

BY-LAWS

THE CITY OF MORGANTOWN
URBAN LANDSCAPE COMMISSION

ARTICLE I
NAME

- Section 1. The name of this organization shall be the Morgantown Urban Landscape Commission, and shall hereafter be designated as the “Urban Landscape Commission”.
- Section 2. This shall be a volunteer, non-profit organization.

ARTICLE II
PURPOSE

- Section 1. The objective of the Urban Landscape Commission shall be to advise and recommend to the City Manager and/or Council such programs or projects which in the opinion of the Commission would improve the beauty and general appearance of the City.
- Section 2. In accordance with Article 163 of the City Ordinance of 3-21-78, the Commission shall, in its advisory capacity, review and make recommendations on all City landscaping projects to be considered by Council, and on all landscape plans for new public buildings and parking lots.
- Section 3. All plans and projects to be reviewed shall automatically be sent by the City to the Urban Landscape Commission for its consideration and recommendation.
- Section 4. These recommendations shall be forwarded to City Council on or before a date set by Council.

ARTICLE III
MEMBERSHIP

- Section 1. Numbers. The Urban Landscape Commission shall consist of thirteen members, consisting of the following: one from each ward of the City, one having expertise as an urban forester, one having expertise as a landscape architect, one having expertise as a botanist or equivalent expertise, one being a member of the Board of Parks and Recreation Commission, and one being a City councilperson. All members shall be residents of the City. The City Manager shall appoint a member of City Administration to serve as an ex-officio member of the Commission.
- Section 2. Compensation. No members shall be entitled or shall receive compensation for attendance at meetings or for other services rendered, except that

reimbursement of out-of-pocket expenditures or other extraordinary expenses necessarily incurred by him/her in the performance of services shall be authorized, providing however the member was so designated by the Chair or by affirmative vote of the membership quorum to perform said service and/or expenditure.

Section 3. Liability. No member of the Urban Landscape Commission shall be liable for any action taken or omitted in good faith, providing said member has been designated by the Chair, the Executive Committee, or by affirmative vote of a membership quorum to execute said action.

Section 4. Nomination. The seven Commission members, who represent wards, shall be nominated by the City Manager upon the recommendation of their ward councilperson and confirmed by Council. The remaining members shall be nominated by individual councilpersons and confirmed by Council.

Section 5. Terms of Office. All members shall be elected for a term of three years each. If, for any reason, a member cannot complete his or her three year term, a newly appointed member from the same ward will complete the unexpired term of his/her predecessor.

Section 6. Vacancies. All vacancies shall be filled in the same manner as the original appointments and for the unexpired term only. The office of a member of the Urban Landscape Commission shall become vacant upon his death, departure from the City, resignation, or removal from office for cause.

ARTICLE IV MEMBERSHIP DUTIES

Section 1. Attendance. Members shall attend all regularly scheduled meetings of the Urban Landscape Commission and participate in the deliberations.

Section 2. Absence Notification. It is incumbent upon each member to notify the Chairperson of his/her inability to attend a meeting. Failure to do so will constitute an unexcused absence, subject to the provisions of Article V, Section 1, except in emergency situations.

Section 3. Special Meetings. Members shall attend any specially called meeting, providing:

- a. due notice was given in accordance with Article 10, Section 3,
- b. there exists no previous or emergency situation which prohibits attendance.

Section 4. Representation. Any member in good standing of the Urban Landscape Commission may represent or act in the name of the Commission as a whole,

providing however that the following criteria are first met:

- a. She/he has been designated and appointed to do so by affirmative vote of the membership as a whole, or she/he has specifically been instructed to do so by direct request from the Chair.
- b. She/he has specifically been instructed to do so by direct request from the Chair.

ARTICLE V.
REMOVAL OF COMMISSION MEMBER FOR CAUSE

- Section 1. Absences. Failure by any member to attend three consecutive meetings without being excused by the Commission either before or after such failure of attendance shall constitute just cause for removal. The removal shall be reported to the City Manager so a replacement can be named.
- Section 2. Departure. A commission member who moves his/her residency from the ward appointed, shall submit his/her resignation to the Commission and City Manager.
- Section 3. Other. Actions by any member which are in violation of or go counter the duly approved by-laws will constitute grounds for removal of said member from the Commission, and a vacancy for his/her unexpired term shall be reported to the City Manager. Charges filed under this section must be documented before any action to remove can be taken.
- Section 4. Charges filed under Section 3 may be brought before the Commission by any member in good standing. Motion to remove for cause must be approved by affirmative vote of a quorum.