforcement officers being summoned to remove such individuals from the meeting.

ARTICLE V. • ORDER OF BUSINESS

1. The normal order of business shall be:
 - a. Call to Order;
 - b. Roll Call;
 - c. Approval of the Minutes;
 - d. Open to the Public (items not on the agenda);
 - e. Announcements;
 - f. Additions, Deletions, or Changes to the Agenda;
 - g. Acceptance of the Agenda;
 - h. Oath Taking;
 - i. Disclosures;

ATTEST:


Brad E. Embry, Clerk of Courts

