

ADVISORY COMMITTEE BYLAWS

A. Zoning Advisory Committee Creation.

The Planning and Zoning Commission may, by resolution, establish a Zoning Advisory Committee for each Zoning District.

B. Members.

The Zoning Advisory Committee shall consist of five members, appointed by the Planning and Zoning Commission.

To serve on the Committee the member must be a landowner within the Zoning District the Committee is formed to advise upon **or** the member's primary residence must be within the Zoning District the Committee is formed to advise upon.

C. Removal of Members.

The Planning and Zoning Commission may remove members from the Advisory Committee prior to the expiration of their term by a majority vote if the member has been found to have violated these bylaws, due to repeated absenteeism of the member, **or** for any other behavior or action of the member that hampers the Committee's ability to function consistently with these bylaws or Montana State Law.

D. Role and Duties.

The Advisory Committee shall have the opportunity to consider, formulate, and transmit a recommendation on all Conditional Use Permits, Variances, Planned Unit Developments, Zone Text Amendments, Zone Map Amendments, and Interpretation of Use Classifications within the Zoning District.

The Advisory Committee recommendation shall be advisory only and shall not be binding upon the Planning and Zoning Commission or the County Commission.

The inability of an Advisory Committee to formulate a recommendation or convene a quorum of its members to hold a meeting shall not prevent the Planning and Zoning Commission or County Commission from taking action on a matter.

E. Open Meetings.

All meetings of the Advisory Committee shall be open to the public in accordance with the Montana Open Meetings Law, Section 2-3-201 through 2-3-221, MCA. Published Notice of Advisory Committee meeting dates and times shall be given.

F. Term.

Advisory Committee members shall be appointed for two-year staggered terms.

Initially, two members shall be appointed for one-year terms and three members shall be appointed for two-year terms.

G. Oath of Office.

Upon appointment, Advisory Committee members shall take a statutory oath, supporting and defending the Constitution and laws of the State of Montana, to support the Zoning Regulations, to disclose any personal economic interest in any matter coming before the Advisory Committee, to disqualify themselves from participation in any matter should there be a conflict of interest, and to comply with the law as they interpret and make recommendations on the applicable plans, policies, and Zoning Regulations.

H. Conflict of Interest.

If a transaction in which a member has a tangible or intangible, financial or personal interest as a result of any matter coming before the Committee, the member must:

- a. not communicate about the matter with any person who will participate in any action to be taken on the matter.
- b. disqualify themselves from acting on the matter
- c. publicly disclose on the record of the Board the existence of such interest; and
- d. not engage in deliberations or voting concerning the matter.

I. Elections.

Officers shall be elected at the first regular meeting in each calendar year, and shall serve until the first regular meeting in the following calendar year.

J. Chair.

The Board shall elect a Chair who shall conduct all meetings and business of the Committee. The Chair, being a co-equal member of the Committee, shall in addition to presiding, have a right to participate in debate and shall vote on all motions.

K. Vice Chair.

The Committee shall elect a Vice Chair who shall conduct all meetings and business of the Committee in the Chair's absence.

L. Regular Meetings.

Regular meetings will be held monthly or as necessary.

Regular Meetings shall be held at a public location with the ability for digital participation (web and/or telephone audio available) within the Zoning District the Advisory Committee is formed to advise upon. This meeting location can be changed by a majority motion by the board.

All meetings will be recorded.

Minutes will be taken, reviewed and a motion by a quorum obtained for adoption.

M. Special Meetings.

Special meetings shall be at the call of the Chair, the request of the Planning and Zoning Commission, or the request of three (3) members.

N. Quorum.

Three (3) Members constitute a quorum for all meetings. However, if there is less than a quorum, the Committee may take testimony and discuss matters. A recommendation without a quorum will be neither an approval nor a denial. Official recommendations will only take place at a meeting where there is a quorum.

O. Manner of Action.

An act of a majority of the Members present at a meeting at which a quorum is present shall be the act of the Committee, except where otherwise provided by law or by these Bylaws. There is no proxy voting.

P. Amendments of Bylaws.

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by the affirmative vote of three (3) of the Members present at any meeting, if at least two weeks written notice is given of the intention to alter, amend or repeal or to adopt new bylaws at such meeting. Any amendment must subsequently be approved by the Commission.

Q. Approval of Bylaws.

These Bylaws were approved by the Committee on [Date] in a regularly scheduled and noticed meeting and submitted to the Planning and Zoning Commission for its approval.