

ADOPTED

July 18, 2001

BYLAWS

UPPER PERKIOMEN VALLEY REGIONAL PLANNING COMMISSION

For the Municipalities of:

**EAST GREENVILLE BOROUGH, PENNSBURG BOROUGH, RED HILL
BOROUGH, GREEN LANE BOROUGH, UPPER HANOVER TOWNSHIP AND
MARLBOROUGH TOWNSHIP**

ARTICLE I

Upper Perkiomen Valley Regional Planning Commission

- 1.1 The name of this organization shall be the Upper Perkiomen Valley Regional Planning Commission (Commission).

ARTICLE II

Authorization

- 2.1 THE UPPER PERKIOMEN VALLEY INTERGOVERNMENTAL COOPERATIVE IMPLEMENTATION AGREEMENT (Agreement) of March 28, 2001, adopted by ordinance by the six participating municipalities, authorizes the establishment of the Upper Perkiomen Valley Regional Planning Commission.
- 2.2 The powers and duties contained herein have been delegated to the Commission by the participating member municipalities by said Agreement.

ARTICLE III

Powers and Duties

- 3.1 The Commission shall have the responsibility to prepare and review all amendments to the Upper Perkiomen Valley Regional Comprehensive Plan (Comprehensive Plan).
- 3.2 At a minimum the Commission shall undertake to update the Comprehensive Plan every 10 years from the date of its initial adoption.
- 3.3 The Commission shall review all subdivisions and land developments of "Regional Significance" as defined by the Agreement.
- 3.4 Any land development or subdivision not classified as having "regional significance" may none the less be brought before the Commission for review and comment as requested by a member municipality or by their municipal representative to the Commission by notifying the Chairman or Secretary not less than ten (10) day prior to a regularly scheduled meeting.

- 3.5 In their review of said subdivision or land development, the Commission shall consider the merits of the proposal as it relates to the stated goals, objectives and policies of the adopted Comprehensive Plan.
- 3.6 In their review of said subdivision or land development the Commission shall rely upon the professional reviews written for the municipality as part of the standard municipal review process.
- 3.7 No additional reviews or studies shall be required of the applicant, or of the municipality, by the Commission.
- 3.8 All proposed zoning text or map amendments shall be sent to the Commission for review and comment.
- 3.9 In their review of said zoning text or map amendment the Commission shall determine whether the change is in substantial compliance with the stated goals, objectives, and policies of the Comprehensive Plan.
- 3.10 All recommendations made by the Commission pertaining to land development, subdivision, zoning and comprehensive planning shall be advisory to the participating municipalities only.
- 3.11 The Commission shall not usurp the powers, duties and obligations of the individual municipal governing bodies, planning commissions and zoning hearing boards in all matters relating to subdivision, land development, and zoning.
- 3.12 Each year the Commission shall prepare an annual report detailing the progress made toward implementing the goals and objectives of the Upper Perkiomen Valley Regional Comprehensive Plan. The Commission shall also prepare a synopsis of the subdivisions and land developments reviewed that have been classified of “regional significance”. A copy of the annual report shall be sent to each of the participating municipalities and to the Montgomery County Planning Commission.

ARTICLE IV

Membership

- 4.1 Each municipality shall appoint two representatives to the Commission. One member from each municipality must be from the elected governing board and the other may either be from the governing board, planning commission, or citizen from the municipality.
- 4.2 Each municipality shall have the right to send a proxy to any meeting of the Commission where said proxy shall have the right to cast the municipal vote on matters which come before the Commission.
- 4.3 Each municipality is responsible for ensuring full representation on the Commission and must fill any vacancy if that vacancy occurs otherwise than by expiration of term, in a timely fashion.

ARTICLE V

Terms of Office

- 5.1 The term of each member shall be for one (1) year from the date of their appointment by the governing body of their respective municipality.

ARTICLE VI

Voting and Voting Rights

- 6.1 Each member municipality shall have one vote to cast on all matters that come before the Commission.
- 6.2 No action may be taken, or recommendation made by the Commission, where the resulting vote ends in a tie.
- 6.3 Although each municipality shall have two (2) representatives on the Commission, together they may cast only one (1) vote with that vote representing the wishes of their respective municipality.
- 6.4 Any vote to be considered binding must represent a majority of the participating member municipalities. A majority vote shall be considered achieved only when a minimum of four (4) votes representing four (4) separate municipalities have been cast either yea or nay.

ARTICLE VII

Quorum

- 7.1 A quorum of the Commission shall be considered achieved when there are four (4) voting members present whereby each voting member represents a separate municipality.

ARTICLE VIII

Officers

- 8.1 The officers of the Commission shall consist of a Chairperson, Vice-Chairperson, Treasurer, and Secretary, all of whom are to serve for a term of one-year. The Chairperson and Vice-Chairperson, and Treasurer shall be members of the Commission, but the Secretary need not be a member of the Commission.
- 8.2 The positions of Chairperson, Vice-Chairperson and Treasurer must be held by individuals representing three (3) different member municipalities.
- 8.3 The Secretary shall keep the minutes and records of the Commission, and with the assistance of such staff as is available, shall prepare the agenda of regular and special meetings under the direction of the Chairperson, provide notice of all meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such

other duties as are normally carried out by a Secretary.

- 8.4 The Chairperson shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers.

ARTICLE IX

Selection of Officers

- 9.1 At the first official meeting of the newly created the Commission the election of officers shall be held.
- 9.2 Officers elected at the first official meeting of the Commission shall serve for the remainder of the year in which they were elected and for the following year. This shall count as one year for their term of office. Subsequently, beginning with 2003, an annual organization meeting shall be held during the first regular meeting in January or at a special meeting authorized by the governing bodies.
- 9.3 Officers shall serve for a one-year term, and may succeed themselves for a second one-year term. No officer may serve in the position in which he or she was elected for more than two consecutive years.
- 9.4 Once the term for either Chairperson, Vice-Chairperson, and Treasure has expired, that position must be filled by a representative from a municipality other than the one from which the position was previously filled. No municipality may have its representative repeat as Chairperson, Vice-Chairperson or Treasure until all the participating municipalities have been represented in that leadership position.
- 9.4 Vacancies in office shall be filled immediately by the municipality whose representative serves in that office. The replacement shall then serve the remainder of the term.

ARTICLE X

Meetings

- 10.1 The Commission shall meet monthly at regularly scheduled meetings so that it may carry out its duties.
- 10.2 The Commission shall annually establish a yearly schedule of meeting dates along with time and location to be advertised in the local newspaper as per the requirements of the Pennsylvania Municipalities Planning Code.
- 10.3 In the event a scheduled meeting conflicts with a holiday or other event, a majority at any meeting may cancel, or change the date of said meeting with said cancellation or change duly advertised.
- 10.2 All meetings or portions of meetings at which official action is to be taken shall be open to the general public.

ARTICLE XI
Administration and Expenditure of Funds

- 11.1 The Commission may prepare an annual budget and appropriate funds for its operation.
- 11.2 The Commission may seek federal, state and county grants to offset the cost of operation.
- 11.3 All budgeted and non-budgeted items including the hiring of staff and/or consultants shall only be approved by unanimous consent of all voting members of the Commission.
- 11.4 No budgeted or non-budgeted item may be approved without six votes in the affirmative whereby each vote represents a single/separate municipality.

ARTICLE XII
Order of Business

- 13.1 The order of business at regular meetings shall be:

- a. Roll call.
- b. Reading of minutes.
- c. Communications and bills
- d. Reports of Officers.
- e. Old business.
- f. New business.
- g. Public comments and questions.
- h. Adjournment.