County Planning

CUYAHOGA COUNTY
PLANNING COMMISSION

BYLAWS Adopted: May

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Attachment—Map of CCPC Regions

CUYAHOGA COUNTY

PLANNING COMMISSION

BYLAWS

ARTICLE 1 - AUTHORITY

The Cuyahoga County Planning Commission ("CCPC") was established by the Board of County Commissioners of the County of Cuyahoga, Ohio, pursuant to Ohio Revised Code (ORC) Section 713.22, by its Resolution No. 883131, adopted August 1, 1988.

ARTICLE 2 - DEFINITIONS

Wherever used in these Bylaws, the following terms have the meanings indicated which are applicable to both the singular and plural thereof unless such meaning is clearly precluded by the context in which the term is used.

CCPC. The Cuyahoga County Planning Commission.

Board. The Board of County Commissioners.

Charter. The Charter of the County of Cuyahoga, Ohio, adopted November 3, 2009 and effective January 1, 2010.

County. The County of Cuyahoga, Ohio.

County Council. The County Council of the County of Cuyahoga, Ohio.

County Executive. The County Executive of the County of Cuyahoga, Ohio.

Region. A geographic planning region of contiguous communities, as defined in Article 4 of these Bylaws.

Organizational Meeting. The CCPC meeting defined in Section 6.01 of these Bylaws.

ARTICLE 3 - POWERS AND DUTIES

The powers and duties of the CCPC are specified in Ohio Revised Code (ORC) Sections 307.07, 307.152, 711.10, and 713.22 through 713.26.

ARTICLE 4 - REGIONS

The eight (8) Regions shall be as defined in the Board of Cuyahoga County Commissioner's Resolution No. 890920. The CCPC may redefine the Regions from time to time as the CCPC determines necessary and appropriate. A copy of the map delineating the boundaries of the eight (8) regions is

attached hereto and incorporated into these Bylaws.

ARTICLE 5 - MEMBERS

5.01 ***Number of Members; Selection and Appointment.*** The CCPC shall consist of eleven (11) members, and shall be selected and appointed as follows:

A. In accord with ORC Section 713.22, BOCC Resolution 885327 (Dec 23, 1988), and other applicable provisions, one chief elected official from the following seven (7) CCPC Regions shall be appointed by the County Executive:
   1. Chagrin/Southeast Region;
   2. Cuyahoga Region;
   3. Heights Region;
   4. Hillcrest Region;
   5. Southcentral Region;
   6. Southwest Region;
   7. Westshore Region.

B. The chief elected official from the City of Cleveland shall select the member to represent the Cleveland Region on the CCPC.

C. The Cuyahoga County Executive shall be a member of the CCPC.

D. Two (2) members of the Cuyahoga County Council appointed by the President of the Cuyahoga County Council.

5.02 ***Term of Membership.*** A CCPC member shall serve for a period of three (3) years.

5.03 ***Vacancies.*** Vacancies on the CCPC shall be filled in the same manner as the original appointments, as set forth in Section 5.01, above.

5.04 ***Alternates.*** A CCPC member may designate an alternate in accordance with this Section 5.04A. In the absence of the CCPC member making such a designation, an alternate designated and approved in accordance with this Section shall have the right to vote and participate in all proceedings and actions of the CCPC as if a member of the CCPC.

A. ***Designation and Approval of Alternates.*** Any of the seven (7) CCPC members appointed by the County Executive desiring to designate an alternate shall send a letter of appointment to the County Executive designating the individual to serve as the member's alternate. The County Executive shall either approve or disapprove the designation within five (5) days of receipt of such notice. Upon approval of the designation, the County Executive shall forward the CCPC member's letter to the County Council, which shall either approve or disapprove the designation at its next regular meeting. The County Council Clerk shall

notify the CCPC member of the County Council's decision and the CCPC member shall so inform the alternate.

The County Executive and the two CCPC members appointed by the President of the Cuyahoga County Council may designate an alternate to serve on their behalf. The alternate of the County Executive and the alternates of the two CCPC members appointed by the President of the Cuyahoga County Council shall be made by sending a letter of appointment to the alternate and delivering a copy of that letter to the Executive Director of the CCPC. At the next regular meeting of the board of the CCPC, the Executive Director of the CCPC shall inform the board of the designation of the alternate, and the board shall have the designation entered into the CCPC's records.

B. ***Removal of an Alternate.*** An alternate serves at the pleasure of the CCPC member who made the designation. An alternate shall be removed by a letter of removal from the CCPC member to the County Executive and County Council; the County Council shall enter such letter upon its record.

C. ***Residency of Alternates.*** All designated alternates shall be residents of Cuyahoga County, and shall remain so during the pendency of their service.

5.05 ***Indemnification.*** Indemnification of CCPC members and approved alternates shall be in accordance with ORC Chapter 2744, or such applicable successor statute.

5.06 ***Expenses.*** CCPC members and approved alternates shall be reimbursed for their actual and necessary expenses from appropriations approved by the County.

5.07 ***Other Public Offices.*** A CCPC member or approved alternate may hold any other public office and may serve as a member of a city, village, or regional planning commission, except as otherwise provided in the charter of any city or village.

ARTICLE 6 – OFFICERS

6.01 ***Officers.*** The CCPC officers shall be the Chairperson and the Vice-Chairperson, who shall be CCPC members.

6.02 ***Selection of Officers.*** The CCPC officers shall be elected annually at the CCPC Organizational Meeting described in Section 7.01, below. The sequence of the election shall be the Chairperson and then the Vice-Chairperson. Open nominations shall be put forth and a majority roll call vote of the CCPC members or approved alternates in attendance at the meeting shall be required to elect an officer. The nomination and voting process shall be repeated as necessary until a nominee receives a majority vote for such office.

6.03 ***Term of Office.*** An officer shall serve until the next succeeding Organizational Meeting.

6.04 ***Removal from Office.*** The CCPC may remove any officer by a majority roll call vote of the CCPC members or approved alternates in attendance at any Regular or Special meeting.

6.05 ***Vacancies.*** Vacant offices shall be filled in the manner specified in Section 7.02.

6.06 ***Chairperson's Duties.*** A Chairperson's duties shall be as follows:

A. To call and preside at all CCPC meetings;

B. To appoint CCPC members to chair the committees established by the CCPC pursuant to Article 8;

C. Cause to have the following done:

1. Notice of Regular and Special meetings to be served on the CCPC members and published as set forth herein;

2. Preparation of the agenda for the CCPC meetings;

3. Records to be maintained on the attendance of CCPC members at CCPC meetings;

4. Minutes of the CCPC meetings to be prepared and served on the CCPC members; and

5. Records to be maintained on the matters considered and of the related itemized vote.

D. Any other duties determined appropriate by a majority roll call vote of the CCPC members or approved alternates in attendance at any Regular or Special meeting of the CCPC.

6.07 ***Vice-Chairperson's Duties.*** The Vice-Chairperson shall assume the duties of the Chairperson in his or her absence.

ARTICLE 7 – MEETINGS

7.01 ***Organizational Meeting.*** The CCPC Organizational Meeting shall be held annually between January 1 and February 28 each year. The Organizational Meeting shall be called to order by the CCPC Chairperson elected at the prior Organizational Meeting.

7.02 ***Quorum.*** The CCPC shall conduct its business at any Regular or Special Meeting only if a majority of the CCPC members or approved alternates are in attendance.

7.03 ***Voting.*** Unless otherwise specified in these Bylaws, a majority roll call vote of a quorum at a meeting shall be required to approve any and all matters under consideration. The vote on each matter considered by the CCPC shall be itemized in the official record of the CCPC.

7.04 ***Regular Meetings.***

A. Regular Meetings of the CCPC shall be held in accordance with the calendar adopted by the CCPC at the Organizational Meeting described in Section 7.01, above. Such calendar shall be posted to the CCPC website and publicized in accordance with ORC Section 121.22 ("Ohio's Open Meetings Law").

B. The CCPC Chairperson shall cause written notice of any Regular Meeting, or cancellation thereof, to be served to the CCPC members not less than five (5) business days prior to the date of such meeting. The notice shall be set via electronic mail and shall include the meeting agenda; provided that any CCPC member may request that such notice be sent via First Class United States Mail, postage prepaid.

C. A CCPC member may request that a matter be added to the agenda of a Regular Meeting at or prior to such meeting.

D. The CCPC shall schedule at least six (6) Regular Meetings annually, including the Organizational Meeting described in Section 7.01, above. At the discretion of the CCPC Chairman or the Executive Director of the CCPC, additional or re-scheduled Regular Meetings may be placed on the CCPC's calendar, provided that all notice requirements detailed herein, are satisfied.

E. Regular Meetings of the CCPC shall be held at the regular place of business of the CCPC.

7.05 ***Special Meetings.***

A. A Special Meeting of the CCPC may be called by the CCPC Chairperson with the approval of two (2) other members of the CCPC, and shall be called by the CCPC Chairperson upon receiving a written request for such a meeting from four (4) members of the CCPC.

B. A Special Meeting of the CCPC shall not require the five (5) day prior written notification specified in Section 7.04, above.

C. The CCPC Chairperson shall make a good faith effort to provide all CCPC members with telephone and written notification of a Special Meeting of the CCPC, including the agenda, time, and location, not less than forty-eight (48) hours prior to such Special Meeting.

D. Notice of any Special Meeting shall be immediately posted to the CCPC website.

E. No business shall be transacted at a Special Meeting of the CCPC on any matter not included on the agenda of said Special Meeting.

7.06 ***Public Meetings; Notice.*** All CCPC meetings shall be noticed and conducted pursuant to Ohio's Open Meetings Law. Specifically, and without limitation, the CCPC shall establish a reasonable method that allows the public to determine the time and place of Regular Meetings, and the time, place, and purpose of a Special Meeting, The CCPC shall notify the media of any Special Meeting at least twenty-four (24) hours in advance of same.

7.07 ***Meeting Minutes.*** Full and accurate minutes of each Regular and Special meeting shall be promptly prepared, and shall include a summary of the meeting's proceedings, specified actions and the reasons therefore indicated in detail, and the vote of each member; such minutes shall include the names of members or alternates in attendance. CCPC meeting minutes shall be posted to the CCPC website upon approval of same by the CCPC.

7.08 ***Meeting Agenda.*** The CCPC meeting agenda shall be set by the CCPC Chairperson and shall include all items received by the CCPC Chairperson from the CCPC committees by the deadline established by the CCPC Chairperson.

7.09 ***Rules of Order.*** All CCPC meetings shall be conducted in accordance with "Robert's Rules of Order."

ARTICLE 8 – EXECUTIVE DIRECTOR

8.01 ***Selection.*** An Executive Director shall be selected and employed by the CCPC and shall be subject to the directions, and serve at the discretion, of the CCPC Board of Directors.

8.02 ***Powers and Duties.*** The Director shall have general executive supervision over the property, affairs, personnel - including hiring, firing, assignment of duties, evaluations and salary level determinations - and finances of the CCPC, and shall be an ex-officio, non-voting member of all committees. The Director shall have such other authority and shall be assigned and perform such other duties as may be determined by the CCPC Board of Directors.

8.03 ***Management.*** The CCPC shall maintain a written job description for the position of Executive Director and all specific duties and authority delegated shall be consistent with the current job description. The Executive Director shall be provided with an annual performance appraisal by the CCPC.

ARTICLE 9 – COMMITTEES

9.01 ***Establishment.*** The CCPC may establish those committees it deems appropriate to conduct its business.

9.02 ***Abolishment.*** The CCPC may abolish any committee which the CCPC has established pursuant to Section 9.01.

9.03 ***Committee Chairs.*** The chairperson of each committee established by the CCPC shall be a CCPC member and shall be appointed by the CCPC Chairperson.

9.04 ***Committee Membership.*** The committee chairperson shall invite CCPC members and/or other persons to serve as members of a CCPC committee. All members of a CCPC committee shall have the same privileges, including voting, on any matter before the committee.

9.05 ***Rules and Procedures.*** The CCPC may establish rules and/or procedures governing the conduct of committee business and the interface of the committee with the CCPC.

ARTICLE 10 - COUNTY ENGINEER

The CCPC shall utilize the services of the County Engineer through the auspices of the Cuyahoga County Department of Public Works in accordance with the Ohio Revised Code Section 713.26.

ARTICLE 11 – AMENDMENT of BYLAWS

Unless such amendment is mandated by federal, state, or county law, these Bylaws may be amended by a majority roll call vote of the CCPC members or approved alternates in attendance at any Regular Meeting of the CCPC. Any amendment to the CCPC's Bylaws that is mandated by federal, state, or county law shall be introduced by the Executive Director of the CCPC at the first available Regular Meeting of the CCPC. The Executive Director shall issue copies of the mandated Bylaw amendments to all members of the CCPC and shall cause all mandated amendments to be incorporated into the current version of the CCPC's Bylaws. Amendments to the Bylaws that are not the mandated by federal, state or county law, shall not be adopted at any Regular Meeting at which it is introduced.

ARTICLE 12 – INTERPRETATION of BYLAWS

Any and all questions regarding the interpretation of these Bylaws shall be referred by the CCPC to the Cuyahoga County Department of Law, and such interpretation shall be final.

Reference Documents:
Ohio Revised Code: 307.07, 307.152, 711.10, 713.22-713.26
BOCC Resolutions: No. 883131, 890920
Cuyahoga County Ordinance No. 02015-004
Cuyahoga County Ordinance No. 02015-005