

WABASH COUNTY, INDIANA
ADVISORY PLAN COMMISSION

WABASH COUNTY COURTHOUSE
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WABASH, IN 46992

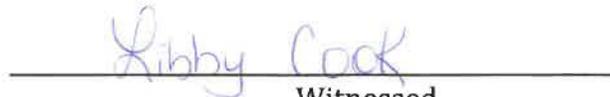
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WABASH COUNTY, INDIANA
ADVISORY PLAN COMMISSION
RULES OF PROCEDURE

REVIEWED AND RATIFIED ON: 3/2/2017



Signed
P.C. Board Chairman



Witnessed
P.C. Secretary

**WABASH COUNTY PLAN COMMISSION
RULES OF PROCEDURE**

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WABASH COUNTY PLAN COMMISSION RULES OF PROCEDURE

Rule 1: AUTHORITY AND DUTIES

- 1.1** The Wabash County Plan Commission (hereinafter called "Commission") exists as an Advisory Plan Commission under the authority of Indiana law, and these rules are adopted in accordance with the requirements thereof.
- 1.2** The duties of the Commission shall be those set forth in Indiana law and such other responsibilities as may be required by county ordinance and as identified below:
 - (A)** The Commission, in concert with the Director, shall establish a job description for all employed positions within the Plan Commission.
 - (B)** The Commission shall review and make a recommendation on an annual budget for the Plan Commission.

RULE 2: DEFINITIONS

- 2.1** These definitions apply to each provision of the rules:
 - "Commission" means the Wabash County Plan Commission.
 - "Director" means the Director of the Wabash County Plan Commission.
 - "Chairman" means the Chairman of the Wabash County Plan Commission.
 - "Secretary" means the Secretary of the Wabash County Plan Commission.
 - "Vice Chairman" means the Vice Chairman of the Wabash County Plan Commission.

RULE 3: APPOINTMENT AND TERMS OF MEMBERS

- 3.1** The Commission shall consist of nine (9) voting members, appointed in accordance with the statutes of Indiana.
- 3.2** A member is eligible for re-appointment.
- 3.3** If a vacancy occurs among the members of the Commission, the appointing authority shall appoint a member for the unexpired term of the vacating member.
- 3.4** A member who misses three (3) consecutive regular meetings shall be treated as if he/she had resigned, unless the appointing authority reaffirms his/her appointment.
- 3.5** The term of office of a member who is appointed from the membership of a legislative or fiscal body is co-extensive with the member's term of office on that body, unless that body, at its first regular meeting in any year, appoints another to serve as its representative.

RULE 4: OFFICERS AND STAFF

- 4.1** ELECTION OF OFFICERS
 - (A)** The officers of the Commission are the Chairman, Vice Chairman and Secretary.

- (B) The officers of the Commission shall be elected at the first regular meeting of the Commission in each year.
- (C) The person serving as presiding officer of the Commission at the last meeting of the preceding year shall entertain nominations for each office chosen under these rules.
- (D) Whenever a candidate receives a majority vote of the entire membership of the Commission, that person shall be declared elected.
- (E) Each officer elected under these rules shall enter into office immediately upon being declared elected and shall serve until his/her successor is declared elected at the first meeting of the following year, or until the officer is no longer a member of the Commission.
- (F) Whenever any office becomes vacant, the Commission shall elect a successor at its next regular meeting to complete the remainder of the unexpired term.
- (G) An officer may serve more than one (1) consecutive term as an officer.
- (H) A motion to remove an officer of the Commission may be made by any member of the Commission. A majority vote of all members is required to remove the officer. If removed, a motion to appoint a successor shall immediately be made, and if approved by a majority vote of the Commission, that individual shall preside in that capacity until the next regular election. If no successor is approved, the individual removed from office shall remain in that office for their unexpired term.

4.2 DUTIES OF OFFICERS

- (A) The Chairman shall preside over all meetings of the Commission. The Chairman shall perform the duties normally performed by a presiding officer, including the appointment of committees and ruling on all points of procedure.
- (B) The Chairman shall be responsible for conducting the meeting and may take appropriate actions necessary for the Commission to fulfill its responsibilities.
- (C) The Chairman may disallow repetitive and irrelevant testimony.
- (D) The Chairman may participate in the discussion of all matters before the Commission and vote on any matter before the Commission.
- (E) The Chairman, after calling for a motion to be made, may make a motion.
- (F) The Chairman shall announce the decisions of the Commission for purposes of recording in the minutes.
- (G) The Chairman shall sign all official documents on behalf of the Commission. The Vice Chairman shall act as Chairman during the absence of that officer.
- (I) In the absence of the Chairman, the Vice Chairman is authorized to sign all official documents on behalf of the Commission.

- (J) The Commission shall elect a Chairman Pro Tempore from among its members if both the Chairman and Vice Chairman are absent.

4.3 APPOINTMENT AND DUTIES OF SECRETARY

- (A) The Commission shall appoint a Secretary, who shall be an employee of the Plan Commission.
- (B) In the absence of the Secretary, the Commission may appoint a Secretary Pro Tempore during the absence of the Secretary.
- (C) The Secretary shall perform the following tasks:
 - (1) Keep a complete and accurate record of all proceedings and votes of the Commission;
 - (2) Prepare the agenda of all regular and special meetings;
 - (3) Provide notice of meetings to Commission members;
 - (4) Arrange for all required legal notices for hearings of the Commission;
 - (5) Attend to the correspondence of the Commission;
 - (6) Record and file all bonds, contracts, and commitments and assume all responsibility for custody and preservation of all papers and documents of the Commission;
 - (7) Prepare, publish, and distribute reports, and other material relating to Commission activities;
 - (8) Perform all other duties normally carried out by a secretary.

4.4 LEGAL COUNSEL

- (A) The Commission shall appoint legal counsel and affix a rate of compensation at the first regular meeting of the Commission in each year.
- (B) Legal counsel shall be on call to attend Commission meetings upon the request of the Chairman or Director.
- (C) The Director may utilize legal counsel when necessary to conduct Commission business.

4.5 DIRECTOR

- (A) The Director, or a designee, shall attend all Commission meetings and act as staff to the Commission.
- (B) The Director shall, to the best of the Director's ability, offer the best professional planning advice to the Commission and general public.

- (C) The Director may submit to the Commission a staff report on all matters brought before the Commission. The staff report may include a staff recommendation on the matter.
- (D) The Director shall supervise the staff, administer the daily affairs of the Plan Commission, and conduct all investigations required to administer the Zoning and Subdivision Control Ordinances.
- (E) The Director may establish administrative rules and Declaratory Rulings on office procedures and interpretations of codes and ordinances.

4.6 STAFF

- (A) The Director, and employees of the Plan Commission, shall act as staff to the Commission.
- (B) The Commission may execute contracts for special or temporary services and any professional counsel.
- (C) The Director shall obtain the advice and consent of the Commission prior to selecting and hiring any Plan Commission employee.
- (D) The staff of the Commission shall be hired, retained, promoted and discharged without regard to age, ancestry, color, handicap, national origin, race, religion, or sex.

RULE 5: SEAL

- (A) The Commission may adopt a seal with the caption "Seal of the Wabash County Plan Commission".
- (B) The Secretary may then employ the seal to certify all official acts of the Commission.

RULE 6: FILING PROCEDURE

- 6.1 Unless otherwise prescribed by Indiana statute, all petitions shall be signed by all the legal owners (i.e. all grantees named in the deed) of the land involved in the petition. The owner(s) listed on a deed may submit a written authorization permitting someone to file an application for them.
- 6.2 Unless authorized by the Director, all required information shall be submitted by the established filing deadline for the following Commission meeting.
- 6.3 No application shall be deemed complete that fails to include all of the forms and documents required by these Rules.
- 6.4 No Confined Feeding Operation (CFO) application shall be deemed complete unless accompanied by a certificate of approval from the Wabash County Drainage Board, an approved permit issued by the Indiana Department of Environmental Management, together with any other permit now or hereafter required by the State of Indiana, or the County of Wabash.

- 6.5 No improvement location permit shall be issued unless the application therefor is accompanied by a certificate of approval from the Wabash County Drainage Board.
- 6.6 No improvement location permit shall be issued for an improvement that generates sewage until a septic permit is issued by the Wabash County Health Department.
- 6.7 The Director, with the approval of the Plan Commission, shall develop forms to be used in connection with public hearing notices, legal notice advertisements, applications, etc.

RULE 7: MEETINGS AND PUBLIC HEARINGS

7.1 APPLICABILITY

This rule applies to all public hearings required by Indiana law, the Wabash County Zoning and Subdivision Control Ordinances, or other applicable ordinances, and to all regular and special meetings of the Commission.

7.2 GENERAL RULES

- (A) A schedule of regular meeting dates shall be established by the Commission. The schedule shall include the dates, times and location of the meeting.
- (B) The schedule of meetings shall be available to any interested party.
- (C) All meetings, at which official action is taken, except for executive sessions called in accordance with applicable law, shall be open to the general public.
- (D) The agenda shall list all items to be considered by the Commission at the meeting.
- (E) No matter shall be placed on the agenda until all required information, forms and documents are submitted.
- (F) The agenda shall be available for public inspection at the Plan Commission Office no later than three (3) days before any regular meeting.
- (G) Notice of all meetings shall be in compliance with Indiana law.
- (H) Each petitioner shall be notified of the time and place of the meeting at which such petition will be heard.
- (I) The Director shall, within five (5) days of the regular meeting, mail or deliver a packet of information regarding the meeting to all members of the Commission. The packet of information shall include an agenda and may include staff reports, minutes, copies of petitions, and any additional information for the members to review prior to the meeting.
- (J) After a quorum has been declared, the Chairman, upon the approval of the Commission, may reschedule the order of which the items on the agenda will be heard.

- (K) Robert's Rules of Order shall govern the conduct of all meetings and public hearings except to the extent that it conflicts with a statute of the State of Indiana, or a Wabash County Ordinance, or these Rules.
- (L) Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the Commission and shall be dealt with as the Chairman or presiding officer deems fair and proper.
- (M) In the presentation of a case, the burden shall be upon the petitioner to supply all information, including site plans, documentation, evidence and other exhibits necessary for a clear understanding of the petition. The Commission may continue the hearing or deny the petition when in its judgment the petitioner has not provided sufficient information or evidence to make a determination.
- (N) The Commission may require additional information, data, statistics, surveys or site plans as deemed necessary for a determination .
- (O) The Plan Commission Director must be informed prior to the meeting if the petitioner desires a continuance. Enough notice must be given to the Director in order for written notice of the continuance to be given to all interested parties. If the Director determines that insufficient notice is given to allow a continuance, the petition shall be scheduled for the Commission meeting and the petitioner shall, in person or by agent, request a continuance at the meeting. It shall be within the discretion of the Commission to grant or deny requests for continuances at the meeting.
- (P) The Commission may continue any item from one meeting to another. No notice shall be required for the continued consideration of any item unless required by Indiana law.
- (Q) No petition may be withdrawn by the petitioner after a motion has been made and seconded.
- (R) Executive Sessions of the Commission shall be held in accordance with the Indiana Open Door Law.
- (S) Any change in an application which would affect the accuracy and content of the legal notice publication shall require a new legal notice publication. If the change was requested by the petitioner, all associated costs of republication shall be paid by the petitioner.
- (T) If the petitioner or an authorized agent for the petitioner fails to notify the Plan Commission Office, by 2:00 PM, the day of the hearing, requesting to be rescheduled, or fails to appear at the scheduled hearing to represent the application, the Commission may dismiss the application. An application which is dismissed by the Board shall not be permitted to be resubmitted for Ninety (90) days from the date of the Boards action to dismiss.

7.3 CONFLICT OF INTEREST

- (A) No member of the Commission shall participate in a hearing, discussion, or decision of the Commission upon any matter in which the member currently has a direct or indirect financial interest.
- (B) In the event a member is not aware of his/her interest or conflict in a matter, but discovers a conflict exists during the meeting, the member shall immediately disclose such interest and shall abstain from voting on the matter.
- (C) The Secretary shall enter into the records the fact that the member has a conflict and has abstained.

7.4 OFFICIAL ACTION

- (A) A majority of the entire membership of the Commission constitutes a quorum.
- (B) A motion may be made by any member of the Commission after the agenda item has been introduced.
- (C) A motion that does not receive a second shall die.
- (D) Action of the Commission shall not be official unless it is authorized by a majority vote of the entire membership of the Commission.
- (E) If a majority vote of the entire membership of the Commission cannot be achieved, no action can be taken on the matter and it shall be tabled until the next regular meeting of the Commission unless the petition is withdrawn by the petitioner or a special meeting is called by the Commission.
- (F) Voting shall be by roll call, unless otherwise authorized by the Chairman.
- (G) A record of the vote shall be kept in the minutes.
- (H) Each member present shall vote on every question unless permitted to abstain by the presiding officer or has disqualified himself because of a conflict of interest.
- (I) Any member of the Commission who voted with the majority may call for a reconsideration of such matter, provided that the next scheduled agenda item has not yet been introduced. If sustained by a majority of the Commission, the reconsideration shall be made.

7.5 MEETINGS

- (A) Regular meetings shall be scheduled by the Commission.
- (B) The order of business at any regular meeting shall be as follows:
 - (1) Call to Order
 - (2) Roll Call, Determination of Quorum
 - (3) Consideration of Minutes
 - (4) Old Business (continued or tabled items)
 - (5) New Business
 - (6) Discussion Items
 - (7) Items from citizens
 - (8) Items of Discussion by Board Members
 - (9) Director's Report
 - (10) Adjournment

- (C) Special meetings may be called by the Chairman or by any two members of the Commission upon written request to the Secretary.
- (D) The notice for the special meeting shall specify its purpose. No other business may be considered at a special meeting except by unanimous consent of the Commission.
- (E) The Secretary shall notify all members of the Commission in writing not less than forty-eight (48) hours in advance of any special meeting and shall arrange for all notice required under the Open Door law.
- (F) The order or business for special meetings shall be:
 - (1) Call to Order
 - (2) Roll call; Determination of Quorum
 - (3) The business for which the special meeting was called
 - (4) Adjournment
- (G) Executive sessions may be called by the Chairman or by any two members of the Commission, provided that notice is given in accordance with applicable law.
- (H) Whenever there is a lack of business for Commission consideration, the Chairman may dispense with a regular meeting by having the Secretary give written notice to all members and to the general public.

7.6 PUBLIC HEARINGS

- (A) The Commission may conduct a public hearing as a part of any regular or special meeting or at any other place or time if notice is given as required by law.
- (B) In addition to those required by law, the Commission may, at its discretion, hold public hearings when it decides that a hearing will be in the public interest.
- (C) Notice of all hearings shall be given as required by law.

RULE 8: NOTICE REQUIREMENTS

8.1 GENERAL

- (A) Unless otherwise prescribed by law or by another rule, notice to interested parties shall be prepared by the Secretary and sent by the Plan Commission Office by first class postage prepaid mail, at least 10 days before the hearing, and have the post office date stamp the mailing list of names. The Secretary shall prepare the notice and prepare a listing of those individuals to whom notice is given and certify that it is, to the best of his/her knowledge, a complete listing of interested parties. The Secretary shall take reasonable steps to ensure that all interested parties are notified.
- (B) Unless otherwise indicated, interested parties are defined as follows:
 - (1) All persons with a legal interest in a property which is included in a petition before the Commission when their signature is not obtained.

- (2) All owners of real estate, within Wabash County, and within two hundred (250) feet of any portion of the subject real estate.
- (C) The names of property owners to be notified shall be ascertained from the Wabash County GIS System Records as maintained by the County Auditor and Assessor Offices.
- (D) Personal appearance at the hearing shall constitute evidence of notice.
- (E) In addition, the petitioner shall cause to be published, not less than 10 days prior to the hearing and in a Wabash County newspaper, notice of the public hearing, in a form prescribed by the Commission.

8.2 REPLACEMENT ORDINANCE; REPEAL OR AMEND ORDINANCE

- (A) The Commission, when considering to replace, partially repeal, or amend the text of the Zoning Ordinance or to replace the Zoning Map shall adhere to the following procedures:
 - (1) All citizens of the County are interested parties.
 - (2) Notice to interested parties shall be by legal publication which includes the information required by Indiana law.
 - (3) Notice to individual property owners shall not be required.
 - (4) The Commission shall post notices of the proposal at least ten (10) days prior to the scheduled public hearing. Notice shall be posted in the Commission Office and at the place the public hearing is to be held.
- (B) The Commission, following the conclusion of the public hearing as required by law, shall state its recommendation concerning the proposed amendment by adopting a report in accordance with Indiana statutes.
- (C) Upon the adoption of a replacement Zoning Ordinance, notice of adoption shall be published in accordance with Indiana statutes.

8.3 REZONING AMENDMENTS

- (A) The Commission, when considering a petition to amend the Zoning Map, shall adhere to the following procedure:
 - (1) Unless otherwise indicated, interested parties are defined as:
 - (a) All persons with a legal interest in a property which is included in a petition before the Commission when their signature is not obtained;
 - (b) All owners of real estate, within Wabash County, and within two hundred fifty (250) feet of any portion of the subject real estate.
 - (2) Unless otherwise prescribed by law or by another rule, notice to interested parties shall be prepared by the Secretary and sent by the Plan Commission Office by first class postage prepaid mail, at least 10 days before the hearing, and have the post office date stamp the mailing list of names. The Secretary shall prepare the notice and prepare a listing of those individuals to whom notice is given and certify that it is, to the best of his/her knowledge, a complete listing of interested parties. The Secretary shall take reasonable steps to ensure that all interested parties are notified.

- (3) In addition the petitioner shall cause to be published, not less than ten (10) days prior to the hearing and in a Wabash County newspaper, notice of the public hearing, in a form prescribed by the Commission. Legal publication of the hearing shall be in accordance with state law. This notice shall state the date, time, and place of the hearing, the name of the petitioner, and a brief description of the property to be rezoned, stating its mailing address and a general description and/or legal description of its location deemed adequate by the Director.
- (B) The Commission, following the conclusion of the public hearing, shall state its recommendation concerning the proposed rezoning ordinance by adopting a report in accordance with Indiana statutes.
- (C) In accordance with Indiana law, any rezoning proposal that is defeated shall not be considered again by the Commission for at least one (1) year after the date it is defeated.

8.4 PLAT APPROVAL

- (A) A person desiring the approval of a plat shall submit a written application for approval in accordance with procedures prescribed in the Wabash County Subdivision Control Ordinance.
- (B) The Commission shall establish a uniform schedule of fees proportioned to the cost of checking and verifying the proposed plats. An applicant shall pay the specified fee upon the filing of an application for approval.
- (C) Upon receipt of an application for primary approval, the Commission staff shall review the application for technical conformity with the standards fixed in the Subdivision Control Ordinance. Within thirty (30) days after receipt, the staff shall announce the date for a hearing before the plan commission and provide for notice as hereinafter provided.
- (D) After the Commission staff has announced a date for a hearing before the Commission, it shall:
 - (1) Notify the applicant in writing;
 - (2) Give notice of the hearing by publication one (1) time, at least ten (10) days before the date of the hearing; and
 - (3) Provide for due notice to interested parties at least ten (10) days before the date set for the hearing.
- (E) For the purpose of platting real property, all persons with a legal interest in the property to be platted and all owners of real estate, within Wabash County, and within two hundred fifty (250) feet of any portion of the property to be platted are interested parties.
- (F) Notice to interested parties shall be approved by Director sent by the Plan Commission Office by first class postage prepaid mail, at least 10 days before the hearing, and have the post office date stamp the mailing list of names. The petitioner shall pay all expenses of providing the notice required by this Rule.

- (G) The petitioner shall publish a notice of the public hearing one (1) time, at least ten (10) days before the date of the hearing. Such notice must state the date, time, and place of the hearing; the name of the petitioner; and a brief description of the property to be platted, stating its mailing address and a general description of its location as the Director shall require.
- (H) As a condition of primary approval of a plat, the Commission may specify:
- (1) The manner in which public ways shall be laid out, graded, and improved;
 - (2) A provision for water, sewage, and other utility services;
 - (3) A provision for lot size, number, and location;
 - (4) A provision for drainage design;
 - (5) A provision for other services as specified in the subdivision control ordinance.
- (I) If, after the hearing, the Commission determines that the application and plat comply with the standards in the Subdivision Control Ordinance, it shall make written findings and a decision granting primary approval to the plat. This decision must be signed by the Commission Chairman.
- (J) If, after the hearing, the Commission disapproves the plat, it shall make written findings that set forth its reasons and a decision denying primary approval and shall provide the applicant with a copy. This decision must be signed by the Commission Chairman.
- (K) Secondary approval may be granted to a plat for a subdivision, in which the improvements and installments have not been completed as required by the subdivision control ordinance, if:
- (1) The applicant provides a bond, or other proof of financial responsibility, that:
 - (a) Is an amount determined by the Commission to be sufficient to complete the improvements and installations in compliance with the ordinance; and
 - (b) Provides surety satisfactory to the Commission; or
 - (2) With respect to the installation or extension of water, sewer, or other utility service:
 - (a) The applicant shows by written evidence that it has entered into a contract with the political subdivision or utility providing the service;
 - (b) The Commission determines, based on written evidence, that the contract provides satisfactory assurance that the service will be installed or extended in compliance with the Subdivision Control Ordinance.
- (L) Any money received from a bond or otherwise shall be used only for making the improvements and installments for which the bond or other proof of financial responsibility was provided. This money may be used for these purposes without appropriation. The improvement or installation must conform to the standards provided for such improvements or installations by the Subdivision Control Ordinance.
- (M) By empirical observation and by the employment of other professional resources when necessary, the Director shall determine whether all improvements and

installations have been constructed and completed as required by the Subdivision Control Ordinance.

- (N) No notice or hearing is required for secondary plat approval.
- (O) A subdivision plat may not be filed with the auditor, and the recorder may not record it, unless it has been granted secondary approval and signed and certified by the Commission Chairman. The filing and recording of the plat is without legal effect unless approved by the Commission.

8.5 PLAT VACATIONS

- (A) The owner of land in a plat within the Commission's jurisdiction may file with the Commission a petition to vacate all or part of the plat pertaining to the land owned by the petitioner.
- (B) The petition must:
 - (1) State the reasons for and circumstances prompting the request;
 - (2) Specifically describe the property in the plat proposed to be vacated;
 - (3) Give the name and address of each owner of land in the plat.
- (C) The petition may include a request to vacate any recorded covenants or commitments filed as part of the plat. The covenants or commitments are then also subject to vacation.
- (D) Within thirty (30) days after receipt of a petition for vacation of a plat, the Commission staff shall announce the date for a hearing before the Commission.
- (E) Written notice shall be mailed, Certified Return Receipt Requested, to each owner of land in the plat, and to all owners of land abutting the property to be vacated; all of whom shall be considered interested parties.
- (F) The petitioner shall publish a notice of the public hearing one (1) time, at least ten (10) days before the date of the hearing. Such notice must state the date, time, and place of the hearing; the name of the petitioner(s); and a brief description of the property to be vacated, stating a general description of its location as deemed adequate by the Director.
- (G) The petitioner shall pay all expenses of providing such notice as required at 8.5(E) and 8.5(F) above.
- (H) Each owner of land in the plat shall have an opportunity to comment on the petition.
- (I) The Commission shall approve or deny the petition for vacation.
- (J) The Commission shall approve the petition for vacation of all or part of a plat only upon a determination that:
 - (1) Conditions in the platted area have changed so as to defeat the original purpose of the plat;
 - (2) It is in the public interest to vacate all or part of the plat;

- (3) The value of that part of the land in the plat not owned by the petitioner will not be diminished by vacation.
- (K) If, after the hearing, the Commission determines that the plat or part of the plat should be vacated, it shall make written findings and a decision approving the petition. The Commission may impose reasonable conditions as part of its approval.
- (L) The decision must be signed by the Commission Chairman.
- (M) The plan commission shall furnish a copy of its decision to the county recorder for recording.
- (N) If, after the hearing; the Commission disapproves the petition for vacation, it shall make written findings that set forth its reasons in a decision denying the petition and shall provide the petitioner with a copy.
- (O) The decision must be signed by the Commission Chairman.
- (P) The approval, disapproval, or imposition of a condition on the approval of the vacation of all or part of a plat is a final decision of the plan commission. The petitioner or an aggrieved party may seek review of the decision of the plan commission as provided by IC 36-7-4-1016.

RULE 9: COMMITMENTS

9.1 COMMITMENTS PERMITTED

- (A) Commitments shall be prepared and enforced in accordance with IC 36-7-4-600 et seq.
- (B) A commitment made under this section may be modified or terminated only by a decision of the plan commission made at a public hearing after notice of the hearing has been provided as required by these rules.

RULE 10: PRESENTATION AND DEBATE

10.1 PROCEDURES FOR PRESENTATION

- (A) Each hearing shall be conducted in the following order:
 - (1) Agenda item read into the record by the Chairman.
 - (2) The Chairman shall determine whether the petitioner is present and wishes to proceed with his/her petition.
 - (3) The petitioner shall presents facts relating to the petition.
 - (4) The Chairman shall ask if anyone wishes to speak in support of the petition.
 - (5) The Chairman shall ask if anyone wishes to speak in opposition to the petition. Written objections shall also be considered.
 - (6) The petitioner shall be offered an opportunity to rebut the testimony of those against the petition.
 - (7) The staff of the Plan Commission may present the staff report and recommendation, if any.
 - (8) Commission members may direct questions to anyone present at any time.

- (9) The Chairman shall entertain a motion concerning the matter before the Commission.
- (10) The Chairman shall announce the decision of the Commission.

10.2 PROCEDURE FOR DEBATE

- (A) The Chairman may impose reasonable time limits upon anyone's presentation.
- (B) The petitioner, the property owner, or agent for the petitioner or property owner must appear before the Commission in order for the petition to be heard. The Commission may refuse to consider any petition at a meeting where neither the petitioner, owner, or agent is present.
- (C) A person may appear in person or by counsel and participate in the discussion of a matter then being considered by the Commission, and may present a petition or remonstrance.
- (D) Any person wishing to speak to the Commission shall register with the Secretary and provide his or her name and address.
- (E) The Chairman shall determine the admissibility of any evidence before the Commission.

RULE 11: MINUTES AND RECORDS

11.1 MINUTES AND RECORDS

- (A) The Secretary shall prepare and maintain minutes of each Commission meeting. The minutes shall include the vote of each member on each question presented or indicate that the member is absent, abstaining, or not voting because of a disqualification.
- (B) The Secretary may record the meeting for his/her benefit in preparing minutes. If the meeting is recorded, such recording may be made available to a person who shall request to hear it, provided the Secretary has completed preparation of the minutes.
- (C) Any person who desires a verbatim record of the Commission meeting shall make provision for such verbatim record to be made.
- (D) Upon completion of the minutes of a Commission meeting by the Secretary, copies of the unapproved minutes can be distributed upon request. The Secretary shall write or stamp "unapproved minutes" on the copy.
- (E) Whenever possible, the minutes shall be presented to the Commission for approval at the next regular meeting. When approved, the minutes shall be signed by the Commission Chairman. Copies of approved minutes can be distributed upon request.
- (F) When the Commission has approved minutes, the Secretary may dispose of any recording of such meeting.
- (G) The minutes of the Commission meetings and all records shall be filed in the office of the Commission and are to be open for public inspection and copying. Provided,

however, that minutes of executive sessions must identify the subject matter considered by specific reference to the enumerated instance or instances listed at IC 5-14-1.5-6.1 (b). The Commission shall certify by a statement in the minutes that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

- (H) All information, records, exhibits, photos, site plans, petitions, and similar information submitted to the Commission before, during, or after the hearing shall be made a part of the permanent record of the petition and shall be retained by the Commission.

RULE 12: CONDUCT OF MEETINGS

- (A) Every person who appears before the Commission shall abide by the orders and directions of the Chairman. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the Commission and shall be dealt with as the Commission directs.
- (B) The Chairman should terminate repetitive and irrelevant testimony.

RULE 13: COMMITTEES

- (A) The Chairman, with approval of the Commission, may establish such committees to be necessary and desirable. The purpose and term of any such committee shall be specified at the time of its establishment.
- (B) Members of committees shall be appointed by the Chairman with the consent of the appointed member.

RULE 14: SUBDIVISION IMPROVEMENTS

- (A) The Commission hereby designates the Plan Commission Director, Wabash County Drainage Board, Wabash County Surveyor and Wabash County Highway Superintendent as the persons responsible for making the determination as to whether all improvements and installations have been constructed and completed as required by the Subdivision Control Ordinance and any primary plat conditions of approval.
- (B) The Director, Drainage Board, Surveyor and Highway Superintendent shall inspect all improvements and installations during the construction process and after completion thereof.
- (C) The minimum standards of the Manual of Standard Specifications for roads and streets shall be utilized to determine whether the improvements are constructed in a manner acceptable to the County.

RULE 15: AMENDMENTS AND SUSPENSION OF RULES

15.1 AMENDMENT S

- (A) Amendments to these rules of procedure may be made by the Commission at any regular or special meeting upon the affirmative vote of a majority of the Commission members.

15.2 SUSPENSION OF RULES

- (A) The suspension of any rule may be ordered at any meeting by an affirmative vote of a majority of the Commission members.
- (B) No suspension shall be continued beyond the adjournment of the meeting at which the motion to suspend was passed.

RULE 16: ADOPTION OF RULES

16.1 REPEAL OF ALL PREVIOUS RULES

- (A) All previous rules and regulations heretofore adopted by the Wabash County Plan Commission are hereby repealed, as of the effective date of these rules.

16.2 ADOPTION

These Rules of the Wabash County Plan Commission are hereby adopted and shall be effective:

REVIEWED AND RATIFIED ON: 3/2/2017

Scott Givens
Signed
P.C. Board Chairman

Libby Cook
Witnessed
P.C. Secretary

