

BYLAWS AND RULES OF PROCEDURE

OF THE

RICHLAND COUNTY REGIONAL PLANNING COMMISSION

AS AMENDED AND ADOPTED

October, 1972

April 23, 1975

May 28, 1975

February 27, 1980

January 26, 1994

May 25, 1994

January 25, 1995

June 26, 2002

March 24, 2010

February 13, 2013

March 13, 2013

November 13, 2013

December 11, 2013

March 25, 2015

October 28, 2020

November 1, 2023

P R E A M B L E

By virtue of the adoption of a Resolution of Cooperation between the Board of County Commissioners of Richland County, Ohio, and Mansfield City Council, there has been created a Regional Planning Commission vested with powers given to Regional Planning Commissions under Section 713.21 of the Revised Code of the State of Ohio.

Such Resolution of Cooperation provides for the creation of a Regional Planning Commission composed of Richland County, Ohio, the Cities of Mansfield, Ontario and Shelby, townships and cooperating municipalities, which shall have the right to exercise the powers and duties of the Regional Planning Commission by virtue of the Resolution of Cooperation and the statutes of the Revised Code of the State of Ohio.

DEFINITIONS

- A. **COMPREHENSIVE REGIONAL PLAN:** As required by the Ohio Revised Code, Section 713.23, for the State of Ohio
- B. **INDUSTRIAL, BUSINESS, CIVIC, MINORITY, AGRICULTURE, REGIONAL TRANSIT BOARD OR AUTHORITY, ELDERLY PERSONS, AND PERSONS WITH DISABILITIES REPRESENTATIVES:** A group of interested and active representatives from the industrial, business, civic, minority, agricultural and elderly community, as well as individuals representing persons with disabilities and the Regional Transit Board or Authority appointed to serve on the Commission.
- C. **PARTICIPANTS IN THE REGIONAL PLANNING COMMISSION:** Participants in the Regional Planning Commission (Section 713.21 ORC) may include school districts, special districts, authorities and any other units of local government and such participation shall be upon the terms as may be agreed upon. The proportion of the costs of the Regional Planning Commission to be borne respectively by the participants shall be determined, from time to time, by the Regional Planning Commission.
- D. **REGION:** The region for which the Richland County Regional Planning Commission shall be created and maintained (hereinafter called the Region) is all of the unincorporated areas of Richland County, Ohio, and all cooperating municipalities therein.
- E. **TITLE:** The Richland County Regional Planning Commission shall be referred to as the "Regional Planning Commission."

SECTION I: TITLE

The Title of the Regional Planning Commission shall be the "Richland County Regional Planning Commission."

SECTION II: STATEMENT OF PURPOSE

The purpose of these Bylaws and Rules of Procedure is to establish the administrative guidelines to be observed by the Board of County Commissioners and representatives of member municipalities to the Regional Planning Commission in order to insure orderly growth and development within the Region.

SECTION III: POWERS AND DUTIES OF THE REGIONAL PLANNING COMMISSION

- A. Powers: The Regional Planning Commission shall have the power to make studies, maps, plans, recommendations and reports concerning the physical, environmental, social, economic, and governmental characteristics, functions, services, and other aspects of the Region or County respectively, or for areas outside the Region or County which affect the development and welfare of the Region or County respectively, as a whole or as more than one political unit within the Region or County.
- B. Duties: The duties of the Regional Planning Commission shall include:
- 1) Preparing the plans, including studies, maps, recommendations, and reports on:
 - a. Regional goals, objectives, opportunities and needs, and standards, priorities, and policies to realize such goals and objectives
 - b. Economic and social conditions
 - c. The general pattern and intensity of land use and open space
 - d. The general land, water and air transportation systems, and utility and communication systems
 - e. General locations and extent of public and private works, facilities, and services
 - f. General locations and extent of areas for conservation and development of natural resources and the control of the environment
 - g. Long-range programming and financing of capital projects and facilities
 - 2) Promoting understanding of and recommending administrative and regulatory measures to implement the plans of the Region

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- 3) Collecting, processing, and analyzing social and economic data, undertaking continuing studies of natural and human resources, coordinating such research with other governmental agencies, educational institutions, and private organizations
- 4) Contracting with and providing planning assistance to other units of local governments, planning commissions, joint planning councils and private agencies or individuals coordinating the planning with neighboring planning areas; cooperating with the state and federal governments in coordinating planning activities and programs in the Region
- 5) Reviewing, evaluating, and making comments and recommendations on proposed and amended comprehensive land use, open space, transportation and public facilities plans, projects and implementing measures of local units of government; making recommendations to achieve compatibility in the Region
- 6) Reviewing, evaluating and making comments and recommendations on the planning, programming, location, financing, and scheduling of public facility projects within the Region and affecting the development of the area
- 7) Undertaking other studies, planning, programming, conducting experimental or demonstration projects found necessary in the development of plans for the Region or County, and coordinating work and exercising all other powers necessary and proper for discharging its duties.
- 8) Establish a Transportation Section and prepare for approval of the Coordinating Committee and other State and Federal agencies as necessary *a continuing, cooperative, and comprehensive transportation planning process in accordance with the current guidelines set forth for designated Metropolitan Planning Organizations (MPOs).*
- 9) Additional Powers and Duties: The Regional Planning Commission shall have such other powers and duties as are provided by law, including, but not limited to, such powers and duties set forth in Section 713.21 and 713.23, Ohio Revised Code as now existing or hereafter amended.

SECTION IV: MEMBERSHIP OF THE REGIONAL PLANNING COMMISSION

The Regional Planning Commission shall consist of the following voting members who may hold any other public office and may serve as a member of a city, village or a current planning commission, except as otherwise provided in the charter of any city or village.

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A. County Members

- 1) Four (4) members representing Richland County, as follows:
 - a. One (1) Commissioner from the Board of County Commissioners, who shall serve during their tenure of office
 - b. County Engineer, who shall serve during their tenure of office
 - c. One (1) official from Richland Public Health, as designated by the Health Commissioner
 - d. One (1) County official to be appointed by the Board of County Commissioners, from such offices as Auditor, Recorder, Treasurer, Sheriff, Prosecutor and Emergency Management Coordinator

B. Municipal Members

- 1) City of Mansfield: Four (4) members representing the City of Mansfield, as follows:
 - a. Mayor of the City of Mansfield, who shall serve during their tenure of office
 - b. City Engineer, who shall serve during their tenure of office
 - c. One individual representing the City as appointed by the Mayor who shall serve during the appointing Mayors' tenure of office
 - d. One individual representing City Council who shall serve during their tenure
- 2) Other City Participant Municipalities: Two (2) members representing the participant city, as follows:
 - a. Mayor of the City, who shall serve during their tenure
 - b. One (1) individual appointed by the Mayor who shall serve during the appointing Mayor's tenure of office
- 3) Other Village Participant Municipalities: Mayor of each of the two largest village participant municipalities by population, and a Mayor-at-large appointed by the remaining villages participating in the maintenance of the Regional Planning Commission and who shall serve for a term of two years or for the balance of their term as Mayor.

C. Township Members

Four (4) Township Trustees and/or Fiscal Officers appointed by the Richland County Township Association. Each shall serve for a term of two (2) years or for the balance of their term as elected official.

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D. At Large Representative Members

Eight (8) appointed members selected and approved in accordance with the procedure outlined in Section VIII

E. Chairman of the Planning Advisory Council

F. Other Membership Considerations

Notwithstanding the membership categories herein, the total membership composition shall conform to Federal and State membership requirements in order to ensure the eligibility and maintenance of federal grants.

SECTION V: GENERAL PROVISIONS

A. Alternates

A member of the Regional Planning Commission or one of its committees may utilize an alternate for any Commission meeting or committee meeting. Said alternate shall be designated through the official member's written authorization to the Secretary of the Regional Planning Commission. In all cases where an individual is designated to represent an elected official (alternate), the elected official shall be counted as the actual member of the Commission, in order to maintain any required percentage of elected officials.

B. Membership Vacancies

Any vacancy occurring among county, township, municipal, or at large members of the Regional Planning Commission shall be filled for the unexpired term of office in the same manner in which said member was originally designated or chosen.

C. Attendance at Regional Planning Commission Meetings

Any appointed member of the Regional Planning Commission who is absent for three (3) consecutive meetings without just cause may be removed from membership by a vote of the Executive Committee, and said position shall be filled by a replacement named in the same manner as utilized for the original appointment.

D. Conduct of Members of the Planning Commission

1. Members of the Planning Commission shall take the time necessary to prepare themselves for meetings and hearings so they can make informed decisions.
2. Any Planning Commission Member who has had or continues to have

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any personal or financial interest, whatsoever in any issue to be voted upon by the Commission shall state that a conflict of interest exists and shall disqualify him/herself from participating in any Commission activity regarding that issue, including discussions and voting in any regular or special meeting, public hearing or work session.

3. The interests of that Planning Commission member may be represented before the Planning Commission by a specifically designated representative or legal agent at the public hearing, work session, regular or special meeting and testimony entered into the public record.
4. Participation of Planning Commission Member under cloud of conflict of interest is cause for removal.

SECTION VI: OFFICERS OF THE REGIONAL PLANNING COMMISSION

- A. Executive Officers: The Executive Officers of the Regional Planning Commission shall be its President, Vice President, and Secretary. The President and Vice President shall be members of the Regional Planning Commission.
- 1) President and Vice President: The President and Vice President shall be elected by the Regional Planning Commission at the first meeting of every odd year. Each shall hold office until their successor is elected and qualified.
 - 2) Secretary: The Secretary shall be the Executive Director of the Regional Planning Commission, who shall serve during their employment by the Regional Planning Commission.

SECTION VII: DUTIES OF THE OFFICERS

- A. President: The President shall preside at all meetings of the Regional Planning Commission and the Executive Committee. It shall be the President's duty to sign all written contracts and actions and obligations of the Regional Planning Commission unless the Executive Director is specifically authorized to do so. The President shall also make certain that all transactions of business are in accordance with the law and these Bylaws and Rules of Procedure. They shall perform all duties to the office, and such other duties as may from time-to-time be required or requested of them by the Regional Planning Commission or the Executive Committee. This may include the approving of bill payments in lieu of approval by executive committee during months when/if the executive committee does not meet.
- B. Vice President: The Vice President shall perform all the duties of the President, in case of their absence or disability, and such other duties as may from time-to-time be required or requested of them by the Regional Planning Commission or the Executive Committee. In case the Vice President and President are absent from,

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or are unable to perform their duties, the Regional Planning Commission may appoint a President Pro-Tem.

- C. Secretary: The Secretary shall keep or supervise the keeping of Minutes of all meetings of the Regional Planning Commission and the Executive Committee, and shall perform such other duties as may be required or requested of them by the Regional Planning Commission or the Executive Committee. They shall also forward copies of the Minutes of the Regional Planning Commission meetings to each member of the Regional Planning Commission. Copies of the Executive Committee meetings shall be forwarded by the Secretary to each member of the Regional Planning Commission.
- D. Other Officers: The Regional Planning Commission may appoint or elect such other officers as it shall deem necessary, who shall have the authority to perform such duties as from time-to-time may be assigned by the Regional Planning Commission or the Executive Committee.
- E. Vacancy: If the Presidency of the Regional Planning Commission shall become vacant by reason of death, resignation, or disqualification, the Vice President will automatically ascend to that position, and the Regional Planning Commission shall elect a successor to hold the office of Vice President for the unexpired term.

SECTION VIII: NOMINATION OF RICHLAND COUNTY REGIONAL PLANNING COMMISSION OFFICERS AND AT-LARGE MEMBERS

- A. In the fall of even numbered years, the President of the Regional Planning Commission shall appoint a Nominating Committee of no less than five (5) members of the Regional Planning Commission, who shall prepare a list of the eight (8) at-large representative members of the citizenry of Richland County to fill the positions, and to recommend the nominees for President and Vice President.
 - 1) Officers: The nominees for President and Vice President shall be selected from among the members of the Regional Planning Commission. The list of nominees shall be presented to the Regional Planning Commission for their review and approval at the first meeting of the Regional Planning Commission every odd numbered year. Additional nominations may be made by a petition signed by at least five (5) members of the Regional Planning Commission, provided that such petition is received by the Secretary at least one (1) day prior to the first meeting of the year in which the elections are held. The newly-elected officers shall take office beginning the first of the month following the month the election takes place.

At Large Representatives: The proposed list of at large representatives shall be appointed from the following areas: industry, business, education, civic, minority, agriculture, elderly persons, persons with disabilities, the Transit Board or any area that brings experience and the skills and knowledge to assist in identifying and helping meet the strategic

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priorities of the organization. At the first meeting of the Regional Planning Commission every odd numbered year, the Nominating Committee shall present the list of eight (8) proposed members to the Regional Planning Commission for their review and approval. The terms of office for all the at large members shall expire at the first meeting of the Regional Planning Commission in odd numbered years, and reappointment shall be based on attendance and participation in Regional Planning Commission activities.

SECTION IX: MEETINGS OF THE REGIONAL PLANNING COMMISSION

Regular Meetings: The Regional Planning Commission shall hold at least four (4) regular meetings each calendar year.

- A. Special Meetings: Special meetings of the Regional Planning Commission may be called by the President when they deem such meeting is necessary in order to perform any duty which may be assigned to them from time-to-time by the Regional Planning Commission or the Executive Committee, or any three (3) members may petition the President to call a Special Meeting.
- B. Notification of Meetings: The Secretary of the Regional Planning Commission shall deliver written notice of the business to be conducted at regular meetings at least seven (7) days prior to the date of any regular meetings. Notices of any special meetings shall be delivered to each member of the Regional Planning Commission at the earliest possible time. Notice of any special meeting shall state the purpose for which the meeting is being called.
- C. Quorum: At any meeting of the full Regional Planning Commission, a quorum shall consist of twelve (12) members of the Regional Planning Commission.
- D. Rules for Meetings: All meetings of the Regional Planning Commission will be subject to the rules contained in the current edition of Robert's Rules of Order Newly Revised, when not otherwise governed by these "Bylaws and Rules of Procedure.

SECTION X: ADOPTION OR AMENDMENT OF COMPREHENSIVE REGIONAL PLAN

The provisions of Section 713.23 of the Ohio Revised Code, State of Ohio, as now existing or hereafter amended, set forth the requirements for this section.

SECTION XI: EFFECT OF ADOPTION OF THE COMPREHENSIVE REGIONAL PLAN

The provisions of Section 713.25 of the Ohio Revised Code, State of Ohio, as now existing or hereafter amended, set forth the requirements for this section.

SECTION XII: FILING OF THE COMPREHENSIVE REGIONAL PLAN WITH THE COUNTY RECORDER

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The provisions of Section 713.27 of the Ohio Revised Code, State of Ohio, as now existing or hereafter amended, set forth the requirements for this section.

SECTION XIII: EXECUTIVE COMMITTEE

There is hereby created an Executive Committee of the Regional Planning Commission which shall have the following duties:

1. To be responsible for personnel, finances and public relations governing the activities of the Regional Planning Commission staff
2. To assist the staff in formulating planning work programs to be carried out by the staff personnel and approved by the Regional Planning Commission
3. To review actions and recommendations of all Standing Committees and Special Committees established by the President of the Regional Planning Commission
4. To act on behalf of the Regional Planning Commission:
 1. Where an urgent action on Regional Planning Commission matters are required prior to regular Regional Planning Commission meetings, such action subject to review by the Full Regional Planning Commission at the next regular meeting and if necessary, confirmation by the Commission
 2. In the absence of a quorum of the Regional Planning Commission
 3. Exercise all other powers that may be delegated to it by the Regional Planning Commission

A. Membership of the Executive Committee: The Executive Committee shall consist of the following voting members of the Commission:

A. Officers

- a. President
- b. Vice President

B. County Members

- a. One (1) Commissioner
- b. County Engineer
- c. Richland Public Health

C. Municipal Members

1. City of Mansfield
 - a. Mayor
 - b. City Engineer

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2. Mayor of each of the city participant municipalities
 3. One (1) village participant Mayor on the Regional Planning Commission to be appointed by the President of the Commission subject to the approval of the Regional Planning Commission
- D. One (1) township member on the Regional Planning Commission to be appointed by the President of the Commission subject to the approval of the Regional Planning Commission
- E. Two (2) at large members to be appointed by the President of the Commission subject to the approval of the Regional Planning Commission.
- F. Chairman of the Planning Advisory Council
- B. Term of Office: Each member of the Executive Committee shall serve until their successor is elected and qualified; provided, however, that in the event a vacancy occurs on such Committee by resignation or otherwise, the President of the Regional Planning Commission shall appoint a qualified person for the unexpired term of their predecessor, subject to the approval of the Regional Planning Commission.
- C. Attendance at Executive Committee Meetings: Any appointed member of the Executive Committee who is absent for three (3) consecutive meetings without just cause may be removed from membership by a vote of the Executive Committee, and said position shall be filled by a replacement named in the same manner as utilized for the original appointment.
- D. Officers of the Executive Committee: The officers of the Executive Committee shall be the Executive Officers of the Regional Planning Commission. Each Executive Officer shall hold office until their successor is elected and qualified.
- E. Meetings of the Executive Committee: The Executive Committee shall hold at least six (6) regular meetings each calendar year. Special meetings of the Executive Committee may be called by the President of the Regional Planning Commission in the same manner as prescribed for in Section VIII, B of these Bylaws and Rules of Procedure.
- F. Notification of Meetings: The Secretary of the Regional Planning Commission shall deliver written notice of the business to be conducted at the regular meetings at least ten (7) days prior to the date of any regular meeting of the Executive Committee. Notices of any special meetings shall be delivered to each member of the Executive Committee at the earliest possible time. Notices of any special meetings shall state the purpose for which the meeting is being called.

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- G. Quorum: At any meeting of the Executive Committee, a quorum shall consist of seven (7) members of the Executive Committee.

SECTION XIV: PLANNING ADVISORY COUNCIL

The past presidents of the Regional Planning Commission who are not commission members may continue to serve as non-voting members on the Regional Planning Commission as members of the Planning Advisory Council. The immediate past president shall be Chairman of the Planning Advisory Council who shall be a voting member of the Regional Planning Commission and Executive Committee. If the immediate past president is unable to serve in this capacity as Chairman, the Planning Advisory Council shall elect from its membership a Chairman who, by way of substitution for the immediate past president, shall serve on the Regional Planning Commission and the Executive Committee.

Past presidents will file with the Director-Secretary a written request for “active” status. Past Presidents may, from time-to-time, request a change in their status from “inactive” to “active,” by filing a written request with the Director Secretary.

SECTION XV: STANDING COMMITTEES

The Richland County Regional Planning Commission shall consist of the following Standing Committees:

- Personnel Committee
- Zoning, Subdivision and Land Use Review Committee
- Other Committees as needed

- A. Appointment of Members to the Standing Committees: The President of the Regional Planning Commission shall, upon approval of the Regional Planning Commission, appoint no less than five (5) persons from the Regional Planning Commission, or other appropriate bodies to serve on each of the named committees listed in Section XIV above. All committee appointments are for two years except if the committee member resigns, is disqualified or for any other special reason as determined by the Chairman, which would be cause for removal from a committee.
- B. Officers of the Standing Committees: For the purpose of conducting committee affairs, Chairman and Secretary shall be appointed from the membership of the committee by the President, based on a recommendation received from the Committee membership. Standing Committees shall function in accordance with these Bylaws and any other rules of procedure adopted by the Regional Planning Commission. All Standing Committees shall report their actions to the Executive Committee.
- C. Meetings of the Standing Committees: Meetings of any Standing Committee shall

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be called by the Chairman when they deem such meeting is necessary in order to perform any duty that may be assigned to them from time-to-time by the Regional Planning Commission.

SECTION XVI: SPECIAL COMMITTEES

Appointment of Members to the Special Committees: Special Committees of the Regional Planning Commission may be appointed from time-to-time by the President with the approval of the Regional Planning Commission, and shall function under the same rules as specified in Section XIV for Standing Committees.

SECTION XVII: STAFF PERSONNEL

- A. Employment: The Executive Committee of the Regional Planning Commission shall approve the employment or discharge of an Executive Director and authorize such planners, engineers, accountants and others as may be necessary and establish their salary ranges. When so authorized, such employees shall be selected and approved by the Executive Director of the Regional Planning Commission. Staff compensation and fringe benefits will be governed by the provisions of "Personnel Policies of the Richland County Regional Planning Commission".
- B. Executive Director Duties and Responsibilities: The Executive Director shall have charge of and manage the active business operations of the Regional Planning Commission; shall hire, terminate, assign, supervise, and control the work to be done by its employees, and sign all reports and recommendations of the Regional Planning Commission prepared and adopted under the approval of the Executive Committee, and shall keep active accounts of all property passing through their hands and shall do and perform all other duties as may from time-to-time be assigned to or requested of them by the Regional Planning Commission or the Executive Officers.
- C. Dual Offices: The Executive Director shall be appointed as the Secretary of the Commission. The Executive Director may also be elected or appointed to serve as an officer of Standing or Special Committees. The Executive Director shall be an ex-officio member of the Personnel Committee.

SECTION XVIII: PARTICIPATION PRIVILEGES AND PLANNING SERVICES

- A. Determination of Participation: Participants in the Regional Planning Commission (Section 713.21 ORC) may include school districts, special districts, authorities and any other units of local government and such participation shall be upon the terms as may be agreed upon. The proportion of the costs of the Regional Planning Commission to be borne respectively by the participants shall be determined, from time to time, by the Regional Planning Commission.
- B. Participation Privileges: A Participant in The Regional Planning Commission that

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has paid its participation fees in full, or as agreed upon by the Executive Committee, each year shall receive the following privileges:

- 1) Assistance to the county, municipalities and townships on particular planning problems facing the participant.
- 2) Three (3) complimentary copies of all sale publications, maps, and other studies published by the Regional Planning Commission. Otherwise, all published materials will be sold at a reduced price to all participants.
- 3) Expert advice and professional recommendations on any rezoning request, or subdivision plat within any participant.
- 4) A planning study, map of, or reporting upon public improvements, the use of land or the control of development upon the land within the boundaries of any participant, in accordance with any special agreement authorized and approved by the Regional Planning Commission.
- 5) Other technical support, materials or special services as appropriate.

C. Participant in Good Standing: To remain a participant in good standing, a participant shall be current in their dues, appoint their members or designees, and members attend the RCRPC meetings consistent with the requirements of these By-laws. An entity that is unable to pay its annual participation fee in full or in part may present a payment plan proposal during an executive committee meeting. If there is no resolution, the entity may be subject to a reduction of Regional Planning services, and a loss of membership and participation privileges pending approval by the Full Commission.

D. Participation Fees: The local cost of maintaining the Regional Planning Commission shall be apportioned among the participants in the following manner:

DEFINITION: The "local cost" shall be determined based on the sum of the following:

- The amount required in local funds to provide the matching funds required by the Transportation Planning Program.
 - The amount required to support the work elements for "Comprehensive Planning and Coordination," providing general local services and zoning and subdivision assistance.
 - The amount required to support the operations of the commission.
- 1) Richland County and the City of Mansfield, the two governmental entities that created the Richland County Regional Planning Commission in 1959 shall each provide ten percent (10%) of the RCRPC's costs for the current year as a "sustaining fee".

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- 2) The County shall be responsible for an additional forty percent (40%) of the cost of operating the Regional Planning Commission. This forty percent (40%) shall be derived from the following sources:
 - a) An additional twenty one and one half percent (21.5%) will be provided by the Richland County Commissioners, over and above the "sustaining fee" payment as identified in 1 above.
 - b) Eight and one half percent (8.5%) will be provided by the Richland County Engineer, and shall be credited only as contributing to the local match requirement for the Transportation Planning Program.
 - c) Ten percent (10%) will be provided collectively by the participating townships, with the amount of each township's contribution determined in direct proportion to their respective unincorporated population in the most recent United States Census of Population.
- 3) The remaining forty percent (40%) of the cost shall be shared by Richland County's municipalities, as follows:
 - a) Forty percent (40%) will be provided collectively by the various participating municipalities in direct proportion to their respective population in the most recent United States Census of Population. For the City of Mansfield this is in addition to the "sustaining fee" payment as identified in 1 above.

The Regional Planning Commission may accept, receive, and expend funds, grants, and services from the federal government or its agencies, from departments, agencies and instrumentalities of state or local government, or from civic sources and contract with respect thereto, and provide such information and reports as may be necessary to secure such financial aid.

The Regional Planning Commission Executive Committee shall, at its regular May meeting in each year, make appropriations for its expenses for the twelve-month fiscal year commencing July 1, which appropriations may be modified or supplemented from time-to-time during the year, but shall at no time exceed the total amount received or due from participating units of local government, from public agencies, from the federal government, or from other sources.

SECTION XIX: REGIONAL PLANNING COMMISSION PLANNING SERVICES

The Executive Director is hereby authorized to complete for a participant in the Regional Planning Commission, any of the duties that are permitted under Section 713.23 of the Ohio Revised Code and/or any of the elements listed in Section III, B, of these Bylaws and Rules of Procedure.

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Projects for specific local subdivisions will be programmed within the time constraints and financial resources of the normal planning program, as specified in the Overall Work Program.

If a planning project cannot be accommodated within the existing financial resources, all charges for services rendered pursuant to Subsection A of this Article shall be over and above the participation fee established for a participant.

Service agreements between a participant and the Regional Planning Commission shall be consummated upon:

- 1) A Resolution approved by the appropriate authority of the participant (such as the Planning Commission of a municipality or a Township Zoning Commission) requesting the Regional Planning Commission to proceed with specified community planning services.
- 2) A Resolution approved by legislative bodies of such participant requesting community planning services and appropriating the necessary funds to cover the fees of the work to be performed by the staff of the Regional Planning Commission.

The Resolution should include provisions for supplementary appropriations in succeeding years as requested to complete specified planning services.

A Resolution approved by the Regional Planning Commission authorizing the staff, under the supervision of the Executive Director to perform such work, pursuant to request of the Planning Commission and the legislative body of the participant.

In calculating fees for the provision of planning and related services to a participant, the costs shall be based on the following:

Direct Costs

- Personnel
- Travel
- Reproduction
- Materials
- Telephone
- Other direct costs incurred

Indirect Costs

- General overhead costs as established by the cost allocation plan
- Fringe Benefits

SECTION XX: WITHDRAWAL

Any participant may withdraw their cooperation hereunder at any time by a Resolution to do so, and delivery of a certified copy thereof to the Secretary of the Regional Planning

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Commission three (3) calendar months prior to the actual date of withdrawal, and said withdrawal date shall be effective one (1) calendar month after receipt by the Secretary of the Regional Planning Commission of the withdrawal notice from the withdrawing member. Such notices of withdrawal shall not relieve the withdrawing party of its obligation to contribute its share of the cost for the full twelve (12) month period prior to the actual withdrawal date.

SECTION XXI: AMENDMENT PROCEDURES

These Bylaws may be amended from time-to-time only in accordance with the following procedure:

- A. The Secretary shall within ten (10) day prior to the regular Executive Committee meeting of the Regional Planning Commission, forward to each member of the Executive Committee of the Regional Planning Commission, a copy of the proposed amendment.
- B. Such proposed amendment shall then be presented at the next regular meeting of the Full Commission of the Regional Planning Commission. Such amendment shall be deemed adopted upon receiving the affirmative vote of a majority of the members of the Full Commission of the Regional Planning Commission present at such meeting, if a quorum is present as provided in Section VIII, Article D, of these Bylaws and Rules of Procedure.

SECTION XXII: STATUTES AND SEVERANCE CLAUSE

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