

**RULES  
OF  
THE TOWN OF CENTREVILLE PLANNING COMMISSION**

**ARTICLE I. AUTHORITY AND PURPOSE**

Section 1.                Authority

These Rules are adopted in accordance with authority contained in Land Use Article Section 2-101 et seq., of the Annotated Code of Maryland; Title 10, Subtitle 5, of the State Government Article of that Code; and the Town of Centreville Zoning Ordinance and Subdivision Regulations. In the event of any conflict between these Rules and those authorities, the latter shall control.

Section 2.                Purpose

These Rules are designed to facilitate the conduct of the Commission's proceedings and to assist citizens having business before the Commission.

**ARTICLE II. OFFICERS**

Section 1.                Officers

At any regular meeting held in May of each year and at any time during the year when a vacancy occurs in such offices, the Commission will elect a Chairman, a Vice Chairman, and a Secretary, each of whom will serve until the regular meeting held in May of the following year and until a successor is elected. An officer is eligible for reelection.

Section 2.                Chairman

The Chairman, will, when present, preside at all meetings of the Commission and will have the authority to sign and execute on behalf of the Commission all plats and other instruments approved in accordance with the Town of Centreville Zoning Ordinance.

Section 3.                Vice Chairman

In the absence of the Chairman, the Vice Chairman will preside at all meetings of the Commission and will perform all duties of the Chairman. However, the Vice Chairman may

not enter the approval of the Commission with respect to a subdivision plat.

Section 4.                    Secretary

The Secretary will have authority to sign and execute on behalf of the Commission all plats and other instruments approved in accordance with the Town of Centreville Code.

**ARTICLE III.            MEETINGS**

Section 1.                    Open Meetings / Public Inspection of Applications

- (a) Except to the limited extent provided in Section 11, no matter will be discussed or acted upon by the Commission at a closed meeting.
- (b) Subject to the availability of equipment and appropriations from the Town Council, all meeting places shall be configured and equipped so that presentations can be seen and heard by all present.
- (c) Videotaping, televising, or photographing may be performed from the back of the meeting room with a stationary camera so as not to disrupt the proceedings of the meeting.
- (d) The files for all applications, including plats and plans, are available for public inspection by request at any time during normal business hours at Town Hall or at other designated areas.
- (e) The Planning Commission will hear comments from the public during the first and last fifteen (15) minutes of each regularly scheduled meeting on issues pertaining to planning and zoning in the Town of Centreville. A sign-up sheet will be made available before each regularly scheduled meeting. Each speaker will be allowed three (3) minutes.
- (f) The Planning Commission may hear comments from the public, including applicants and citizens proposing text or map amendments, before taking action on development applications or text or map amendments.

Section 2.                    Regular Meetings

The Commission will hold at least one regular meeting each month. At the regular meeting held in May, the Commission will establish a tentative schedule for regular meetings. The tentative date of any regular meeting may be changed by the Commission or the Chairman.

Section 3. Special Meetings

Special meetings of the Commission will be held at the written request of the Chairman or at least four (4) of its members. The request will state the purpose of the meeting and the matters proposed for consideration. The Chairman will designate the time of the meeting.

Section 4. Place of Meetings

All meetings of the Commission will be held in a place designated by the Chairman and stated in the notice of the meeting.

Section 5. Official Notice of Meetings

- (a) In accordance with § 3-302 of the General Provisions Article of the Annotated Code of Maryland, the Commission has given public notice that notice of any meeting or session which is required to be an open session will be given in accordance with this section.
- (b) Such notice will be:
  - 1. In writing;
  - 2. Include the date, time and place of the meeting or session and any other information required by law or the Town of Centreville Zoning Ordinance with respect to a required public hearing referred to in Article IV; and
  - 3. Posted in the lobby of Town Hall, 101 Lawyers Row, Centreville, Maryland, and on the Town's official website ([www.townofcentreville.org](http://www.townofcentreville.org)) at least seven (7) days prior to any regular meeting and at least three (3) days prior to any special meeting of the Commission.

Section 6. Agenda

- (a) In addition to the official notice required by Section 5, an agenda of any meeting of the Commission will be provided in accordance with this section.
- (b) The agenda will include:
  - 1. The information contained in the official notice required by Section 5;
  - 2. Specific reference to each site plan or subdivision or other matter which is to be considered at the meeting; and

3. A general description of the type of consideration or action contemplated with respect to each such matter (for example, preliminary or final approval).
- (c) The agenda of all meetings will be provided to each member of the Commission.
  - (d) The agenda of a special meeting will include a statement of the specific purpose(s) for which the meeting has been called.
  - (e) Any defect in an agenda referred to in this section (including failure of the agenda to refer to any matter considered by the Commission) will not affect any action taken by the Commission.

Section 7. Action at Meetings

- (a) At any regular meeting, the Commission may take any action authorized by the Town of Centreville Zoning Ordinance.
- (b) At any special meeting, the Commission may take action only with respect to matters stated in the agenda referred to in Section 6.
- (c) It is the policy of the Commission that, ordinarily:
  1. No action will be taken with respect to any subdivision or site plan or other matter which is not referred to in the agenda for that meeting;
  2. No final subdivision or site plan approval will be given at a special meeting;
  3. Both preliminary and final approval will not be given to any subdivision or site plan at the same meeting.
- (d) The provisions of subsection (c) may be waived at any meeting of the Commission upon the affirmative vote of at least five (5) Commission members and their recorded findings that:
  1. such waiver is in the public interest;
  2. stated special reasons exist for a departure from the policy of the Commission;
  3. those reasons do not involve to any degree any delay or inaction by the person for whom the policy is waived;
  4. the purpose of providing prior notice of action to be taken at a regular meeting will not be unduly compromised; and
  5. the Department of Planning and Zoning has certified that no further time is required to make any determination required by the Town of Centreville

Zoning Ordinance.

Section 8. Quorum and Vote

- (a) At any meeting, the presence of at least four (4) Commission members will constitute a quorum with respect to any action which may be taken at the meeting.
- (b) Unless a greater number is required by law or by these Rules, a majority of the members present and eligible to vote on a matter will be sufficient to take any action with respect to that matter.
- (c) No Commission member may vote, or be counted as a member of the quorum, by proxy.
- (d) With respect to any matter upon which the Town Council member of the Commission is not eligible to vote, that member will not be considered for any purpose under this section.

Section 9. Minutes / Record of Action

- (a) Written minutes of all meetings of the Commission will be provided in accordance with this section as soon as practicable after any meeting.
- (b) Minutes of the Commission will reflect:
  - 1. each item or matter considered by the Commission;
  - 2. the action taken by the Commission with respect to each item or matter; and
  - 3. each vote which was recorded.
- (c) Record of the action taken by the Commission on each item set forth in the agenda, after approval of minutes of that meeting, shall be posted on the Town of Centreville official website.

Section 10. Effect of Minutes

- (a) Except as otherwise provided in this section, minutes of any meeting of the Commission are tentative and unofficial until approved by the Commission at a subsequent meeting.
- (b) Prior to such approval of the minutes, any specific action taken by the Commission may be certified by:
  - 1. the Secretary of the Commission, to the extent that such action is contained

in a resolution which was read in its entirety to the Commission immediately prior to the vote by which it was adopted; or

2. the Chairman or another person specifically designated by the Commission to make such certification, if the Commission directs that its action be accompanied by interpretive or qualifying comment.
- (c) Nothing in this section shall be construed to authorize any person, other than the Chairman or the Secretary, to evidence the Commission's approval of any subdivision plat.

Section 11. Closed Meetings

- (a) The Commission may meet in a closed meeting or adjourn an open meeting to a closed meeting only for a purpose referred to Section 3-305 of the General Provisions Article of the Annotated Code of Maryland.
- (b) If a closed meeting is held, the minutes of the next open meeting will include:
1. a statement of the time, place and purpose of the closed meeting;
  2. a record of the vote of each member as to the reason for closing the meeting; and
  3. a reference to the specific provision referred to in subsection (a) for which the meeting was closed.
  4. a listing of the topics of discussion, persons present, and each action taken during the closed session.

## **ARTICLE IV. HEARINGS**

Section 1. Definition

As used in this Article:

1. "hearing" means that portion of any meeting of the Commission at which a person appears for the purpose of seeking any action by the Commission, including approval of a site plan or subdivision.
2. "required public hearing" means a hearing which the Commission is specifically required to hold as a public hearing and for which special notice is required by law or by the Town of Centreville Zoning Ordinance (for example, a public hearing with respect to comprehensive rezoning, amendment of the comprehensive plan or amendment of the subdivision regulations).

3. "interested person" means a person who has an interest in any issue to be determined at a hearing and includes the Zoning Administrator or a member of the Department of Planning and Zoning designated by him and any attorney or agent who is duly authorized to appear on behalf of an interested person.

Section 2. Notice of Required Public Hearing

In addition to the official notice required by Article III of these Rules, the Commission will give such additional notice of a required public hearing as may be required by law or the Town of Centreville Zoning Ordinance.

Section 3. Reception of Evidence

- (a) At any hearing, an interested person may present evidence and, at the conclusion of the reception of evidence, may present summation and argument with respect to each issue to be established at a hearing.
- (b) Evidence, summation and argument must be:
  1. probative and
  2. of a type which would be accepted by reasonable and prudent individuals in the conduct of their private affairs.
- (c) Evidence may include relevant documentary evidence, testimony of witnesses, cross examination of other witnesses and rebuttal evidence with respect to any evidence submitted on behalf of any other interested person.
- (d) The Commission may:
  1. limit or exclude any evidence which is not of a type referred to in subsection (b);
  2. limit or exclude any evidence, argument or summation which is incompetent, irrelevant, immaterial, unduly repetitious or recognized as privileged under Maryland law;
  3. establish a reasonable limitation upon the time for the presentation of evidence with respect to any issue and provide a reasonable allocation of that time among interested persons having different points of view with respect to that issue; and/or
  4. establish a reasonable limitation upon the time for the presentation of summation or argument with respect to any or all issues and provide a

reasonable allocation of that time among interested persons having different points of view with respect to such issues.

Section 4.                    Consideration of Evidence

In deciding any matter with respect to which a hearing is held, the Commission will only consider:

1.     evidence presented at a hearing;
2.     facts which could be judicially noticed by a court of record in Queen Anne's County; and
3.     facts of a general, technical or scientific nature within the specialized knowledge of that Commission.
4.     written testimony may be accepted up to three (3) days prior to a hearing, with exceptions permissible solely by the Chairman.

**ARTICLE V. AMENDMENT**

Any provision of these Rules may be amended by the affirmative vote of at least five (5) members of the Commission, inclusive of the Chairman, at any open meeting, if the subject of the amendment was specifically referred to in the agenda circulated to the Commission prior to that meeting in accordance with Article III.

**ARTICLE VI. ADOPTION**

Adoption of these Rules shall occur by the affirmative vote of at least five (5) members of the Commission, inclusive of the Chairman, at any open meeting.