

RESOLUTION 2025-A

A RESOLUTION BY THE BOULDER TOWN COUNCIL ADOPTING BYLAWS AND
RULES OF ORDER AND PROCEDURES FOR THE BOULDER TOWN PLANNING
COMMISSION

WHEREAS, The Boulder Town Planning Commission has drafted a set of Bylaws and Rules of Order and Procedures; and

WHEREAS Utah State Code gives Boulder Town Council the power to adopt the Bylaws and Rules of Order and Procedures for the Boulder Town Planning Commission;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF BOULDER TOWN, UTAH, THAT:

1. The attached Bylaws and Rules of Order and Procedures are adopted.

PASSED BY THE BOULDER TOWN COUNCIL THIS ____ DAY OF ____, 2025

Mayor Judy Drain

Councilmember LeFevre _____

Councilmember Ellis _____

Councilmember Gardner _____

Councilmember Veranth _____

BOULDER TOWN PLANNING COMMISSION BYLAWS AND RULES OF ORDER AND PROCEDURES

These Bylaws and Rules of Order and Procedures shall govern the proceedings of the Boulder Town Planning Commission (“Commission”) and shall be consistent with applicable provisions of Utah State Code and Boulder Town Code.

I. Authority and Duties

The Commission shall act on all planning matters that arise within the jurisdiction of Boulder Town as required or permitted by Utah State Code and/or Boulder Town Code.

II. Membership

Section 1. Appointment of Members and Participation– Members of the Commission (“Members”) shall be appointed as provided in the Boulder Town Code.

Section 2. Rights of Members– All Members, including the Chair, shall be entitled to one vote on all matters properly brought before the Commission for action. Proxy votes shall not be permitted. Members must be physically or electronically present to vote.

Section 3. Supporting Staff – The Boulder Town staff shall provide support for the Planning Commission, including support for electronic meetings, posting and public notification as required by Utah State Code of all meetings, recording of meetings, capturing minutes, collection of background information as may be requested by the Commission, and preparation of background materials to be used in Commission deliberations.

Section 4. Members’ Terms – The terms of Members shall be as set forth in the Boulder Town Code.

Section 5. Orientation and Training – Planning Commissioners shall obtain training as required by Utah State Code §10-9a-302. Support staff and the Planning Commission Chair may provide orientation for all new Commission members (including the Alternate) to review these Bylaws and the Boulder Town General Plan.

Section 6. Attendance – Members shall regularly attend Commission meetings. A Member who misses more than three regularly scheduled meetings in a calendar year without notifying the Chair in writing of their inability to attend may be subject to removal from the Commission.

Section 7. Electronic Meetings - According to Boulder Town Code (34.03) any body created by Boulder Town may conduct electronic meetings at the discretion of the presiding officer or by a majority vote of the members. Electronic meetings shall be conducted in accordance with

the requirements of the Utah Open and Public Meetings Act Section 52-4-207. All members present at the anchor location or participating electronically shall be counted for the purposes of establishing a quorum. The notice for the electronic meeting shall indicate the physical anchor location and instructions for how to connect electronically. Staff members or the public who are not physically present may participate in meetings through electronic means.

Section 8. Member Responsibilities – As a Member of the Commission, each member shall be responsible to:

- a. Read and study the agenda and background materials, including staff reports, so they are fully informed about each business item on the agenda prior to the scheduled Commission meeting.
- b. Offer concise comments pertinent to the business item under discussion and attempt to refrain from repetition in comments or speech making.
- c. Act in a courteous and respectful manner to their fellow Members, the Supporting Staff, and the public, during all meetings.
- d. Attend Commission meetings and arrive on time.

Section 9. Removal Proceedings – Removal from the Commission shall be as set forth in the Boulder Town Code.

Section 10. Vacancies – A Member may resign at any time by giving written notice of such resignation to the Mayor and Chair. Resignations shall be recorded in the meeting minutes. Any vacancy during a Member’s term shall be filled as set forth in Boulder Town Code.

Section 11. Compensation and Reimbursement – Members shall receive no compensation for their services except as outlined in the Boulder Town Code.

III. Officers

Section 1. Election of Officers – As the first order of business at the first regularly scheduled Commission meeting in odd numbered calendar years, the Commission shall hold elections for the positions of Chair and Vice Chair from among regular Members by a majority vote of the Members’ present.

Section 2. Officer Terms - Officers shall serve two-year terms and no more than two successive terms.

Section 3. Officer Vacancies – in the case of a resignation or other reason that might cause a vacancy in the position of Chair or Vice Chair, an immediate election shall take place among members to fill the role. The newly elected Officer(s) shall serve out the term of that office. Members filling these vacancies may subsequently be elected to two additional terms as Officers.

Section 4. Duties of the Chair – the Chair is responsible for

- a. Serving as the Presiding Officer of the Commission

- b. Implementing these Bylaws and Rules of Order and Procedure
- c. Coordinating with the Supporting Staff to provide an agenda for each public meeting, and timely reports and other relevant information to the Commission
- d. Executing all official documents and letters of the Commission
- e. Identifying and bringing before the Commission such policy matters as are within the purview of the Commission

Section 5. Duties of the Vice Chair – the Vice Chair is responsible for

- a. Assisting the Chair in all necessary capacities
- b. Assuming the duties and responsibilities of the Chair in all instances where the Chair is not available or is unable to carry out the duties and responsibilities
- c. Identifying and bringing before the Commission such policy matters as are within the purview of the Commission

Section 6. Chair *pro tempore* – In the absence or incapacity of both the Chair and the Vice Chair for a Commission meeting, the Members present at the meeting shall elect a Chair *pro tempore* to serve as Presiding Officer only for that meeting.

IV. Subcommittees

The Chair with the support of the Commission has the prerogative to create subcommittees as deemed necessary to focus on topics requiring more discussion than time permits in a Commission Meeting. Subcommittees may be led by a Commission Member and may also include members of the public. Each Subcommittee is ideally advised by the Planning Commission regarding its task and timelines.

V. Commission Meetings

Section 1. Agendas – The Chair is responsible for preparing and distributing to Members a draft agenda, at least a day and preferably four days ahead of the meeting. Agenda items likely to result in a vote and action by the Commission shall be noted as ACTION ITEMS on the agenda. Unless an emergency situation arises, most topics before the Commission will be openly discussed and debated in at least one meeting before a vote is taken in a subsequent meeting.

Section 2. Adherence to City, State, and Federal Law – Except as provided herein, all meetings shall generally be guided by Roberts Rules of Order-Simplified. With respect to matters of interpretation or applicability of these Rules of Procedure, or applicability of the Roberts Rules of Order-Simplified, a majority of the Commission in attendance shall determine the interpretation. All meetings shall adhere to the Utah Open Meetings Act.

Section 3. Regular Meetings – Meetings shall be publicly noticed and held on the third

Thursday of each month. Annual notice of meeting dates shall be noticed as required by Utah State Code. In addition, dates, times, and locations of meetings shall be posted as required by Utah State Code.

Section 4. Special Meetings – Special meetings may be called by the Chair or Supporting Staff, with the consent of the Chair, at any time, provided that a preferred seventy-two (72) hours’ notice (minimum of twenty-four (24) hours’ notice) is given to each Member before the meeting is held and notice is given as required by Utah State Code.

Section 5. Meeting Cancellation – Notice of cancellation of a meeting shall be posted as required by Utah State Code. If a meeting is rescheduled the new meeting time, date, and location shall be posted as required by Utah State Code.

VI. Meeting Procedures

Section 1. Agenda Order – The order of business at the regular meeting shall follow the noticed agenda. The Chair, with the consent of the Commission, by a majority vote, or upon recommendation of the Supporting Staff, may consider matters out of the agenda order.

Section 2. Quorum – A quorum shall consist of a majority of the Members present both physically and electronically and shall be necessary to conduct any business of the Commission.

Section 2. Motions – A matter for decision will be placed before the Commission by motion made by any Member present at the meeting. Any Member may second a motion. A majority vote by the present Members in favor of a motion shall carry the motion.

Section 3. Public Hearings – Any topic or application addressing a land use issue and requiring a public hearing under either Utah State Code or Boulder Town Code shall be noticed as such on the meeting agenda. Specific requirements for a hearing are as follows:

- a. Support staff will post notice 10 days in advance of the hearing, providing the topic, issue, date, time, and location of the Public Hearing.
- b. The Commission will vote to close their regular meeting and open the Public Hearing.
- c. The Chair may call on the Support Staff to provide an overview and their recommendations.
- d. If the hearing involves an application, the Chair may then invite the applicant to give a short presentation if appropriate.
- e. The Chair will then invite members of the public to offer comments expressing their support or opposition. The chair may limit the time per speaker when necessary. Each speaker will:
 - Before talking, give their full name.

- Confine their comments to essential points bearing on the topic or application.
 - Make no personal attacks
- f. The Chair reserves the right to cease any presentation of information that has already been presented and acknowledge that it has been noted in the public record, to stop any speaker making personal attacks, and to stop applause or public outbursts.
 - g. The Chair may allow the applicant, if applicable, to respond to new issues or questions raised by other parties, not to exceed five (5) minutes.
 - h. The Commission will move to close the Public Hearing and return to the Regular Meeting.
 - i. Members may continue to discuss the topic at hand. Following this discussion, a motion must be made and seconded, which may include: Approval, Approval with Conditions, Denial, a Recommendation to the Council (as appropriate), or Continuation of the item with or without a specific date. The recommendation shall include reasons for the decision and cite appropriate supporting documentation.
 - j. A decision of the Commission on any topic shall be documented in writing by the Supporting Staff and shall include reasons for the decision.

VII. Ethics and Conflicts of Interest

Section 1. Compliance -All Members shall abide by Utah State Code and annually complete any necessary volunteer forms, documents, and training.

Section 2. Voting/ Recusal—A member of the Commission who has a conflict of interest as defined by Utah State Code and/or Boulder Town Code shall declare the conflict as required by Utah State Code and recuse themselves from the agenda item relating to the conflict. The Chair shall announce the recusal for the record.

VIII. Amendments and Adoption

These Bylaws and Rules of Order and Procedure shall be reviewed and approved by the Boulder Town Council before they become effective and may be amended upon approval by the Council.