

RESOLUTION NO. 2018-40

**BYLAWS**  
OF  
THE FERRY COUNTY PLANNING COMMISSION  
AS OF SEPTEMBER 1994

ARTICLE I  
AUTHORITY

The Ferry County Planning Commission was established by the Ferry County Board of Commissioners, here in after referred to as the Board, on June 5, 1961, in accordance with laws prescribed under Chapter 201, Laws of Washington 1959 as codified as Planning Enabling Act RCW Chapter 36.70. These Bylaws are adopted as directed by RCW 36.70.140.

ARTICLE II  
PURPOSE

The Ferry County Planning Commission is an advisory body appointed by the Ferry County Board of Commissioners to provide a balanced representation of the citizen interests of the county, and to advise and make recommendations on land use issues at the local level.

ARTICLE III  
JURISDICTION

The Planning Commission has jurisdiction as delegated by the Board of County Commissioners in Ferry County to prepare and execute a comprehensive plan, and review and make recommendations regarding the adoption of official controls and amendments to the comprehensive plan and implementing ordinances. The Planning Commission is also delegated jurisdiction by the Board of County Commissioners in quasi-judicial areas. Any decision of the Planning Commission may be appealed to the Board of County Commissioners.

The Planning Commission is assigned jurisdiction in Ferry County to:

1. Prepare investigative studies for revisions to the Comprehensive Plan.
2. Prepare data for and coordinate preparation of planning maps of Ferry County.
3. Prepare drafts of regulatory ordinances in support of the Comprehensive Plan.

4. Review citizen petitions for revisions to the Comprehensive Plan.
5. Review citizen requests for variances or appeals of:
  - a. Short Subdivision Ordinance
  - b. Development Regulations Ordinance
  - c. Flood Damage Prevention Ordinance
  - d. Resource Lands and Critical Areas Ordinance
  - e. County planning map revisions
  - f. Binding Site Plan Ordinance
6. Appoint and guide informal study groups of members to investigate issues that may arise and/or draft initial plans and ordinances for subsequent review and action by the Planning Commission.
7. Review and recommend action on citizen proposed amendments to County plans and ordinances for Board of County Commissioner approval of recommended action.
8. Review and monitor proposed and approved land use plans, management rules and their amendments for abutting or intermingled State and Federal lands to assure their coordination and consistency with the County Comprehensive Plan and supporting ordinances. Also monitor proposed and actual changes to State Growth Management Act laws (RCW) and administrative codes (WAC) for changes effecting Ferry County land use planning and private property/water rights. Provide a report of findings with recommendations to the Board of County Commissioners.

ARTICLE IV  
APPOINTMENT AND TERMS OF MEMBERS

**Section 1: Appointment**

The Members of the Commission shall be appointed by the Ferry County Board of Commissioners.

**Section 2: Number**

The Commission shall consist of nine members, three from each Commissioner District.

**Section 3: Term of Office**

Members of the Commission shall be appointed to four year terms expiring December 31.

**Section 4: Vacancies**

Vacancies occurring for any reason other than the expiration of the term shall be filled by appointment for the unexpired portion of the term. Vacancies shall be filled from the same Commissioner District as that of the vacating member.

**Section 5: Interim Members**

If after advertising for vacancies on the Planning Commission, the Board of County Commissioners is unable to appoint the allotted three members from each district due to the lack of nominees, the Board of County Commissioners may appoint at large interim members for a period of up to 1 year, until such time as a volunteer in the designated district comes forward. The term for Interim Members of the Commission for the first year will be appointed until December 31, 2007. Thereafter, the interim term would be from January 1<sup>st</sup> to December 31<sup>st</sup>.

**Section 6: Removal**

Any appointee member of the Commission may be removed by the Chairman of the Board, after public hearing, with the approval of the Board, for inefficiency, neglect of duty, or malfeasance in office.

ARTICLE V  
PLANNING COMMISSION OFFICERS AND THEIR DUTIES

**Section 1: Designations**

Each Commission shall elect its chairperson and vice chairperson from among the appointed members for a term of one year. The Planning Director shall appoint a secretary who need not be a member of the Commission.

**Section 2: Chairperson**

The chairperson shall preside at all meetings of the Commission, assure proper order of the Commission, and represent the Commission before legislative and administrative bodies.

**Section 3: Vice Chairperson**

Vice chairperson shall perform all of the chairperson’s duties in the absence of the chairperson.

**Section 4: Chairperson Pro Tem:**

When both the chairperson and vice chairperson are absent from a hearing or meeting, the remainder of the citizen members of the Planning Commission shall elect a chairperson pro tem from among their own number by majority vote.

**Section 5: Secretary**

Secretary shall be the Planning Director or designee. It shall be the duty of the secretary to prepare all official instruments of the Planning Commission as well as the notices and minutes of the Commission meetings, assure the proper indexing of all Planning Commission documents and the proceedings of all meetings, resolutions, transactions, findings, notices, and determinations of the Planning Commission.

ARTICLE VI  
MEETINGS OF THE PLANNING COMMISSION

**Section 1: Regular Meetings**

Regular meetings of the Ferry County Planning Commission shall be held monthly at the Ferry County Planning Department, Republic, Washington, on the third Wednesday of each month at 5:00 p.m.

**Section 2: Special Meetings**

Special meetings of the Planning Commission may be held upon the call of the Commission Chairperson, the Planning Director, or a majority of the members. Notification of such meetings are to be given in writing, at least 24 hours prior, to all Commission members and the media. The notice shall contain the place, time and nature of the business to be transacted at the special meeting. Action at special meetings is limited to matters identified on the agenda published in the notice.

**Section 3: Executive Session**

The commission may hold an executive session per strict accordance with state law including RCW 42.30.110. This shall be a noticed official meeting whose topics of deliberation are truly confidential in nature. This meeting shall be closed to the public, there shall be neither deliberation nor vote on adgendized items before the Commission.

**Section 4: Public Review**

All meetings of the Commission shall be open to the public. Before recommending an official document or amendment to the Board for adoption, the Commission shall hold at least one public meeting to address the matter and to give the public a chance to comment.

ARTICLE VII  
ORDER OF REGULAR MEETING

**The procedural order of all regular meetings shall be as follows:**

- Chairperson shall call the meeting to order and determine a quorum.
- Approve the minutes of the previous meeting.
- Review items carried over from a previous agenda.
- Address items on the present agenda.
- Discuss other business.
- Schedule the Planning Commission calendar and announce future meetings.
- Chairperson may adjourn the meeting.

ARTICLE VIII  
FORM AND CHARACTER OF MOTIONS

**Section 1: Robert's Rules of Order**

The form and character of motions shall conform to those offered within Robert's Rules of Order, Revised, except as specified below.

**Section 2: Proposal of Motion**

Upon review of the full public record and due deliberation among the members of the Planning Commission, any of its members, except the chairperson, may make a substantive motion. The motion shall include not only direction (Approval, Approval with specified conditions, or Disapproval) but also a recitation of findings which support the motion.

**Section 3: Second of Motion**

A second, citing compatible findings shall be required.

**Section 4: Findings in support of Motion**

Other Commission Members may support the motion with other compatible findings.

**Section 5: Death of Motion**

A motion shall die for lack of second.

**Section 6: Defeat of Motion**

Where a motion to disapprove an item has been defeated, a member of the planning commission initially in opposition may make a motion to approve or approve with conditions.

ARTICLE IX  
QUORUM AND VOTING REQUIREMENTS

**Section 1: Quorum**

A majority of the appointed citizen members of the Planning Commission shall constitute a quorum. A quorum shall be present for the transaction of any business that may be presented at any monthly or special meeting of the planning Commission.

**Section 2: In Lieu of Quorum**

In the event a decision must be made in a timely manner, the Planning Director can, after consulting with a majority of the members, decide on an issue, not including resolutions or ordinance changes.

**Section 3: Majority Vote Required**

A. A majority of a quorum of the Planning Commission shall be required to pass a motion on any action other than as stated in (B.) below.

B. When voting to forward a draft legislative proposal to the Board of County Commissioners, including amendment to the Comprehensive Plan or to its implementing development regulations, the action will require an affirmative vote equal to a majority of the total number of current members of the Commission.

**Section 4: Record of Voting**

A written record of all votes taken shall be noted as the number of yes votes and the number of no votes. Any person voting that wants to have his or her name noted may so request.

**Section 5: Tie-breaking Vote**

The Chairperson shall vote only in the event of a tie.

**Section 6: Abstention**

A written record of abstention from voting shall be noted but not counted in the determination of a motion. Any person abstaining may request to have his or her name noted.

**Section 7: Disqualification**

Any member who disqualifies his or her self on the basis of the appearance of fairness shall not be counted in a majority.

ARTICLE X

INSTRUMENTS AND DOCUMENTS OF THE PLANNING COMMISSION

**Section 1: Official Instruments**

The official instruments of the Planning Commission are the record of notice, the agenda, and the minutes of hearings and meetings. Where in special cases the Planning Commission wishes to provide advice to the Board of County Commissioners or Planning Director, it may do so by resolution.

**Section 2: Materials of Record**

Any and all materials submitted to the Planning Commission regarding an item shall be entered into the public record by motion to "Accept for the record."

**Section 3: Documents**

All notices, agendas, requests, agency or consultant letters or reports, citizen petitions, staff reports, minutes of meetings, and resolutions shall constitute the documents of the Planning Commission and shall be indexed as a matter of record.

ARTICLE XI  
CONDUCT OF THE MEMBERS OF THE PLANNING COMMISSION

**Section 1: Preparation**

Members of the Planning Commission shall take such time as to prepare themselves for meetings and hearings.

**Section 2: Absences**

Any citizen member of the Planning Commission absent from three consecutive regular meetings or any four regular meetings within a calendar year without being excused by the chairperson or Planning Director, may be removed for cause by the Board after a public hearing.

**Section 3: Conflict of Interest**

A Planning Commission member with a conflict of interest in an item before the Commission must state that a conflict of interest exists and withdraw from participation in the public hearing, working session, special meeting, or regular meeting on that item. The interests of that Planning Commission member may be represented before the Planning Commission by a specifically designated representative or legal agent at the public hearing or working session, and testimony entered into the public record.

**Section 4: Removal**

Participation of a Planning Commission member under cloud of a conflict of interest is cause for removal.

ARTICLE XII  
CONDUCT OF PERSONS BEFORE THE PLANNING COMMISSION

**Section 1: Relevant Comment - at Hearings**

During all public hearings and working sessions, members of the public shall be given equitable opportunity to speak. Comments should be addressed to the item before the Planning Commission. Where a comment is irrelevant, inflammatory, or prejudicial, the chairperson may instruct the Planning Commission to “disregard” the comment, which nevertheless remains in the public record.

**Section 2: Invitation to Comment - at Meetings**

During all regular and special meetings of the Planning Commission, the public may be present but shall be recognized by the chairperson before providing comment.

**Section 3: Orderly Conduct - at all Proceedings**

During all Planning Commission proceedings, members of the public have the obligation to remain in civil order. Any conduct which interferes with the equitable rights of another to provide comment or which interferes with the proper execution of Commission affairs may be ruled by the chairperson as “out-of-order” and the offending person directed to remain silent. Once having been so directed, if a person persists in disruptive conduct, the chairperson may entertain a motion to “eject” the offending person from the Planning Commission hearing or meeting. Where the person fails to comply with successful motion to eject, the chairperson may then call upon civil authority to physically remove the individual from the chamber for the duration of the meeting or deliberation on that item.

ARTICLE XIII

SEVERABILITY

Should any article of the planning commission bylaws be found to be illegal, the remaining articles shall remain in effect.

ARTICLE XIV

ADOPTION AND AMENDMENT OF BYLAWS

**Section 1: Action by Planning Commission**

A recommendation to the Board of County Commissioners to adopt or amend the bylaws shall be made by a vote of the majority of the citizen members of the Planning Commission.

**Section 2: Legal Review and Hearing**

Bylaw adoption or amendment shall be made following review by the legal counsel and public hearing held by the Board of County Commissioners.

**Section 3: Effect**

Adoption or amendment of bylaws shall take effect immediately following approval by the Board of County Commissioners.



APPROVED this \_\_\_ day of August, 2018.

FERRY COUNTY BOARD OF COMMISSIONERS  
FERRY COUNTY, WASHINGTON

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Johnna Exner, Chairman

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Nathan Davis, Member

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Mike L. Blankenship, Member

ATTEST:

APPROVED AS TO FORM:

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Amanda Rowton,  
Clerk of the Board

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Kathryn Burke,  
Prosecuting Attorney