

## HISTORIC LANDMARKS COMMISSION RULES

The Historic Landmarks Commission ("Commission"), pursuant to SRC 20C.040, hereby adopts the following rules for the proper conduct, order and government of its meetings, business, and members, the same to be known as the "Rules of the Commission," and any and all previously-adopted rules are hereby repealed.

### Rule 1

#### OFFICERS

**(a) Chair.** The Chair shall act as Presiding Officer at all meetings of the Commission. The Chair shall have all duties and privileges of any Commissioner, and shall not be denied any right or privilege by reason of the Chair's position as Presiding Officer.

**(b) Vice Chair.** In the event of the Chair's absence from any Commission meeting, the Vice-Chair shall act as the Presiding Officer. Whenever the Chair is unable, on account of absence, illness, recusal, or other cause, to perform the functions of the office, the Vice-Chair shall act as Chair Pro Tem.

**(c) Election of Officers.** At the first meeting of each calendar year, the Commission shall elect a Chair and Vice-Chair from its membership.

**(d) Term.** Officers may serve a maximum of two successive, one-year terms of the position for which they were elected.

**(e) Temporary Presiding Officer.** In event of the absence of the Chair and Vice-Chair, the City Attorney shall call the Commission to order and call the roll of the members. If a quorum is present, those Commissioners present shall elect, by majority vote, a Temporary Presiding Officer for that meeting. Should the Chair or Vice-Chair arrive, the Temporary Presiding Officer shall relinquish the chair immediately upon the conclusion of the item of business then in consideration before the Commission.

**(f) Privileges Not Affected by Status.** The Presiding Officer may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges of a Commission member by reason of acting as the Presiding Officer.

**(g) Secretary.** The Historic Preservation Officer, or designee, shall act as Secretary for the Commission.

**(h) Ex-Officio.** A non-appointed member of the Commission.

## Rule 2

### MEETINGS OF THE COMMISSION

**(a) Regular Meetings.** Regular meetings of the Commission are to be held on the third Thursday of each month. Meetings shall be convened at 5:30 p.m. in the City Council Chambers; or, if unavailable, at some other suitable place in the Salem Civic Center designated by the Secretary.

**(b) Special Meetings and Work Sessions.** Special meetings and work sessions may be called by the Presiding Officer, or by request of any five Commissioners. Notice shall be given to each Commissioner, the Secretary, and any individual or organization that requested notice of special meetings or work sessions, and may be delivered by mail, email, or by personal delivery.

**(c) Notice of Regular Meetings, Special Meetings, Work Sessions and Emergency Meetings.** Advance notice of at least 24 hours shall be provided for all regular and special meetings, work sessions, and executive sessions. In the case of an emergency meeting or when a state of emergency has been declared, notice appropriate to the circumstances shall be provided and reasons justifying the lack of 24-hour notice shall be included in the minutes of such meeting. Notice for all meetings shall include written notice to (1) applicable city-recognized neighborhood associations, and (2) any individual or organization that requested notice of any meetings or work sessions.

**(d) Conduct of Meetings.** The Commission may at any meeting adjourn until the next regular meeting by a majority vote or designate a different day on which to meet, but such order shall apply only to the time named.

**(e) Time of Meetings.** Meetings shall adjourn prior to 9:00 p.m.; provided that meetings may be extended past 9:00 p.m. in not less than thirty-minute increments upon vote and approval of a majority of the Commission members then in attendance. If, at that hour, there is no motion on the floor or public hearing in progress, the meeting shall be deemed adjourned and no further business shall be transacted, except that a motion to adjourn and continue the meeting to a time certain more than eight hours hence may be received and acted upon, and the meeting shall remain convened and in session for that purpose. If a public hearing is in progress, the Chair shall declare the hearing continued over to the next regular meeting unless there is a motion to adjourn and continue the hearing to some other time certain more than eight hours hence, and such motion carries.

**(f) Attendance.** Attendance of Commissioners at duly convened meetings of the Commission is mandatory. Any commissioner absent without excuse by the Chair from three or more meetings within any six-month period is subject to sanctions as provided by the Salem Revised Code. The Chair may excuse any commissioner from attendance at a meeting for good cause. A commissioner denied excuse may appeal the ruling of the Chair at the next meeting at which the Commissioner is present. Sanctions available to the Commission for excessive unexcused absences shall include censure, or

recommendation to the Mayor and Council that the offending Commissioner be removed from office, either of which may be imposed by a majority vote of the Commission, a quorum being present. Accused Commissioners may speak on their own behalf, but shall not vote on the question of the sanction.

**(g) Minutes.** Meetings shall be audio-recorded, and the Secretary shall cause written minutes of Commission meetings to be taken and expeditiously presented to the Commission for approval. All motions, orders, resolutions, petitions, communications and other documents coming before the Commission for consideration at a meeting shall be referenced in the minutes.

### Rule 3

#### QUORUM

Five appointive members of the Commission constitute a quorum. Should there not be a quorum present, the members present shall adjourn to the next regular meeting or a later day.

### Rule 4

#### COMMITTEES

Special committees for special purposes may be appointed by the Presiding Officer with the consent of the Commission on an ad hoc basis.

### Rule 5

#### ANNUAL REPORT

Each January or February, the Commission shall present an annual report to the City Council. This report shall summarize the Commission's goals and activities from the previous year, including the number of cases reviewed and any projects completed. It will also include the current work plan for the upcoming year.

### Rule 6

#### ORDER OF BUSINESS

The general order of business on the Regular Meeting agenda shall be as follows:

1. Call to Order
2. Roll Call

3. Public Comment (This time is available for interested citizens to comment on any other matters than those listed for Public Hearings. Each person's comments will be limited to three minutes.
4. Consent Calendar (Includes approval of minutes and items of business requiring Commission action.)
  - 4.1 Minutes
  - 4.2 Action Items
5. Public Hearings
6. Special Orders of Business
7. Information Reports
8. Public Comment (This is an opportunity for interested citizens to speak on other than agenda items.)
9. Historic Preservation Officer Report
10. Commissioner Comments for the Good of the Order
11. Adjournment

The order of business may be modified by the Secretary or by the Chair when such change will make a more logical sequence of subjects for consideration by the Commission.

#### Rule 7

### ADMINISTRATIVE PROCEDURES

The staff may publish administrative procedures and supply copies of these to each member of the Commission. The Commission may review any staff procedure and direct the staff to amend or modify its procedures, subject to the provisions of SRC Chapter 20J as applicable.

#### Rule 8

### CONDUCT OF HEARINGS ON LAND USE MATTERS

#### 8.1 Scope of Rule.

This rule shall govern the conduct of all land use hearings held by the Commission pursuant to the Salem Revised Code.

## 8.2 General Conduct of Hearings.

**(a)**As supplemented herein, hearings on land use matters shall be conducted in accordance with the SRC Chapter 300 – Procedures for Land Use Applications and Legislative Land Use Proposals, as may be amended.

**(b)** Each person addressing the Commission shall address the Commission through the microphone provided and shall give his or her name and address in an audible tone of voice for the records. All remarks shall be addressed to the Commission as a body and not to any member thereof.

**(c)**No person, other than the Commission and the person testifying, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Presiding Officer. No question shall be asked a member of the Commission except through the Presiding Officer.

**(d)**The Presiding Officer may require speakers to register prior to giving testimony.

**(e)**Any person making personal, impertinent, or slanderous remarks, or who shall cause a disturbance while addressing the Commission may be barred, by the Presiding Officer, from further audience before the Commission, unless permission to continue be granted by a majority vote of the Commission.

**(f)**The following time limits shall be allowed for oral testimony and the Presiding Officer shall announce the time limits prior to opening the meeting to the particular items on the agenda to which the time limit applies

(1) Applicant - 15 minutes total for presentation by the Applicant and any representative.

(2) Neighborhood Organizations - 10 minutes each

(3) All Others - 5 minutes each

(4) Applicant's Rebuttal - 5 minutes total

**(g)**The Commission shall issue a recommendation on a legislative land use matter no later than 90 days after the date of the hearing on the matter was opened.

## 8.3 Disqualification of Commission Members.

A member of the Commission shall not participate in discussion of the proposal and shall refrain from voting on same when:

(a) Any of the following persons has a direct or substantial financial interest: the commissioner or his or her spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business which he or she is then serving, or any business with which he or she is negotiating for or has an arrangement or understanding concerning prospective partnership or employment;

(b) The commissioner owns property within the affected area of the proposal;

(c) The commissioner has a direct or indirect personal interest in the proposal;

(d) The commissioner was not present during the public hearing on the proposal, provided, however, if said commissioner reviewed the evidence presented at the hearing including tape recordings of the proceedings and declares such fact for the record, the commissioner may participate in discussion and vote on the matter.

(e) Members of the Commission shall reveal any employment or service within the previous two years for a business which has a direct or substantial financial interest in the proposal, and any significant pre-hearing or ex-parte contacts with regard to any matter at the commencement of the public hearing on the matter. If such contacts have impaired a Commission member's impartiality or ability to vote on the matter, he or she shall so state and shall abstain therefrom.

#### 8.4 Order of Procedure.

The order of proceedings in any land use hearing under this section shall be as set forth in SRC 300.960.

### Rule 9

#### MOTION AND VOTING

The Presiding Officer may require that any motion or amendment to a motion be reduced to writing by the moving party before a vote is taken. All motions, whether written or oral, shall require a second.

The Chair, or the Presiding Officer, shall vote with the other Commissioners in the transaction of any business and on all matters coming before the Commission.

Ex-officio members of the Commission shall not vote. An appointive member, when a question is taken, shall vote unless a majority of the Commission, for special reasons, shall excuse him or her, or where he or she has declared a conflict of interest which would clearly prohibit him or her from voting by these rules. Three members may require the ayes and nays on any question. Unless otherwise provided in these rules, the majority vote of the members voting shall decide the question.

## Rule 10

### RECONSIDERATION

When a question has been put once and decided, and before the action becomes effective or before a higher review authority has taken jurisdiction, it shall be in order for any member who voted with the majority to move for reconsideration thereof, and such motion shall take precedence over all other questions, except a motion to adjourn. No motion shall be reconsidered more than once.

## Rule 11

### READING OF PAPERS

The presiding officer may direct the Secretary or a clerk to read a paper or document in its substance; or in lieu thereof, may direct that the document be reproduced and copies distributed to each member of the Commission. If any member should call for a reading of any paper in its entirety, the question shall be determined by a majority vote of the Commission.

## Rule 12

### ROBERT'S RULES OF ORDER

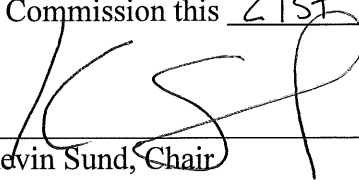
Unless otherwise provided by law or modified by these rules, the procedure for Commission meetings shall be governed by Robert's Rules of Order. The Commission has an obligation to the citizens to be clear and simple in its procedures and in the consideration of the questions coming before it. Therefore, Commissioners should avoid invoking the finer points of parliamentary procedure when such points serve only to obscure the issues before the Commission as a whole, and confuse the audience at public meetings and the citizens in general.

## Rule 13

### SUSPENSION AND AMENDMENT OF RULES

No rules shall be suspended without the concurrence of two-thirds of the members present; and no additional rule or amendment shall be made without giving at least ten days' notice and the concurrence of two-thirds of the members present.

ADOPTED by the Historic Landmarks Commission this 21<sup>ST</sup> of SEPTEMBER, 2017.

  
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Kevin Sund, Chair  
Historic Landmarks Commission