

# **ESTES PARK PLANNING COMMISSION BYLAWS [ADOPTED 01/2022]**

## **I. ROLE**

The Estes Park Planning Commission (EPPC) is established under section 2.1(C) of the Estes Park Development Code. The EPPC exercises the authority given to it by the Town Board as outlined below:

1. Perform all of the duties and responsibilities of a municipal planning commission pursuant to Colorado law; and
2. Perform all of the duties and responsibilities of the EPPC as described in the Estes Park Development Code; and
3. Make recommendations to Town Board regarding the Town's Comprehensive Plan, provided that final adoption of the Comprehensive Plan shall be at the discretion of the Town Board.

"Chair" in the remainder of this document will refer to the Chair of the EPPC.

## **II. MEETINGS**

- A. *Regular Meetings.* Shall be held the third Tuesday of each month, with additional meetings scheduled as needed. Regular meetings shall occur at 1:30 p.m. Any item on the agenda which cannot be heard and considered by the conclusion of the meeting may be continued until and heard at the next regularly scheduled meeting or a specially scheduled meeting and shall have priority over any other matters to be heard and considered.
- B. *Study Sessions.* Study sessions of the EPPC may be scheduled by the Chair or the Community Development Director as needed. Such meetings shall occur at 11:00 a.m. or another time specified by the Chair or Community Development Director. No official action shall be taken and no quorum shall be required for the study session. The study session shall be open to the public. Unless requested by the Chair, no public comment shall be taken in a study session.
- C. *Special Meetings.* May be held at any time upon call by the EPPC, the Chair or the Community Development Director. Notice of at least three (3) calendar days shall be given to each member of the EPPC. The time, place, and purpose of the special meeting shall be specified in the notice to the Commissioners. Should a special meeting be scheduled, notification must be provided to the EPPC Secretary in an effort to adequately notify the public in accordance with the State of Colorado Open Meetings Law Section 24-6-402(2)(c) C.R.S.

- D. *Cancellation of Meetings.* Regularly scheduled meetings of the EPPC may be cancelled or rescheduled upon determination by the Chair. Any cancelled meeting requires notification to the Community Development Director in an effort to adequately notify the public.
- E. *Meeting Procedures.* Chair shall preside in accordance with generally accepted norms for the conduct of parliamentary procedure. The EPPC may overturn a parliamentary determination of the Chair by majority vote. Robert's Rules of Order may be considered as a parliamentary guide.
- F. *Open Meetings.* All meetings and action of the EPPC shall be in full compliance with state statutes governing open meetings, as amended and incorporated herein by reference. It is the responsibility of the assigned staff member of Community Development to be familiar with these statutes and regulations.
- G. *Attendance by Non-members.* Meetings may be attended by persons who are not members of the EPPC. At the discretion of the Chair, non-members may be allowed to speak at meetings. However, in no event shall non-members be allowed to vote on matters for which a vote is required.

### **III. MEMBERS AND QUORUM**

- A. *Membership.* The EPPC consists of five (5) voting members, as provided in the Development Code. Appointments of members shall be made by the Town Board in accordance with Policy 102.
- B. *Terms.* Members shall be appointed to a six (6) year term. The terms of the members shall be staggered so that the terms of an equal number of the members, or as equal a number as possible, expire on the last day of March every two years, as described in section 31-23-203(3), C.R.S. There are no term limitations, and members may be reappointed by the Town Board in accordance with Policy 102.
- C. *Vacancies.* Vacant positions shall be filled by appointment by the Town Board for the unexpired portion of the term of the position to be filled.
- D. *Quorum.* A quorum for transaction of business of the EPPC shall consist of 3 members of the EPPC. This is the minimum number of members required to be present to open a meeting and conduct business.
- E. *Action.* Any action by the EPPC shall be by majority vote of the members attending any regular or special meeting at which a quorum is present, unless otherwise provided by law or ordinance. A tie vote shall constitute failure of the motion on the floor.

- F. **Town Board Liaison.** The Town Board may appoint one of its members as a liaison to the EPPC, who shall receive copies of all notices, documents, and records of proceedings of the EPPC which any member would also receive.

#### **IV. OFFICERS**

- A. **Officers.** There shall be a Chair and a Vice-Chair as elected by the EPPC.
- B. **Elections.** Officers shall be elected by the members annually, at the regularly scheduled meeting in April of each year. Officers shall be members of the EPPC. Notification of who is elected Chair and Vice-Chair will be sent to the Town Clerk.
- C. **Chair Responsibilities:**
1. Preside at all meetings
  2. Ensure that all meetings are conducted with decorum and efficiency
  3. Call special meetings in accordance with the bylaws
  4. Authority to cancel a meeting
  5. Sign any documents prepared by the EPPC for submission to the Town Board or Town departments
  6. Represent the EPPC in dealings with the Town Board or other organizations
  7. The Chair has the same right as any other member of the EPPC to vote on matters before the EPPC, to move or second a motion, and to speak for or against proposals.
- D. **Vice-Chair Responsibilities:**
1. Assist the Chair as requested
  2. Accept and undertake duties delegated by the Chair
  3. Preside over meetings or perform other duties of the Chair in the event the Chair is absent or unable to act.
- E. **Chair Pro Tem.** In the absence of the Chair and Vice-Chair at a given meeting, the Commission may elect a voting member to serve as Chair for the duration of that meeting.

#### **V. STAFF ROLE**

An assigned staff member of Community Development is responsible for proper notification of meeting, preparation and distribution of agenda, assembly of packet and minute taking for all meetings.

#### **VI. ATTENDANCE**

Regular attendance by the members of the EPPC is expected. In the event any member misses three (3) consecutive regular meetings or a total of four (4) regular meetings in a calendar year, the Town Board may remove its appointed member for neglect of duty and designate a new member to fill the vacancy.

## VII. GENERAL PROVISIONS

Recommendations for amendments to these bylaws may be adopted at any regular or special meeting of the EPPC by a majority of the membership of the EPPC provided that notice of such possible amendments is given to all members at least five (5) days prior to the meeting at which action is to be taken. Any amendments shall be subject to approval by the Town Board.

## VIII. COMPLIANCE WITH TOWN POLICIES

- A. In addition to these bylaws, the EPPC shall operate in compliance with the adopted Town Board policy on Town Committees, Policy 102, as amended. The terms of this policy are incorporated into these bylaws by this reference. A copy of the policy, along with these bylaws, shall be provided to each member at the time of their appointment.
- B. Failure to comply with applicable Town policies may be grounds for an official reprimand or censure by the EPPC and/or a recommendation to the Town Board for removal.

## IX. CONFLICT OF INTEREST

All members of the EPPC are subject to the standards of conduct under the State of Colorado Code of Ethics, Sections 24-18-101 et seq., C.R.S., and Article XXIX of the Colorado Constitution (Amendment 41). At the time of introduction of an individual item on the EPPC agenda in which the member has a conflict of interest, the member shall state that a conflict of interest exists and then abstain from participating and voting on the matter. A member having a conflict of interest on any matter shall not attempt to influence other members of the EPPC at any time with regard to said matter.

Adopted this 25<sup>th</sup> day of January, 2022.  
ESTES PARK BOARD OF TRUSTEES

By: Mandy Fenig  
Mayor