

BY-LAWS AND RULES OF PROCEDURE
OF
THE OTTAWA REGIONAL PLANNING COMMISSION

AS

ADOPTED ON AUGUST 18, 1964

AND

SUBSEQUENTLY AMDNDED:

January, 1967

November, 1970

April, 1971

March, 1972

November, 1976

May, 1978

March, 1982

May, 1985

December, 1992

October, 1997

June, 2000

February, 2014

The Ottawa Regional Planning Commission
315 Madison Street, Room 107, Port Clinton, Ohio 43452

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PREAMBLE

By virtue of the adoption of a Resolution of Cooperation by the Board of County Commissioners of Ottawa County, Ohio, and by the planning commissions and legislative bodies of the municipalities and townships within Ottawa County, Ohio, there has been created a Regional Planning Commission vested with powers given to regional planning commissions under the laws of the State of Ohio, particularly Revised Code, "R.C.," 713.21 et seq. Subject to the provisions of all applicable statutes, and in order to carry out the duties and functions of the Regional Planning Commission vested in it by virtue of the Resolution of Cooperation and the statutes of the State of Ohio, particularly R.C. 713.23, it hereby is determined to be necessary and desirable that the following By-laws be adopted.

In 2014 these by-laws underwent a comprehensive revision. Dates of revision for sections of these by-laws are not included within each section, except for Sections VII and XII where such references are included. Sections VII and XII were not revised in 2014. As a result, the names of certain entities may differ in these sections from the remainder of these by-laws (i.e., the Ottawa Regional Planning Commission will be referred to as the Commission throughout these by-laws, except in Section XII where it is called the Regional Planning Commission).

SECTION I – NAME

The name of the Commission shall be the "Ottawa Regional Planning Commission" hereafter referred to as "the Commission."

SECTION II – REGION

The region for which the Commission shall be created and maintained is all of Ottawa County, Ohio, and adjoining counties or parts thereof, and municipalities located in said county, and adjoining counties, or parts thereof exclusive of any territory within the limits of a municipal corporation not having a planning commission, hereafter referred to as "the Region."

SECTION III – MEMBERSHIP

The Commission shall consist of the following members:

- A. Ottawa County Officials and Other County Officials; hereafter referred to as "county officials."
 - 1. Each of the following officials of Ottawa County and any cooperating county officials shall serve on the Commission during his/her tenure in office:

- a. County commissioners
 - b. County engineer
 - c. County health commissioner
 - d. County extension agent – agriculture
 - e. County sanitary engineer
 - f. County superintendent of schools
2. Each county official (except the county commissioners) shall designate a staff assistant (or citizen member of an associated committee) as an alternate, hereafter referred to as “Alternate County Official Member.”
 3. In the event that any county official position (other than the county commissioners) is unfilled, then the Alternate County Official Member shall serve on the Commission as a regular member and shall designate an alternate, until said position is filled. In such an event, the Alternate County Official Member shall have the same rights and privileges of the county official.
 4. If a county official or regular member pursuant to Section III (A)(3), and not including the county commissioners, is absent from any Commission meeting then the Alternate County Official Member shall represent said official. In such an event, the Alternate County Official Member shall have the same rights and privileges of the county official.

B. Municipal Members

1. The mayor of each municipal corporation having adopted a resolution of cooperation with the Commission shall appoint representative(s), hereafter referred to as “Municipal Member(s),” and alternate(s), hereafter referred to as “Alternate Municipal Member(s),” to the Commission. The municipal corporation’s legislative body shall approve these appointments for such term as the municipal corporation’s mayor, planning commission or legislative body elect.
2. Each municipal corporation shall be entitled to one Municipal Member for every 5,000 population (according to the latest Federal Census) with no more than three Municipal Members representing a municipal corporation.
3. If a Municipal Member is absent from any Commission meeting then the Alternate Municipal Member shall represent said Municipal Member. In such an event, the Alternate Municipal Member shall have the same rights and privileges of the Municipal Member.

C. Township Members

1. The board of township trustees of each township having adopted a resolution of cooperation with the Commission shall appoint a representative, hereafter referred to as "Township Member," and an alternate, hereafter referred to as "Alternate Township Member," for such term as the board of township trustees elect.
2. If a Township Member is absent from any Commission meeting then the Alternate Township Member shall represent said Township Member. In such an event, the Alternate Township Member shall have the same rights and privileges as the Township Member.

D. Citizen Members

1. The Ottawa County Board of Commissioners, hereafter referred to as "Ottawa County Commissioners," shall appoint nine resident citizens of Ottawa County, hereafter referred to as "Citizen Members," for a three year term commencing on the 1st day of January. The terms shall be arranged so that the terms of three members will expire each year, except that in the first year two members' terms will expire.
2. Citizen Members shall represent from among the following areas:
 - a. Agriculture
 - b. Banking and finance
 - c. Industry
 - d. Labor
 - e. Law
 - f. Public utilities
 - g. Education
 - h. Religion
 - i. Transportation - trucking
 - j. Real estate
 - k. Insurance
 - l. Commercial
 - m. Recreational
 - n. Chamber of commerce
 - o. Retail merchandising

E. Government Official Members

1. The Commission may appoint by resolution of the executive committee various other officials, hereafter referred to as "Government Official Members," from the state of Ohio, and federal government having authority over Ottawa County (or any cooperating county or similar official governmental body).
2. These Government Official Members will function as full voting members, eligible to serve as executive officers and other officers of the Commission subject to the provisions set forth in Section III and Section V.

F. Non-Voting Members

1. Ex-Officio Members

- a. Representatives of municipalities and townships which have not adopted a resolution of cooperation with the Commission, hereafter referred to as "Ex Officio Members," and alternates selected for said members, hereafter referred to as "Alternate Ex Officio Members," shall have the rights and privileges of other Commission members, except they may not vote.
- b. Ex-Officio Members shall be designated as set out in Section III (B) and (C).

2. Other Non-Voting Members

The Commission may appoint by resolution of the executive committee representatives, hereafter referred to as "Other Non-Voting Members," who would meet the definition of Government Official Members except their agency prohibits them voting in the Commission. Other Non-Voting Members shall function as do all other Commission members, except they may not vote.

G. Vacancies – Manner of Reappointment

1. Any Commission member vacancy shall be filled for the unexpired term in the same manner in which said member was originally appointed, except as provided under Section III (A)(3).
2. Where not prohibited by Ohio law, the Commission, by majority vote, may dismiss from the Commission any member who is absent for three consecutive executive, regular or special meetings, and that person shall not be counted in the numerical requirements of a quorum. A successor for said member shall be appointed in the same manner as provided in the Section III (G)(1). An absence excused by the Director (from a regular commission meeting) or the President (from any meeting) shall not count as an absence under this section.
3. If the Commission dismisses any member for nonattendance, the Commission Secretary, hereafter referred to as "Secretary," shall notify the participating body of their member's dismissal, and request a reappointment of a new member.

SECTION IV – POWERS AND DUTIES OF THE COMMISSION

The Commission shall have all powers and duties now or hereafter provided by law for regional planning commissions, which include but are not limited to the following:

A. Land Regulation

1. The Commission shall regulate and control the subdivision of land in the unincorporated areas of Ottawa County.
2. The Commission shall adopt general rules, of uniform application, governing plats and subdivisions of land falling within its jurisdiction. These rules shall be called the Ottawa County Subdivision Regulations.
3. The Commission shall provide for a continuing public educational program on planning, and provide personnel to attend meetings for this purpose.

B. Planning

1. The Commission shall have the power and duty to make plans and maps of the region showing the Commission's recommendations for systems of transportation, highways, parks and recreational facilities, water supply, sewerage and sewage disposal, garbage disposal, civic centers and other public improvements which affect the development of the region as a whole, or more than one public improvement which affect the development of the region as a whole, or more than one political subdivision within the region, and in cooperation with the municipal planning commission, which begin and terminate within the boundaries of a single municipality.
2. The Commission may supplement or abolish the maps and plans identified in Section IV(B)(1) at a regular Commission meeting or at an executive committee meeting. And, no maps or plans that begin and terminate within the boundaries of a single municipality may be adopted, changed, supplemented, or abolished without the cooperation of the planning commission of the affected municipality.
3. The Commission may, upon request, undertake for the planning commission of any cooperating municipality, or other political subdivision, the study, planning, mapping, and other report upon public improvements, or the use of land within the boundaries of such political subdivision. Any study, planning, mapping, or other report so undertaken shall be advisory only and subject to adoption of the planning commission involved. In cases where extensive work is involved which necessitates an additional charge to the municipality

or other political subdivision; the amount and manner of payment shall be agreed upon, in writing, prior to commencing such work, between the executive committee and the Commission and the planning commission and legislative authority of such municipality or other political subdivision. See, Section IX(D).

SECTION V – OFFICERS AND COMMITTEES OF THE COMMISSION

A. Commission Officers

1. Executive Officers

- a. The Commission shall have the following executive officers: President, First Vice President, and Second Vice President.
- b. The Commission shall elect executive officers at the December regular Commission meeting. Executive officers shall assume office at the proceeding January regular commission meeting.
- c. Executive officers shall hold office until the last regular meeting of the year they assume office, and until their successors are elected. Executive officers shall be members of the Commission.

2. Other Officers

- a. The executive committee shall appoint a secretary who may be a member, or the director of the Commission, hereafter referred to as the “Director.”
- b. The Commission or the executive committee may appoint or elect such other officers as it deems necessary. These officers shall have the authority and duties assigned to them by the executive committee or the Commission.

3. Nominating Officers

- a. The president shall appoint a nominating committee each year on or before the November regular commission meeting. The nominating committee shall consist of five members, with each of the following represented: Ottawa County Commissioners, Municipal Members, Township Members, and Citizen Members.
- b. The nominating committee shall prepare a list of nominations selected from among Commission members for its executive officers. This list shall be mailed to each Commission member at least seven days before the December meeting.

- c. Any five Commission members may petition for additional nominations. The petition shall be signed by at least five Commission members, and shall be received by the Secretary at least one day before the December meeting.

4. Office Vacancy

The Commission shall nominate and elect a successor to hold office for the unexpired term of any executive office that becomes vacant for any reason. The nominations and election shall occur at the first regular Commission meeting after the vacancy occurs. Nominations shall come from Commission members present at that meeting. The nominee receiving the most votes cast shall be elected.

5. Duties of Executive Officers

a. The President

The President shall preside at all Commission and executive committee meetings, and shall be, ex officio, a member of all standing committees. The President shall sign all written contracts and obligations of the Commission, except to the extent otherwise provided herein. The President shall perform all duties incident to the office, and such other duties the Commission or executive committee may require.

b. The Vice Presidents

- i. The First Vice President shall perform all duties of the president in case of his absence or disability. The Second Vice President shall perform all duties of the first vice president in case of his absence or disability. The vice presidents shall perform all duties the Commission or executive committee request of them.
- ii. If the President and Vice Presidents are absent or unable to perform their duties then the executive committee shall appoint a president pro tempore. Any vacant executive committee member office shall be refilled as provided in Section V (A)(4).

c. The Secretary

The Secretary shall keep or supervise the keeping of the minutes for all Commission and executive committee meetings. The Secretary shall also perform any additional duties the Commission or executive committee may require.

B. Committees

1. Executive Committee

a. Membership

The Commission shall have an executive committee. Membership of the executive committee shall consist of the President, First Vice President, Second Vice President, Secretary, Immediate Past President, one county commissioner from each participating county, and one other commission member. Townships, villages, and citizen members should all be represented on the executive committee whenever possible.

b. Term of Service

- i. Each executive committee member shall serve from the first regular Commission meeting of the year until the last regular commission meeting of the year or until a successor is chosen.
- ii. The president shall fill any executive committee member vacancy for the unexpired term of his predecessor. The Commission shall confirm any such appointment by a majority of Commission members present at the next regular commission meeting following the vacancy.

c. Powers of Executive Committee

The executive committee shall have all powers and duties provided by law, these by-laws, and subject to review by the entire Commission.

d. Adoption of Maps and Plans

- i. When the executive committee adopts, changes, supplements or abolishes any map or plan (as provided under R.C. 713.23 et seq.) then a copy thereof shall be mailed or delivered in person to each Commission member. The Secretary shall make a written record of each mailing or delivery.
- ii. Within 10 days of any mailing or delivery required under Section V (B)(1)(d)(i), any Commission member may serve written demand on the Secretary for a special Commission meeting to review any executive committee action taken under said section. The Secretary shall then call a special Commission meeting not more than 15 days after receipt of such demand.

iii. At a special meeting provided under Section V (B)(1)(d)(ii), a majority of Commission members constituting a quorum, or a unanimous number of Commission members present if there is no quorum, may vote to modify or disprove any action taken by the executive committee provided by Section V (B)(1)(d)(i). If there is no such modification or disapproval then such action of the executive committee shall stand as that of the Commission.

e. Dismissal

The Commission may dismiss by majority vote from the executive committee any executive committee member who is absent for three consecutive executive, regular, or special meetings, and that person shall not be counted in the numerical requirements of a quorum. A successor of said member shall be appointed in the same way as provided in Section V (A)(3). An absence excused by the Director (from a regular commission meeting) or the President (from any meeting) shall not count as an absence under this section.

2. Special Committee

a. Membership and Duties

Only the President may appoint special committees of the Commission. Special committees shall report to the Commission members their findings as needed.

b. Reports

The President may require special committee written reports be submitted to the executive committee prior to Commission action.

SECTION VI – MEETING OF THE COMMISSION AND ITS COMMITTEES

A. Meetings of the Commission

1. Regular Meetings

The Commission shall hold at least four regular meetings in each calendar year. The Commission shall hold a regular meeting in November, December, and January, and such other regular meetings as it may by rule provide. Regular meetings are to be conducted according to generally accepted parliamentary procedures.

2. Special Meetings

The president or any three commission members may call special meetings for any purpose. A special meeting shall be called for the purpose of review in the manner above provided in Section V, Article B, Part 1 (d).

3. Notification

The Secretary shall mail, electronically transmit, or deliver written notice of each regular or special meeting to each Commission member not more than ten (10) days, nor less than seven (7) days, before such meeting. Notices of any special meeting shall state the purpose for which such meeting is called.

B. Meetings of the Executive Committee

The executive committee shall meet as needed. Such meetings are to be conducted according to generally accepted parliamentary procedure.

C. Quorum

1. A quorum for a regular Commission meeting shall be 25 percent of all Commission members. A quorum for an executive committee meeting shall be 50 percent of all executive members.
2. Any meeting may be adjourned by a majority vote of those present, and a quorum is not necessary.
3. Where a quorum is not present at a regular meeting or executive meeting, the President, First Vice President or Second Vice President, may deem a matter an emergency necessitating immediate action. If this occurs, then so long as those present represent a majority of the quorum, a unanimous vote of those present (inclusive of the presiding officer) shall be an action of the Commission or executive committee.

SECTION VII – FINANCIAL PROVISIONS

A. Apportionment of Costs

The cost of maintaining the Regional Planning Commission shall be apportioned in the following manner:

1. Each municipality and township, zoned or unzoned, choosing to cooperate herein shall contribute in each fiscal year fifty cents (\$.50) per capita of its population, according to the latest Federal Census or a minimum of three

- hundred dollars (\$300.00) whichever is greater. In the event that a municipality is part of a township, the township shall make payment for the area outside of the municipality. Such contribution shall be paid the first part of each fiscal year, upon receiving a bill from the Commission. This rate shall remain in effect until the year 2004. (Amended October 21, 1997) (Amended June 20, 2000)
2. The Regional Planning Commission may accept, receive, and expend funds, grants, and services from the Federal Government or its agencies, from departments, agencies and instrumentality of state or local government, or from civil sources, and contract with respect thereto, and provide such information and reports as may be necessary to secure such financial aid.
 3. The remainder of such cost shall be paid by the Board of County Commissioners of the cooperating counties as follows:
 - a. The Board of County Commissioners of Ottawa County will provide at least fifty cents (\$.50) per capita of the total county population for planning purposes, payable in January of each year. (Amended October 21, 1997) (Amended June 20, 2000)
 - b. The Board of County Commissioners of any other cooperating county will provide at least fifty cents (\$.50) per capita of the population according to the latest Census of the participating political subdivision in each calendar year for planning purposes, payable in January of each year. (Amended October 21, 1997) (Amended June 20, 2000)
 4. Provisions of this section may be made to the Ottawa County Treasurer. A special fund shall be created for the Regional Planning Commission under the provisions provided by state law; this fund shall be accumulative in the Treasury of Ottawa County.
 5. Any municipality or township choosing not to participate in the Commission will not have access to any of the services available from the Commission until such time as their membership assessment is paid in full for the current fiscal year or portion thereof.

B. Appropriations

The Commission shall submit appropriation requests to the Board of County Commissioners by December of each year. Said appropriations when set by the Board of County Commissioners may be modified or supplemented as needed, but shall at no time exceed the total amount received or due from authorized sources. (Amended May 21, 1985)

C. Expenditures

1. All disbursements of the Regional Planning Commission shall be by purchase order and voucher drawn on the Auditor of Ottawa County. (Amended May 21, 1985)
2. All expenditures, disbursements, or commitments or contracts for expenditures of disbursements, in an amount over five hundred dollars (\$500.00) shall be authorized jointly by the President, or in his absence by one of the Vice Presidents, and the Director or in his absence by his Assistant, if he should have one. (Amended October 21, 1997)
3. Expenditures, disbursements, or commitments, or contracts for expenditures or disbursements in an amount of five hundred dollars (\$500.00) or less shall be authorized by the Director or in his absence his Assistant, or the President or in his absence one of the Vice Presidents, provided no one shall approve payments to himself. (Amended October 21, 1997)
4. Cash Fund for Minor Disbursement – A Cash Fund of not more than thirty dollars (\$30.00) shall be established for the purpose of minor expenditures of the Commission and for the making of change for individuals paying bills with cash. The Cash Fund disbursement receipts will be maintained until twenty-five dollars (\$25.00) is expended at which time another twenty-five (\$25.00) will be drawn by voucher from the Planning Commission Fund.

SECTION VIII – CERTIFICATION AND ADOPTION OF PLAN

A. Certification to Local Communities

After the Commission makes the regional plan, or makes any change to it, the Commission shall certify a copy of said plan (or plan change) to the city or village planning commission of each municipality of the region, and to the Ottawa County Commissioners.

B. Adoption by Local Communities – Effect

The planning commission of any municipality may adopt any plan (or plan change) which has been certified to it, as identified in Section VIII (A). The resulting plan or change shall have the same force and effect within the municipality as provided by law or charter for plans prepared and adopted by the municipal planning commission. The Ottawa County Commissioners may adopt

any plan (or plan change) as it relates to the non-municipal territory within their jurisdiction.

C. Effect in Communities Not Adopting

The regional plan, or any changes to it, shall have no effect in any municipality unless adopted by its planning commission. In any non-municipal territory the regional plan or changes to it shall have no effect unless adopted by the Ottawa County Commissioners.

D. Filing with County Recorder

Once the municipal planning commission or the Ottawa County Commissioners make an adoption pursuant to Section VIII (B) and (C) then said plan, or plan change, shall be certified to the Commission and filed with the Ottawa County Recorder as provided by law.

SECTION IX – COMMUNITY PLANNING SERVICES

A. Membership Privileges

Any city, village, township or county that is a Commission member shall, without additional contribution be entitled to the following:

1. Representation and participation by representatives of its own choosing in discussions and decisions regarding planning of regional or local interest at all Commission meetings.
2. Representation on special committees authorized or appointed to study special problems, wherein the area involved includes some parts or all of the territory of such member.
3. A review and report regarding any preliminary plan of a subdivision of a limited area, as determined by the Director, filed with the municipality in which a subdivision is proposed.
4. Consultation by local planning officers with staff members of the Commission on minor or special planning problems.
5. The attendance by a Commission staff member, as determined by the Director, at meetings of the planning commission or legislative body, to render advice and assistance on specific local planning matters.
6. The use of the Commission library.

B. Agreement for Community Planning Service

1. If the planning commission of any municipal Commission member, or the zoning commission of any other Ottawa County political subdivision, requests any of the following services, the Director may accept:
 - a. Services outlined in Section IX (A);
 - b. Studying, planning, mapping, or reporting of public improvements; or,
 - c. Use of development of land within the boundaries of such municipality or political subdivision.
2. If an additional charge is necessary for any work outlined in Section VIII (B) (1) then prior to commencement of any work a written agreement must be entered into pursuant to Section IV (B) and Section IX (D).

C. Fees

When additional charges for services listed in Section IX (B) are necessary such charges shall be based on the following factors:

1. Cost of Commission staff time;
2. Materials;
3. Travel;
4. Percentage of the Commission's total current budget committed to overhead expenses; and,
5. Percent of budget contributed by the political subdivisions requesting services.

D. Procedure for Agreements

If additional charges for services are necessary, service agreements between the Commission and the municipality or political subdivision shall be consummated on the following:

1. Resolution of the planning commission of member municipality, or township zoning commission of the member municipality or township, requesting the services of the Commission;
2. Resolution by the legislative body of such municipality or political subdivision with a corresponding appropriation of the funds necessary to cover the cost

of the services to be provided during the current year (and followed by any supplemental appropriations in succeeding years); and,

3. Resolution by the executive committee of the Commission authorizing the Director to proceed with such work pursuant to the request made by the municipality or political subdivision.

E. Reports on Progress on Community Planning

At each regular Commission meeting, the Director shall report on any community planning then in progress or under consideration.

SECTION X – STAFF PERSONNEL

The Commission shall employ a director to head its staff, fix his compensation and term of employment upon the recommendation of the executive committee. The Commission's staff shall also function as the planning staff for cooperating municipalities and townships. The amount of special planning work to be done for any municipality or township shall be governed by the provisions of Section IX above. The director and other Commission employees shall have the following qualifications, duties, responsibilities, and privileges and shall be subject to the same personnel policies as adopted by the Ottawa County Commissioners for "General Fund" employees except as noted herein.

DIRECTOR

Appointment: The Commission upon recommendation of executive committee.

Salary: Set by the Commission.

Qualifications: The position of director shall be filled by a person having these minimum qualifications:

1. A Masters Degree from a recognized institution in planning, architecture, geography, landscape architecture, engineering, law, business administration, or related fields, or
2. A Bachelors Degree from a recognized institution in planning, architecture, geography, landscape architect, engineering, law, business administration, or related fields with experience in the field of planning deemed desirable but not essential.

Job Description:

Duties –

The director shall have charge of and manage the active business operations of the Commission; shall superintend and control the work to be done by its employees, and sign all reports and recommendations of the Commission, under the direction of the Commission or the executive committee, and shall keep active accounts of all property passing through its hands, and shall do and perform all other duties incident to his office, and such other duties as may from time to time be assigned to or requested of him by the Commission, the executive committee, or the executive officers.

Evaluation:

The executive committee shall conduct an informal evaluation of the director at every December Commission meeting.

ASSISTANT DIRECTOR/PLANNER

Appointment:

Regional Planning Commission upon joint recommendation of executive committee and director.

Salary:

Set by the Commission.

Qualifications:

A Masters Degree or a Bachelor of Science Degree in planning or related field with experience deemed desirable.

Job Description:

- Aids director in the review and recommendations for subdivision plat proposals and zoning case referrals.
- Assigns and updates rural house numbering system for the county.
- Research and development of plans as designated by director.
- Participation at meetings the director is unable to attend, along with helping the general public as needed.
- Other duties as assigned by the director.

SECRETARY

Appointment:

Hired by the director, subject to approval by the Commission at their next regular meeting.

Salary:

Set by the Commission.

Qualifications: The ability to type in excess of fifty words per minute and have a general knowledge of bookkeeping skills and office equipment.

Job Duties:

- Typing of all reports and correspondence for the office.
- Taking the minutes at the monthly meeting of the Commission.
- Ability to meet and talk to the general public and be courteous toward them.
- Submitting the purchase orders and vouchers for salaries and bills, making deposits or money and checks and keeping the budget up to date.
- Driving to different county offices to submit and pick up necessary documents.
- Mailing out statements for services provided by the Commission.
- Other duties as assigned by the director.

PLANNER INTERNSHIP

Appointment: Hired by director.

Salary: Set by the Commission.

Qualifications: College student in planning or related field.

Duties: As assigned by the director.

DRAFTSMAN – PART TIME

Appointment: Hired by director.

Salary: Set by the Commission.

Qualifications: High school student, technical.

Duties: Office graphics, map preparation, house numbering.

Increases and Reclassifications

The director may after the approval of the Commission increase the wage of any person within any classification, or reclassify an employee and pay an appropriate wage within such new classification.

Unclassified Employees

No person shall be employed for a job or position with the Commission if not within any of the established job classifications or in excess of maximum established for any job classification without the prior approval of the executive committee.

Outside Employment

Employees of the Commission may do consulting work in a private capacity, provided that such employment shall be at a time other than that regularly required by the Commission. Employees will not undertake any outside employment that constitutes or has the appearance of constituting a conflict of interest. Outside employment with the potential of a conflict of interest shall be approved by the executive committee.

Travel Authorization and Compensation

In the event that it is necessary for one or more officers or employees of the Commission to travel outside the area of the Commission on Commission business, the following conditions shall apply:

1. All travel and expenses incurred including the type of travel outside the area shall be authorized by the director.
2. All employees shall be reimbursed for the normal use of their private cars on Commission business inside or outside the region at a rate established by the Board of County Commissioners.

SECTION XI – INCLUSION OF STATUTES AND SEVERANCE CLAUSE

- A. All applicable statutes of the State of Ohio are included in these By-Laws and Rules of Procedure and made a part thereof.
- B. The invalidity of any section or provision of the Resolution of Cooperation or By-Laws and Rules of Procedure shall not invalidate any other section or portion thereof.

SECTION XII – WITHDRAWAL

In order to make it possible for the Regional Planning Commission to do its best to promote the general welfare and accomplish its principal objective of providing a desirable long range Comprehensive Development Plan for the region, it is of the utmost importance that municipal, township, and county officials keep in mind at all times that resolutions of cooperation creating the Commission were not agreed to without considerable thought and should, therefore, be considered as providing a desirable long term mutually beneficial working agreement. The Planning Commission

of any cooperating township, or the Board of County Commissioners of any cooperating county may withdraw their cooperation hereunder if unsatisfied with the planning assistance provided by the Commission and no satisfactory arrangements can be made with the Commission to change this condition. To withdraw it is necessary that a resolution to that effect be adopted by the aforementioned Planning Commission or Boards, and that a certified copy thereof be delivered to the Secretary of the Regional Planning Commission. In the case of cooperating municipalities, such resolution shall be approved by the legislative body of said municipality before delivery to the Commission. Withdrawal shall be effective upon delivery of the withdrawal resolution to the Commission Secretary, but shall not relieve the withdrawing party of its obligation to contribute its share of the Commission's budget for the year in which the withdrawal occurs, nor shall it withdraw for that year the party's territory from the Region. (Amended October 21, 1997)

SECTION XIII - AMENDMENT

These by-laws shall be amended pursuant to the following procedure:

- A. A resolution approving the form of such proposed amendment shall be adopted by the executive committee at least fifteen days in advance of the next regular Commission meeting, or a petition signed by at least five members setting forth the proposed amendment shall be delivered to the Secretary at least fifteen days in advance of the next regular Commission Meeting.
- B. The Secretary shall thereafter, but not less than seven days prior to the next regular Commission meeting, forward to each member of the Commission a copy of such proposed amendment, together with a notice that it will be the subject of action at the next regular Commission meeting.
- C. Such proposed amendment shall be presented at the next regular Commission meeting and be considered as moved and seconded for adoption. Such amendment shall be deemed adopted upon receiving the affirmative vote of a majority of the Commission members present at such meeting, if a quorum is present as provided in Section VII (C) of the By-Laws.
- D. Sections XII and VII, in addition to steps A, B, C and D of this Section may be amended only after the proposed amendment has been approved by the Boards of County Commissioners of the region, and a majority of the participating municipalities, such action to be completed within six (6) months of the date of the approval of the proposed amendment by the Boards of County Commissioners of the cooperating counties.

SECTION XIV – RESOLUTION OF COOPERATION

RESOLUTION NO. ____ BY _____

To provide for cooperation with the County Commissioners of Ottawa County, Ohio, the County Commissioners of any cooperating county, Planning Commissions, Zoning Commissions and other county, municipal, and township officials in the region as defined in the By-Laws, in the maintenance and operation of Ottawa Regional Planning Commission, in accordance with said By-Laws and under the provisions of the laws of the State of Ohio, particularly Section 713.21 of the Revised Code:

BE IT RESOLVED BY-- _____
(Planning Commission, Council, or Board of Township Trustees)

of (City, Village, or Township) _____ Ottawa County, Ohio.

Section I – Membership

That said _____
(Planning Commission, Council, or Board of Township Trustees)

does hereby pledge its cooperation with the Board of County Commissioners of Ottawa County, and the Planning Commissions, Zoning Commissions, and other county, municipal, and township officials of such other municipalities and townships in said County, or other County, as may from time to time adopt similar resolutions and cooperate in the maintenance and operation of the Ottawa Regional Planning Commission.

Section II – General Rules and Procedure and Operation

In compliance with and as part of this resolution, _____
(Planning Commission, Council, or Board of Township Trustees)

of _____ also does agree to maintain its membership in said
(City, Village, or Township)

Commission in compliance with general terms of the Ottawa Regional Planning Commission’s adopted By-Laws and Rules of Procedure.

Section III – Time of Taking Effect

These terms of cooperation shall take effect immediately upon their adoption by the Planning Commission and the legislative body of said City, or Village; or adoption by the Board of Township Trustees of said Township, and certification by the Clerk of said City, Village, or Township. Upon receipt of a copy of the duly adopted resolutions, the Ottawa Regional Planning Commission shall include said City, Village, or Township as a full member of said Commission with all privileges and rights thereto.

(For Cities or Villages)

Adopted: _____ Planning Commission of the City (or Village of)
(Date)

_____, in Ottawa County, Ohio.

Chairman

(For Cities, Villages, or Township)

Adopted: _____ Council of the City (or Village) (or Board of Township
(Date)

Trustees) of _____, in Ottawa County, Ohio.

Mayor

President of Council (or Chairman of Trustees)

(For Cities, Villages, or Townships)

Attest:

I, _____ Clerk of the (City, Village, or Township) of
_____ in Ottawa County, State of Ohio, hereby do certify that the foregoing
Resolution No. _____ was duly and regularly adopted by the Council (or Trustees
of) _____, in Ottawa County, Ohio, on the ____ day of
_____, ____.

(Signed) _____
Clerk

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