

**City of North Olmsted Landmarks Commission  
Rules of Procedure**

**Article I – Officers and Duties**

Section 1 – Officers

The officers of the Landmarks Commission shall be a Chairman and a Vice-Chairman.

Section 2 – Election

The Chairman and Vice-Chairman of the Landmarks Commission shall be elected at its first regular January meeting by a majority vote of the members, and they shall hold office for one year or until their successors are elected.

Section 3 – Vacancy

In the event that an office becomes vacant, such vacancy shall be filled for the unexpired term by a member who is elected by a majority vote of the Commission.

Section 4 – Duties of Officers

- (a) Chairman. The Chairman shall preside at the meetings of the Commission. He shall have authority to recommend the formation of and membership of committees as necessary. He shall have authority to make recommendation to the Planning and Development Director on applications for minor change as described in §165.13. He shall exercise such other duties as are commonly exercised by the chief executive officer. The Chairman shall be assisted by the Administrative Assistant, whose duties shall be filing and record keeping, transcribing from notes taken at Commission meetings, and preparing minutes of said meetings, letters and other notices which may be required.
- (b) Vice-Chairman. The Vice-Chairman, in the absence or inability of the Chairman to act, shall perform the duties of the Chairman and possess the same powers and authority as the Chairman.

**Article II – Meetings**

Section 1 – Regular Meetings

Regular meetings of the Commission shall be held on the second Monday of each month at 7:00 p.m. in the Council Chambers. If that day should be a holiday, then the meeting shall be held within a week of that day. Notice in writing of regular meeting, the minutes of the previous meeting and the agenda of the coming meeting shall be delivered to each member at least five (5) days prior to such meetings.

Section 2 – Quorum

Five (5) members shall constitute a quorum for the transaction of business. However, an affirmative favorable by at least five (5) members is required as a majority vote for approval. If a quorum cannot be obtained for a matter before the Commission, that matter shall be continued until the next regularly scheduled meeting.

### Section 3 – Special Meetings

Special meetings of the Commission shall be held whenever called by the Chairman or the Vice Chairman in the absence of the Chairman. Matters considered at a special meeting shall be limited to those described in the notice of the meeting. Notice of a special meeting shall be given in writing stating the purpose of the meeting at least one (1) day prior to the meeting.

### Section 4 – Voting

Each member of the Commission who is entitled to vote in accordance with the terms and provisions of the enabling legislation, shall be entitled to one vote to be registered in person.

### Section 5 – Order of Business

- I. Roll Call
- II. Review and Correction of Minutes
- III. Old Business
- IV. New Business
- V. Communications
- VI. Adjournment

### Section 6 – Continuance of Cases

- (a) Applicant withdraws: an applicant may unilaterally withdraw an application from consideration by prior written notice to the Administrative Assistant by 12:00 p.m. of the day before the meeting. Any applicant exercising such right to withdraw shall refile a new application and accompanying fees.
- (b) Applicant requests to be removed from the agenda: an applicant may request that its application be removed from the agenda based upon prior written notice to the Administrative Assistant by 12:00 p.m. of the day before the meeting. Such request may be granted by the Planning and Development Director upon a showing of good cause or extenuating circumstances.
- (c) Applicant request to be tabled: an applicant may, at any point during the hearing of its application, request that the Commission table its request. The Commission may but is not required to grant such request.
- (d) Commission moves to table: the Commission may, with or without the consent of the applicant, table an application at any point during the hearing. In the event that the applicant

objects or declines to consent to such continuance, the Commission shall re-schedule the hearing within time limitations established by Chapter 165.

### Section 7 – Hearing Procedure

The Commission shall, unless additional time is required due to delays caused by the applicant or upon applicant’s consent to additional time, adhere to deadlines imposed by Chapter 165. The Commission shall adhere to the procedures and standards required by Chapter 165 and shall allow the applicant to present testimony or documentation from building or other professionals.

The Commission may address questions to City officials in advance of the hearing and solicit written replies on matters of procedure or interpretation of the Code. City officials may be heard by the Commission and correspondence may be offered.

Applicants will present their request(s) to the Commission in person or explain their position in writing. Should an applicant designate a building contractor, architect or attorney at law to present or explain a project to the Commission, the authority of such designee shall be addressed in writing. Supporting material(s) not delivered to the Administrative Assistant for distribution to Commission more than seven (7) days prior to the scheduled hearing may nonetheless be offered during the hearing but may thereby necessitate additional time for review by the Commission and, if necessary, a continuance of the hearing.

### Section 8 – Public Participation

All meetings of the Landmarks Commission shall be public. All public input will be addressed directly to the Chairman of the Landmarks Commission. Persons desiring to address the Landmarks Commission shall be afforded an opportunity to do so at any regular meeting for a period of time not to exceed five (5) minutes, unless extended by the Chairman.

### Section 9 – Recess

The Chairman, at his discretion, may call a recess.

### Section 10 – Executive Session

The Commission may go into executive session only upon compliance with state and local law.

## **Article III – Committees**

The Landmarks Commission may form committees in order to provide assistance on special projects. At the first meeting of the year or as needed, the Landmarks Commission shall appoint members to committees for a term of one (1) year. Each committee shall consist of no more than three (3) members of the Commission.

## **Article IV – Attendance**

## Section 1 – Notification of Absence

Each member of the Landmarks Commission who has knowledge of the fact that s/he will not be able to attend a scheduled meeting of the Commission shall notify the Planning and Development Department at the earliest possible opportunity and, in any event, prior to 12:00 p.m. on the date of the meeting. The Administrative Assistant shall notify the Chairman in the event that the projected absences will produce a lack of a quorum.

## Section 2 – Excused Absences

Members may be excused from the meeting by notifying the Administrative Assistant or Chairman of the cause for such absence and the Commission, by majority vote, excusing such absence.

## **Article V – Proceedings**

The form of proceedings of the Commission shall be governed by Robert's Rules of Order.

## **Article VI – Amendments to Rules**

Regulations of the Commission may be amended or modified at any regular or special meeting of the Commission by the affirmative vote of two-thirds (2/3) of the Commission members, provided that written notice of the proposed amendments or modifications has been given to each member of the Commission not less than five (5) days prior to the meeting.

## **Article VII – Policy**

All matters of policy affecting the Commission shall be decided at regular meetings or at special meeting called for that purpose.

## **Article VIII – Waiver**

Except where in conflict with law, any rule herein established may be waived by the affirmative roll call vote of at least six (6) members of the Commission.