



## **PORTSMOUTH WETLANDS BOARD BY-LAWS**

### **I. MEETINGS**

- A. A monthly public hearing of the Board shall be held on the first Wednesday of the month at 3:30 p.m. in Portsmouth City Hall or as otherwise designated.
- B. A monthly site visit of the Board shall be held on the third Thursday of the month at 4:00 p.m. A site visit will be conducted for projects under review for a wetlands permit. The site visit for a project shall be conducted during the month prior to the project's scheduled public hearing.
- C. Meetings shall be conducted to carry out the necessary business of the Board including but not limited to the review of wetland permit applications, special presentations or discussions, site visits and other business deemed necessary for a meeting.
- D. When no business exists, monthly public hearings and/or site visits may be cancelled.
- E. The Annual Meeting for the election of officers of the Board shall be held at the public hearing in the month of January. If no public hearing is convened during this month, the Annual Meeting shall be conducted at the next scheduled public hearing.
- F. All meetings to conduct the business of the Board including but not limited to public hearings and site visits shall submit to the Virginia Freedom of Information (FOIA) requirements.
- G. In keeping with the Freedom of Information Act (FOIA) requirements, the Board shall keep minutes of all its meetings, including site visits. Said minutes shall be the official records of the activities of the Board.

### **II. NOTICE OF MEETINGS**

- A. The Planning Staff shall notify members of meetings (i.e. public hearings, site visits, etc.), publish required public notices, keep a record of the proceedings of the Board, and have under the Chair,

charge of all records, correspondence, and other papers pertaining to the affairs of the Board.

- B. Meeting notification shall be provided in writing either electronically or by postal mail.
- C. All meetings and records shall be open to the public as prescribed by the Virginia Freedom of Information (FOIA) requirements.

### **III. QUORUM**

- A. At least four (4) members of the Board shall be necessary to constitute a quorum to conduct business (not including voting on applications, see below).
- B. The affirmative vote of at least five (5) members shall be required to approve a wetlands application. All other powers or functions (i.e. approval of the minutes) of the Board shall require a majority vote. Voting may be conducted by voice vote or electronic vote, if electronic voting equipment is available.
- C. Whenever a quorum is not present at any public hearing, those present may adjourn the meeting, with the guidance of Planning Staff, to another day or hold the meeting for the purpose of considering such matters as are on the agenda, provided however, no action taken at such meeting shall be final or official unless and until the Board ratifies and confirms it at a subsequent meeting at which a quorum is present.

### **IV. OFFICERS**

- A. The members of the Board shall elect the following officers:
  - 1. Chair
  - 2. Vice Chair
- B. The Chair shall preside at all meetings of the Board and shall perform such duties as are usually exercised by the Chair of a Board.
- C. The Vice Chair shall preside and perform the duties of the Chair during the absence or disability of the Chair. In the event the office of Chair becomes vacant, the Vice Chair shall succeed to this office for the unexpired term and the Board shall select a successor to the Vice Chair for the unexpired term. In the absence of both the Chair and

the Vice Chair, those members present shall select a temporary Chair.

## **V. ELECTION OF OFFICERS**

- A. The Chair and the Vice Chair shall be nominated from among the voting members at the meeting prior to the Annual Meeting. Nominations shall be made at the Board's public meeting. The Chair shall announce all nominees to be voted upon at the Annual Meeting. The election of a Chair and Vice Chair shall be supported by voice vote at the Annual Meeting. Each voting member will vote for one office at a time. The member receiving the highest number of votes shall be elected.
- B. A Chair shall be elected at the Annual Meeting, and shall hold office for a term of one year. He/She shall be eligible for re-election.
- C. A Vice Chair shall be elected at the Annual Meeting and shall hold office for a term of one year. He/she shall be eligible for re-election.

## **VI. ORDER OF BUSINESS**

- A. Call to Order
- B. Roll Call
- C. Approval of the minutes of the previous meeting
- D. Presentation of Public Hearing Items
- E. New Business
- F. Adjournment

## **VII. ATTENDANCE**

Members of the Board are expected to attend all public hearings. Attendance at site visits is optional, but encouraged. Whenever, any member misses three (3) consecutive public hearings, the Chair shall report this information to the City Council. The Chair shall inform City Council of the reasons for the absence of the member, and any deleterious effect said absence may have upon the Board as a whole or its members.

## **VIII. AMENDMENTS OF BY-LAWS**

The foregoing by-laws, or any part thereof, may be amended at any regular meeting of the Board without public notice, or at any special meeting of the Board where not less than three (3) days notice have been given to all members of the Board and a copy of the proposed amendment set with the

notice, providing, however, it shall require the vote of not less than a majority to make any amendment or change in these by-laws.

#### **IX. CONFLICT OF INTEREST**

No member of the Board shall participate in the vote on any ordinance, resolution, and motion or vote in which he, or any person, firm or corporation for which he is attorney, officer, director, employee or agent has a financial interest other than as a minority stockholder of a corporation or as a citizen of the City.

#### **X. MISCELLANEOUS**

**Suspension or Amendment of Rules.** The Board may suspend or amend any of these rules by not less than a majority of its membership at a scheduled meeting.

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***Adopted 11.2.11***  
***Amended 7.11.18***