



Planning Commission By-Laws

City of Manteca

ARTICLE I: NAME

1. The name of this Organization shall be the City Planning Commission of the City of Manteca, California; hereinafter referred to as the Planning Commission or the Commission.

ARTICLE II: MEMBERSHIP AND TERM OF OFFICE

1. Membership, term of office and procedures for removal of members and the filling of vacancies shall be as established by Ordinance No. 271 of the City of Manteca. (Refer to Ordinance No. 271 attached)

(Amendments: Ordinance No. 1437: 2009; Ordinance No. 434: 1973; Ordinance No. 271: 1966; Ordinance No. 128: 1954; Ordinance No. 92: 1948; Ordinance No. 22: 1921)

ARTICLE III: OFFICERS

1. There shall be annually elected, on the first meeting in January of each year, from the membership of the Commission, a Chairman, Vice Chairman, and Secretary. The Planning Director of the City of Manteca, may, at the option of the Commission, be appointed as Secretary.
2. Should the membership term of an officer expire prior to the next annual election of officers, a special election shall be held to fill that office for the duration of the term.

ARTICLE IV: DUTIES OF OFFICERS

1. The Chairman shall preside at all regular meetings and shall call all special meetings.
2. The Vice Chairman shall assume all duties of the Chairman in his or her absence or disability.
3. In case of the absence of both the Chairman and Vice Chairman from any meeting, an acting Chairman shall be elected from among the members present.
4. The Chairman shall establish all standing and special committees of the Commission which may be deemed necessary for carrying out the functions and purposes of the Commission.
5. The Chairman shall decide on all points of order and procedure during meetings and his decisions shall be final unless over-ruled by a majority of the members present.
6. The Chairman shall sign all official copies of minutes of meetings upon approval of same.
7. The Secretary shall receive and record all exhibits, petitions, documents or other materials presented to the Commission in support of, or in opposition to any question before the Commission.

8. The Secretary shall sign all notices prepared in connection with Commission business and shall attest to such records of actions, transmittals, and referrals as may be necessary or required by law.

ARTICLE V: STAFF

1. It shall be the duty of the Planning Director to transact official business of the Commission, carry out its policies and directives, prepare, supervise, and administer the Planning program subject to the approval of the City Manager.
2. The Planning Director shall be responsible for the maintenance of proper records and files having to do with Commission business.
3. The Planning Director shall prepare not less frequently than annually a report of the activities of the Planning Commission. This report covering the activities of the preceding year shall be submitted at the second regular meeting in January for its adoption and report to the City Council.

(Amendment: Planning Commission Resolution No. 670: 1970)

ARTICLE VI: COMMITTEES

1. The Chairman of the Planning Commission shall make all committee assignments and appoint the Chairman of each committee.
2. The Chairman shall serve as an ex-officio member of the all committees.
3. Committee meetings shall be held upon call of the Chairman of the Committee.
4. A verbal or written report may be made at any meeting of the Commission by the Chairman or member of a Committee on any subject under consideration by such Committee, or such report may be requested by the Chairman of the Commission.

ARTICLE VII: MEETINGS

1. Regular meeting of the Commission shall be held on the second and fourth Tuesdays of each month beginning at 7:00 P.M. at the Council Chambers, City Hall of the City of Manteca.
2. In the event that the scheduled date for a regular meeting falls on a holiday, such meeting shall be held on the next business day.
3. Any regular meeting may be adjourned, or any item on the agenda continued to the next or any subsequent regular meetings of the Commission. If a meeting be adjourned, or an item continued to a special meeting to be held on other than a regular meeting date, the time, place, and date of such special meeting shall be specified in the order of adjournment or continuance.

4. A special meeting may be called by the Chairman of the Commission or a majority of the membership. Notice of such special meetings shall be given as required by law, and the purpose of, or the business to be transacted during such special meeting shall be stated in the notice.
5. All meetings of the Commission shall be open, public meetings.
6. Any Planning Commissioner arriving at a meeting later than 7:30 P.M., or after meeting is adjourned whichever is earlier, shall be deemed to have an unexcused absence for the purpose of remuneration.

(Amendments: Planning Commission Resolution No. 768: 1986; Planning Commission Resolution No. 677: 1977; Planning Commission Resolution No. 669: 1970; Planning Commission Resolution No. 668: 1970)

ARTICLE VIII: QUORUM

1. A quorum shall consist of three (3) members of the Planning Commission for all matters of routine nature.
2. For public hearing dealings with the review, adoption or amendment of the General Plan or parts thereof, including zoning, set-back or subdivision ordinance considerations, a quorum shall consist of three members.
3. In the event of a vacancy or vacancies on the Commission, a quorum for routine items shall consist of a majority of the existing membership; for Public Hearings a quorum shall consist of a majority of the existing membership plus one (1).
4. In the absence of a quorum at any meeting, such meeting may be adjourned by any member present, or, if no member be present, by the Secretary of the Commission, or, if the Secretary be not present, by the clerk, to the next regular meeting.

(Amendment: Planning Commission Resolution No. 663: 1968)

ARTICLE IX: CONDUCT OF MEETINGS

1. At the time and place established for meeting, and with a quorum present, the Chairman shall call the meeting to order.
2. Order of presentation during public hearings and petitions for variances or use permits shall be as follows:
 - a. Explanation of staff and committees. Report on formalities of notice.
 - b. Presentation by applicant.
 - c. Statements of witnesses supporting request.
 - d. Statements of witnesses protesting application.
 - e. Rebuttal by applicant or his witness.
 - f. Questions by members of Commission and staff to applicant or opponent.

- g. Hearing closed.
- h. Discussion amongst members of the Planning Commission.
- i. Motions and roll call, vote of the Planning Commission.

ARTICLE X: MOTIONS

1. Upon conclusion of discussion on a matter, or at such time as any member may feel that all points have been sufficiently reviewed, the Chairman may call for a motion or one may be offered by a member. In the event no motion is offered, the Chairman may offer a motion.
2. The Chairman shall receive all motions and shall call for a second to the motion if none has been made.
3. If, after a reasonable time, no second has been made, a motion shall be declared dead for lack of a second and this shall be so stated by the Chairman.
4. After a motion has been made and seconded, further discussion shall be limited to that of the motion only.
5. Persons having made a motion may accept amendment to it only after approval of the second. Should the second not approve a proposed amendment to the motion, he may withdraw his second and the motion, as amended, shall be restated as a new motion. Should the second refuse to withdraw, the Chairman shall call for a vote on the original motion.
6. When required, the reasons for moving the proposed action shall be stated as a part of the motion.
7. At such time as any member of the Commission shall call for the question, the Chairman shall close discussion. Any member shall have the opportunity to make a statement, and then the Chairman shall immediately put the matter to a vote.
8. Should a motion fail to pass, the Chairman shall so state, and call for a new motion in the matter.

ARTICLE XI: VOTING

1. Upon acceptance of a motion and completion of discussion on same, the Chairman shall instruct the Secretary to read the motion and to poll the membership for the vote.
2. All votes shall be verbally stated as "Aye", "No", or "Abstain". Should he so desire, a member shall be given an opportunity to state the reasons for his vote, which reasons shall be entered into the minutes of the meeting.
3. Except where the By-Laws otherwise require, adoption of a motion shall be by a simple majority of the members present.

4. The Chairman shall vote on all matters.
5. A tie vote shall automatically deny any agenda item that otherwise requires a simple majority of a quorum to adopt a motion.
6. The membership shall be polled in the order of the person making a motion, then the second, then the remainder of the membership alphabetically.

(Amendment: Planning Commission Resolution No. 695)

ARTICLE XII: AMENDMENT

1. These By-Laws may be amended from time to time as the need may arise, by resolution adopted by the favorable vote of a majority of the full membership of the Planning Commission.

Immediately upon favorable vote of not less than four-fifths (4/5ths) of the full voting membership of the Planning Commission of the City of Manteca, Manteca, California, these By-Laws shall become in full force and effect, thereby invalidating any and all provisions of previously adopted By-Laws, policies or procedures which may be, in total or in part, in conflict herewith. These By-Laws, however, shall not be considered or construed as superseding any ordinance or directive of the City Council of the City of Manteca, nor shall they preclude the preparation and adoption of further procedural manuals and policies by which the Commission may direct its activities.

AN ORDINANCE TO CREATE A CITY PLANNING COMMISSION WITHIN THE CITY OF MANTECA.

The Board of Trustees of the city of Manteca do ordain as follows;
SECTION 1; That there be and hereby is created within the city of Manteca.

SECTION 2; The City Planning Commission shall consist of seven members as follows; The Mayor of the city, the city engineer, the city attorney, and four members to be appointed by the mayor with the consent of the Board of Trustees. However the civic bodies of the city shall be asked to suggest members of the city planning commission for appointment. The city engineer and the city attorney shall be ex-officio members of the city planning commission without vote. The city planning commission shall serve without compensation. Provided hereafter that if a tree warden is appointed in the city of Manteca he shall be an ex-officio member of the City Planning Commission.

SECTION 3; The five active members of the city planning commission shall so classify themselves by lot that one member of their number shall go out of office at the end of the present callander year; two at the end of the second year, and two at the end of the third year thereafter. They shall serve until their successors are appointed.

SECTION 4; The City planning Commission shall meet at least once a month and at such times and at such places as they may select. The City Planning Commission shall be organized by the selection of one of its members as president, and another as secretary, who shall hold offices for one year and until their successors are elected and qualified.

SECTION 5; Special meetings of the city planning commission shall be called at any time by the president, or by three members giving notice in writing at least three hours before the time set for the meeting. Three members shall constitute a quorum for the transaction of business. A proper record of the proceedings of the city planning commission shall be kept as a part of the city records.

SECTION 6; The city planning commission shall have all the duties and perform all the powers enumerated in that certain act of the legislature, of the state of California, entitled "An act to provide for the establishment, government and maintenance of City Planning Commissions, within municipalities and describing their powers and duties." Approved May 21st 1915 and all acts mandatory thereto or supplementary thereto. Provided however, that the city planning commission shall have such duties and perform such acts as may be required by any laws of the state of California, which may hereafter be passed, or any ordinance that may hereafter be passed by the city of Manteca.

SECTION 7; Specifically the city planning commission shall make recommendations to the city authorities regarding to the planting of trees, flowers and shrubs along the streets, parks, avenues, highways and alleys of the city of Manteca. When requested they shall also perform like services for private owners.

SECTION 8; The city planning commission shall have power to recommend to the proper officers plans for the regulation of the future growth, development and beautification of the city of Manteca in respect to its private and public buildings, parks and grounds and vacant lots.

SECTION 9; In all cases where land in or adjoining the city shall be subdivided or laid out into lots, blocks, streets and alleys and donated or granted to the public, the map of the plot thereof shall be referred to the city planning commission for its approval before acted upon by the city trustees.

SECTION 10; All ordinances relating to the location of public buildings, the widening, extension, enlarging of streets, parking strips, playgrounds or other public grounds the vacation of streets or alterations of building plans whatsoever shall be submitted to the city planning commission for its investigation and approval.

SECTION 11; This ordinance shall go into effect and be in full force after 30 days from its approval and publication.

ORDINANCE NO 22 continued.

SECTION 12; This ordinance shall be published one time in the Manteca Bulletin, a newspaper of general circulation in the city of Manteca.

This ordinance was introduced at a regular meeting of the city trustees March 21st, 1921 and passed at its regular meeting April 4th, 1921 by the following votes;

AYES:

- R. E. Leventon
- G. H. Koster
- A. S. Bomberger

NOES:

None.

ABSENT:

- C. F. Palm.

(Signed) A. Veach,
President Board of City Trustees.

Attest:

Daisy E. Duvall *Daisy E. Duvall*
Clerk of the Board of Trustees of the City of Manteca.

Approved this 5th day of April 1921.

I, the undersigned clerk of the city of Manteca, and ex-officio clerk of the board of trustees of said city hereby certify that the foregoing ordinance is a true and correct copy of Ordinance No.22 of said city which was introduced at a regular meeting of said board, held March 21st 1921, and was passed April 4th, 1921, being not less than five days after, by the following votes;

AYES; R. E. Leventon; G. H. Koster; A. S. Bomberger.

NOES; None

ABSENT ; C. F. Palm.

I further certify that said ordinance was thereupon signed by A. Veach, president of the board of trustees of said city, and was published once in the Manteca Bulletin, a newspaper of general circulation published in said city.

ATTEST;

Daisy E. Duvall
Clerk of the city of Manteca.

ORDINANCE NO. 92

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF A PLANNING COMMISSION PURSUANT TO THE PROVISIONS OF THE CONSERVATION AND PLANNING ACT; TO DEFINE THE POWERS AND DUTIES OF SUCH PLANNING COMMISSION; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

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THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby created a Planning Commission of the City of Manteca which shall consist of five (5) members who may be persons who hold an office or a position with the City of Manteca; provided, however, that the number of members of such Commission who are not officials of said City of Manteca shall exceed the number of members who may be officers or employees of the said City of Manteca.

Section 2. The members of the Planning Commission shall be appointed by the Mayor with the approval of the City Council.

Section 3. Of the members of the Planning Commission first appointed, two shall be appointed for terms of one year, two for terms of two years, and one for the term of three years. Their successors shall be appointed for terms of four years. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of the term.

Section 4. Any appointee member of the Planning Commission may be removed by the appointing official at his pleasure, but such removal shall be subject to the approval of the City Council. However, by a majority vote of the City Council any appointed member may be removed.

Section 5. The rights, powers and duties of the said Planning Commission shall be as provided in the Conservation and Planning Act (Stats. 1947 Ch. 807, as amended).

Section 6. That ordinance No. 22 of the City of Manteca entitled AN ORDINANCE TO CREATE A CITY PLANNING COMMISSION WITHIN THE CITY OF MANTECA passed and adopted by the City Council of the City of Manteca at a regular meeting of the City Council of the City of Manteca held on the 4th day of April, 1921, and all of its provisions are hereby repealed, and all other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 7. This ordinance shall become effective thirty (30) days from and after the date of its final passage.

Dated: July 6th, 1948.

Mayor

ATTEST:

 City Clerk.

This is to certify that Ordinance No. 92 being entitled, "An Ordinance to Provide for the Establishment of a Planning Commission Pursuant to the Provisions of the Conservation and Planning Act; to Define the Powers and Duties of Such Planning Commission and to Repeal all Ordinances and Parts of Ordinances in Conflict with this Ordinance", was introduced at an adjourned regular meeting of the City Council of the City of Manteca, on this 21st day of June, 1948, by the following vote:

Ayes: Councilmen Hansen, Whelan, Pfister, Fairbank and McFall

Noes: None

Absent: None

Dated: Manteca, California, June 21st, 1948.

 City Clerk

This is to certify that Ordinance No. 92 being entitled, "An Ordinance to Provide for the Establishment of a Planning Commission Pursuant to the Provisions of the Conservation and Planning Act; to Define the Powers and Duties of Such Planning Commission and to Repeal all Ordinances and Parts of Ordinances in conflict with this Ordinance", was finally passed and adopted at a regular meeting of the City Council of the City of Manteca, on the 6th day of July, 1948, by the following vote:

Ayes: Councilmen Hansen, Whelan, Pfister, Fairbank and McFall

Noes: None

Absent: None

Dated: Manteca, California, July 6th, 1948.

 City Clerk

The undersigned, Mayor of the City of Manteca, State of California, does hereby sign and approve Ordinance No. 92 being entitled, "An Ordinance to Provide for the Establishment of a Planning Commission Pursuant to the Provisions of the Conservation and Planning Act; to Define the Powers and Duties of Such Planning Commission and to Repeal all Ordinances and Parts of Ordinances in Conflict with this Ordinance", this 6th day of July, 1948.

 Mayor of the City of Manteca, State
of California

ATTEST:

 City Clerk of the City of Manteca.

This is to certify that Ordinance No. 92 being entitled, "An Ordinance to Provide for the Establishment of a Planning Commission Pursuant to the Provisions of the Conservation and Planning Act; to Define the Powers and Duties of Such Planning Commission and to Repeal all Ordinances and Parts of Ordinances in conflict with this Ordinance", was passed by the City Council of the City of Manteca at a regular meeting on the 6th day of July, 1948, and was published within 15 days after its passage, at least once in a newspaper of general circulation published and circulated in the City of Manteca, State of California, to-wit: In The Manteca Bulletin, Manteca, California, on the 9th day of July, 1948.

 City Clerk

ORDINANCE NO. 128

AN ORDINANCE AMENDING ORDINANCE NO. 92 BEING ENTITLED "AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF A PLANNING COMMISSION PURSUANT TO THE PROVISIONS OF THE CONSERVATION AND PLANNING ACT; TO DEFINE THE POWERS AND DUTIES OF SUCH PLANNING COMMISSION; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE" TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE PLANNING COMMISSION AND TO DEFINE THE POWERS AND DUTIES OF THE PLANNING COMMISSION.

WHEREAS, the City Council of the City of Manteca has determined that an increase in the number of members of the Planning Commission of the City of Manteca from five to seven would be in the best interest of the City of Manteca, and therefore;

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

SECTION 1: For the purpose of increasing the number of members of the Planning Commission of the City of Manteca from five to seven, Section 1 of Ordinance No. 92 of the City of Manteca being entitled, "AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF A PLANNING COMMISSION PURSUANT TO THE PROVISIONS OF THE CONSERVATION AND PLANNING ACT; TO DEFINE THE POWERS AND DUTIES OF SUCH PLANNING COMMISSION; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE", is hereby amended to read and provide as follows:

SECTION 1: There is hereby created a Planning Commission in the City of Manteca. The Planning Commission of the City of Manteca shall consist of seven members.

SECTION 2: That the said Ordinance No. 92 is hereby amended by adding thereto Section 3 (a) which shall read and provide as follows:

SECTION 3 (a): Of the two additional members of the Planning Commission of the City of Manteca first appointed pursuant to this amendment to the said Ordinance No. 92, each shall be appointed for a term expiring upon October 1, 1956, and their successors shall be appointed for terms of 4 years each. If a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment for the unexpired portion of the term.

SECTION 3: Section 5 of said Ordinance No. 92 is hereby amended to read and provide as follows:

SECTION 5: The rights, powers and duties of the said Planning Commission shall be as provided in Chapter 3, Title 7 relating to Local Planning of the Government Code of the State of California as it now provides and as it may hereafter be amended.

SECTION 4: This Ordinance shall become effective thirty (30) days from and after the date of its final passage. Dated: November 1, 1954.

CA950

Mayor of the City of Manteca

ATTEST:.

City Clerk of the City of Manteca

This is to certify that Ordinance No. 128 being entitled "AN ORDINANCE AMENDING ORDINANCE NO. 92 BEING ENTITLED ' AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF A PLANNING COMMISSION PURSUANT TO THE PROVISIONS OF THE CONSERVATION AND PLANNING ACT; TO DEFINE THE POWERS AND DUTIES OF SUCH PLANNING COMMISSION; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE' TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE PLANNING COMMISSION AND TO DEFINE THE POWERS AND DUTIES OF THE PLANNING COMMISSION" was introduced at a regular meeting of the City Council of the City of Manteca on the 4th day of Oct., 1954, by the following vote:

Ayes: Councilmen Dumoulin, Luck, Webb, Malvick and Hansen.
Noes: None
Absent: None
Dated: Manteca, California, October 4, 1954.

City Clerk of the City of Manteca

This is to certify that Ordinance No. 128 being entitled "AN ORDINANCE AMENDING ORDINANCE NO. 92 BEING ENTITLED 'AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF A PLANNING COMMISSION PURSUANT TO THE PROVISIONS OF THE CONSERVATION AND PLANNING ACT; TO DEFINE THE POWERS AND DUTIES OF SUCH PLANNING COMMISSION; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE' TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE PLANNING COMMISSION AND TO DEFINE THE POWERS AND DUTIES OF THE PLANNING COMMISSION" was finally passed and adopted at a regular meeting of the City Council of the City of Manteca, on the 1st day of

ORDINANCE NO. 271

AN AMENDMENT TO THE CODE OF THE CITY OF
MANTECA, AMENDING ARTICLE V. PLANNING
COMMISSION, SECTIONS 2-26, 2-27, 2-28,
2-29 and 2-30.

The City Council of the City of Manteca does ordain
as follows:

Section 1. COMMISSION CREATED; NUMBER OF MEMBERS:

There is hereby created a Planning Commission of the City of
Manteca. The Planning Commission shall consist of FIVE mem-
bers. The Planning Commission shall also consist of two ex-
officio members: The City Manager or his designated representa-
tive; and the City Attorney or the Assistant City Attorney.

Section 2. APPOINTMENT OF MEMBERS: Members of the
Planning Commission shall be appointed by the Mayor with the
approval of the City Council; provided, however, no member of
the Planning Commission will be appointed who is not a resident
of the City of Manteca. There shall be no residence require-
ment for the ex-officio members of the Planning Commission.

Section 3. TERM OF MEMBERS; VACANCIES: The members
of the Planning Commission shall be appointed for terms of
four years except as provided below. If a vacancy shall occur
other than by expiration of term, it shall be filled by appoint-
ment for the unexpired portion of the term. A vacancy shall
be deemed to have occurred when a member is no longer a resi-
dent of the City of Manteca. Residence shall be determined by
the same rules as a determination of residence for City Council-
men.

The first Planning Commission shall be appointed for
staggered terms commencing December 19, 1966: one commissioner

for one year; one commissioner for two years; one commissioner for three years; and two commissioners for four years. If any Planning Commissioner absents himself without permission from all regular Planning Commission meetings for 60 days consecutively from the last regular meeting he attended, his office becomes vacant and shall be filled as any other vacancy.

Section 4. REMOVAL OF MEMBERS: Any appointed member of the Planning Commission may be removed by the appointing official at his pleasure. Such removal shall be subject to the approval of the City Council. By a majority vote of the City Council, any appointed member may be removed.


Section 5. SALARIES: Each member of the Planning Commission of the City of Manteca shall receive, as salary, the sum of Ten (\$10.00) Dollars for each meeting he attends, but not to exceed Twenty (\$20.00) Dollars per month, which shall be payable from and after the effective date of this ordinance at the same time and in the same manner as the salaries are paid to other officers and employees of the City of Manteca. The ex-officio members shall receive no compensation.

Section 6. POWERS AND DUTIES: The rights, powers and duties of the Planning Commission shall be as provided in Chapter 3, Title 7, relating to local planning, of the Government Code of the State of California.


Section 7. REPEALS: Ordinance No. 92 is hereby repealed and Ordinance No. 128 and all ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed.

Section 8. EFFECTIVE DATE: This ordinance shall become effective December 19, 1966.

Dated: November 14, 1966


Edward E. Pitts
Mayor of the City of Manteca

ATTEST:


Angelo Bressani
City Clerk of the City of Manteca


This is to certify that Ordinance No. 271 being entitled "AN AMENDMENT TO THE CODE OF THE CITY OF MANTECA, AMENDING ARTICLE V. PLANNING COMMISSION, SECTIONS 2-26, 2-27, 2-28, 2-29 and 2-30" was introduced at a regular meeting of the City Council of the City of Manteca on the 7th day of November, 1966, by the following vote:

Ayes: Councilmen Houbein, Malvick, Fuller, Parr and Pitts

Noes: None

Absent: None

Dated: November 7, 1966


Angelo Bressani
City Clerk of the City of Manteca


This is to certify that Ordinance No. 271 being entitled "AN AMENDMENT TO THE CODE OF THE CITY OF MANTECA, AMENDING ARTICLE V. PLANNING COMMISSION, SECTIONS 2-26, 2-27, 2-28, 2-29 and 2-30" was finally passed and adopted at an adjourned regular meeting of the City Council of the City of Manteca on the 14th day of November, 1966.

Ayes: Councilmen Houbein, Malvick, Fuller, Parr and Pitts

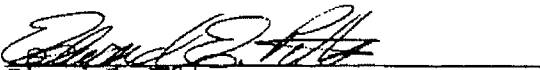
Noes: None

Absent: None


Dated: November 14, 1966


Angelo Bressani
City Clerk of the City of Manteca


The Undersigned, Mayor of the City of Manteca, State of California, does hereby sign and approve Ordinance No. 271 being entitled "AN AMENDMENT TO THE CODE OF THE CITY OF MANTECA, AMENDING ARTICLE V. PLANNING COMMISSION, SECTIONS 2-26, 2-27, 2-28, 2-29 and 2-30" this 14th day of November, 1966.


Edward E. Pitts
Mayor of the City of Manteca

ATTEST:


Angelo Bressani
City Clerk of the City of Manteca

This is to certify that Ordinance No. 271 being entitled "AN AMENDMENT TO THE CODE OF THE CITY OF MANTECA, AMENDING ARTICLE V. PLANNING COMMISSION, SECTIONS 2-26, 2-27, 2-28, 2-29 and 2-30" was passed by the City Council of the City of Manteca at an adjourned regular meeting on the 14th day of November, 1966, and was published within 15 days after its passage, at least once in a newspaper of general circulation, published and circulated in the City of Manteca, State of California, to wit: In the Manteca Bulletin, Manteca, California, on the 18th day of November, 1966.


Angelo Bressani
City Clerk of the City of Manteca

ORDINANCE NO. 434

AN ORDINANCE AMENDING ARTICLE V., SECTION
2-28.1 PLANNING COMMISSION, OF THE CODE OF
THE CITY OF MANTECA.

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN
AS FOLLOWS:

SECTION 1. COMPENSATION: Section 2-28.1 shall read as follows:

ARTICLE V. PLANNING COMMISSION

Sec. 2-28.1 COMPENSATION OF MEMBERS.

Each member of the Planning Commission shall receive, as compensation, the sum of twenty dollars for each meeting he attends, but not to exceed forty dollars per month, which shall be payable from and after the effective date of the commencement of the new Fiscal Year (July 1, 1973), at the same time and in the same manner as the salaries are paid to other officers and employees of the City of Manteca. The ex-officio members shall receive no compensation. Said compensation may hereafter be reviewed and adjusted by Resolution of the City Council, if so desired.

SECTION 2. REPEALING PROVISION

All ordinances or parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed. This Ordinance shall be effective upon its final passage and adoption.

DATED: August 6, 1973

CITY OF MANTECA
a Municipal Corporation
By:

H. C. Buchanan
H. C. BUCHANAN
Mayor

ATTEST:

Nell Cornell
NELL CORNELL
City Clerk

ORDINANCE NO. 1437

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA
AMENDING CHAPTERS 2.24, PLANNING COMMISSION AND
CHAPTER 2.28 RECREATION AND PARKS COMMISSION
OF THE MANTECA MUNICIPAL CODE
ESTABLISHING AN ALTERNATE MEMBER POSITION
TO THE PLANNING COMMISSION AND TO THE
RECREATION AND PARKS COMMISSION

The City Council of the City of Manteca hereby ordains as follows:

Section I. Chapter 2.24 Planning Commission, Section 2.24.010
Created - Number of members is hereby amended to read as follows:

There is created a planning commission of the city. The planning commission shall consist of five members and one alternate member. The alternate member shall attend all meetings of the commission and is authorized to serve and vote in place of any regular member of the commission who is absent. The planning commission shall also consist of two ex officio members: the city attorney or the assistant city attorney and the city engineer.

Section II. Chapter 2.24 Planning Commission, Section 2.24.040 –
Members-Compensation is hereby amended to read as follows:

Each member of the planning commission may receive compensation at the same time and in the same manner as the salaries are paid to other officers and employees of the city. The ex officio members shall receive no compensation. Such compensation may be reviewed and adjusted by resolution of the city council, if so desired.

Section III. Chapter 2.28 Recreation and Parks Commission, Section 2.28.010 – Created is hereby amended to read as follows:

There is created a recreation and parks commission consisting of five members and one alternate member. The alternate member shall attend all meetings of the commission and is authorized to serve and vote in place of any regular member of the commission who is absent.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall become effective 30 days from adoption.

SECTION V. PUBLICATION.

Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published once in the Manteca Bulletin, a newspaper of general circulation, along with a notice setting forth the date of adoption and the title of this Ordinance.

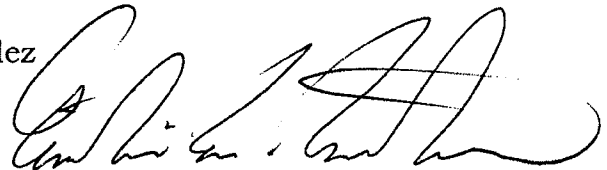
DATED: April 7, 2009

AYES: Councilmembers DeBrum, Harris, Moorhead and Weatherford

NOES: None

ABSTAIN: None

ABSENT: Councilmember Hernandez



**WILLIE W. WEATHERFORD
MAYOR**

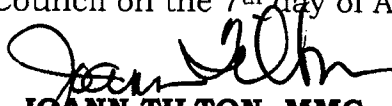
ATTEST:



**JOANN TILTON, MMC
CITY CLERK**

CERTIFICATE

I, JOANN TILTON, CITY CLERK, City of Manteca, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1437, which was duly introduced at a regular meeting of the City Council of the City of Manteca on the 17th day of March, 2009, and was passed and adopted at a regular meeting of said Council on the 7th day of April, 2009.



**JOANN TILTON, MMC
CITY CLERK**

CITY COUNCIL RESOLUTIONS

RESOLUTION NO. R8459

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MANTECA
ADOPTING BY-LAWS OF THE
CITY OF MANTECA
PLANNING COMMISSION

BE IT RESOLVED, the City Council of the City of
Manteca does hereby adopt the By-Laws of the City of
Manteca Planning Commission as attached in Exhibit "A".

DATED: April 3, 1989

ROLL CALL

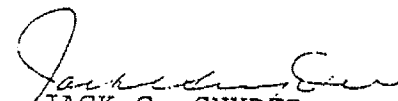
AYES: Council Members Balsinger, Flores, Mezzetti,
Perry and Snyder

NOES: None

ABSENT: None

ATTEST:


JOANN TILTON
CITY CLERK


JACK C. SNYDER
MAYOR

"EXHIBIT A"

BY-LAWS
OF THE
CITY PLANNING COMMISSION
CITY OF MANTECA, CALIFORNIA

ADOPTED THIS DAY OF _____, 1967, UNDER
AUTHORITY OF ORDINANCE NUMBER 271 AND THE GOVERN-
MENT CODE OF THE STATE OF CALIFORNIA AUTHORIZING
THE ESTABLISHMENT OF RULES AND REGULATIONS GOVERNI-
NG THE ORGANIZATION AND PROCEDURE OF THE PLANNING
COMMISSION OF THE CITY OF MANTECA, CALIFORNIA.

ARTICLE I

NAME

1. The name of this Organization shall be the City Planning Commission of the City of Manteca, California; hereinafter referred to as the Planning Commission or the Commission.

ARTICLE II

MEMBERSHIP AND TERM OF OFFICE

1. Membership, term of office and procedures for removal of members and the filling of vacancies shall be as established by Ordinance No. 271 of the City of Manteca.

ARTICLE III

OFFICERS

1. There shall be annually elected, on the first meeting in January of each year, from the membership of the Commission, a Chairman, Vice Chairman and Secretary. The Planning Director of the City of Manteca, may, at the option of the Commission, be appointed as Secretary.
2. Should the membership term of an officer expire prior to the next annual election of officers, a special election shall be held to fill that office for the duration of the term.

ARTICLE IV

DUTIES OF OFFICERS

1. The Chairman shall preside at all regular meetings and shall call all special meetings.
2. The Vice Chairman shall assume all duties of the Chairman in his or her absence or disability.
3. In case of the absence of both the Chairman and Vice Chairman from any meeting, an acting Chairman shall be elected from among the members present.
4. The Chairman shall establish all standing and special committees of the Commission which may be deemed necessary for carrying out the functions and purposes of the Commission.
5. The Chairman shall decide on all points of order and procedure during meetings, and his decisions shall be final unless over-ruled by a majority of the members present.
6. The Chairman shall sign all official copies of minutes of meetings upon approval of same.

7. The Secretary shall receive and record all exhibits, petitions, documents or other materials presented to the Commission in support of, or in opposition to any question before the Commission.
8. The Secretary shall sign all notices prepared in connection with Commission business and shall attest to such records of actions, transmittals, and referrals as may be necessary or required by law.

ARTICLE V

STAFF

1. It shall be the duty of the Planning Director to transact official business of the Commission, carry out its policies and directives, prepare, supervise and administer the Planning program subject to the approval of the City Manager.
2. The Planning Director shall be responsible for the maintenance of proper records and files having to do with Commission business.
3. The Planning Director shall prepare not less frequently than ~~quarterly~~ ^{yearly (Res. 670)} a report of the activities of the Planning Commission for its adoption and report to the City Council.

ARTICLE VI

COMMITTEES

1. The Chairman of the Planning Commission shall make all committee assignments and appoint the Chairman of each committee.
2. The Chairman shall serve as an ex-officio member of all committees.
3. Committee meetings shall be held upon call of the Chairman of the Committee.
4. A verbal or written report may be made at any meeting of the Commission by the Chairman or member of a Committee on any subject under consideration by such Committee, or such report may be requested by the Chairman of the Commission.

ARTICLE VII

MEETINGS

1. Regular meeting of the Commission shall be held on the ~~second~~ ^{second} and ~~fourth~~ ^{fourth} (Res. 674) Tuesdays of each month beginning at ~~8:00~~ ^{7:30} P.M. at the Council Chambers, City Hall of the City of Manteca. (Res. 669)
2. In the event that the scheduled date for a regular meeting falls on a holiday, such meeting shall be held on the next business day.
3. Any regular meeting may be adjourned, or any item on the agenda continued to the next or any subsequent regular meeting of the Commission. If a meeting be adjourned, or an item continued to a special meeting to be held on other than a regular meeting date, the time, place and date of such special meeting shall be specified in the order of adjournment or continuance.
4. A special meeting may be called by the Chairman of the Commission or a majority of the membership. Notice of such special meetings shall be given as required by law, and the purpose of, or the business to be transacted during such special meeting shall be stated in the notice.
5. All meetings of the Commission shall be open, public meetings.

- 8:00 (Res. 469)
6. Any Planning Commissioner arriving at a meeting later than ~~8:30~~ P.M. shall be deemed to have an unexcused absence for the purpose of remuneration.

ARTICLE VIII

QUORUM

1. A quorum shall consist of three (3) members of the Planning Commission for all matters of routine nature.
2. For public hearings dealings with the review, adoption or amendment of the General Plan or parts thereof, including zoning, set-back or subdivision ordinance considerations, a quorum shall consist of ~~four~~ three (X) members.
9 (Res. 463)
3. In the event of a vacancy or vacancies on the Commission, a quorum for routine items shall consist of a majority of the existing membership; for Public Hearings a quorum shall consist of a majority of the existing membership plus one (1).
4. In the absence of a quorum at any meeting, such meeting may be adjourned by any member present, or, if no member be present, by the Secretary of the Commission, or, if the Secretary be not present, by the clerk, to the next regular meeting.

ARTICLE IX

CONDUCT OF MEETINGS

1. At the time and place established for meeting, and with a quorum present, the Chairman shall call the meeting to order.
2. Order of presentation during public hearings and petitions for variances or use permits shall be as follows:
 - a. Explanation of staff and committees. Report on formalities of notice.
 - b. Presentation by applicant.
 - c. Statements of witnesses supporting request.
 - d. Statements of witnesses protesting application.
 - e. Rebuttal by applicant or his witnesses.
 - f. Questions by members of Commission and staff to applicant or opponent.
 - g. Hearing closed.
 - h. Discussion amongst members of the Planning Commission.
 - i. Motions and roll call, vote of the Planning Commission.

ARTICLE X

MOTIONS

1. Upon conclusion of discussion on a matter, or at such time as any member may feel that all points have been sufficiently reviewed, the Chairman may call for a motion or one may be offered by a member. In the event no motion is offered, the Chairman may offer a motion.
2. The Chairman shall receive all motions and shall call for a second to the motion if none has been made.
3. If, after a reasonable time, no second has been made, a motion shall be declared dead for lack of a second and this shall be so stated by the Chairman.
4. After a motion has been made and seconded, further discussion shall be limited to that of the motion only.

5. Persons having made a motion may accept amendment to it only after approval of the second. Should the second not approve a proposed amendment to the motion he may withdraw his second and the motion, as amended, shall be restated as a new motion. Should the second refuse to withdraw, the Chairman shall call for a vote on the original motion.
6. When required, the reasons for moving the proposed action shall be stated as a part of the motion.
7. At such time as any member of the Commission shall call for the question, the Chairman shall close discussion. Any member shall have the opportunity to make a statement, then the Chairman shall immediately put the matter to a vote.
8. Should a motion fail to pass, the Chairman shall so state, and call for a new motion in the matter.

ARTICLE XI

VOTING

1. Upon acceptance of a motion and completion of discussion on same, the Chairman shall instruct the Secretary to read the motion and to poll the membership for the vote.
2. All votes shall be verbally stated as "Aye", "No" or "Abstain". Should he so desire, a member shall be given an opportunity to state the reasons for his vote, which reasons shall be entered into the minutes of the meeting.
3. Except where the By-Laws otherwise require, adoption of a motion shall be by a simple majority of the members present.
4. The Chairman shall vote on all matters.
5. A tie vote shall automatically ~~continue any item to the next meeting.~~ ^{deny any simple majority motion.} *
per gas
6. The membership shall be polled in the order of the person making a motion, then the second, then the remainder of the membership alphabetically.

ARTICLE XII

AMENDMENT

1. These By-Laws may be amended from time to time as the need may arise, by resolution adopted by the favorable vote of a majority of the full membership of the Planning Commission.

* Immediately upon favorable vote of not less than four-fifths (4/5ths) of the full voting membership of the Planning Commission of the City of Manteca, Manteca, California, these By-Laws shall become in full force and effect, thereby invalidating any and all provisions of previously adopted By-Laws, policies or procedures which may be, in total or in part, in conflict herewith. These By-Laws, however, shall not be considered or construed as superseding any Ordinance or directive of the City Council of the City of Manteca, nor shall they preclude the preparation and adoption of further procedural manuals and policies by which the Commission may direct its activities.

PASSED AND ADOPTED BY THE FOLLOWING VOTE:

PLANNING COMMISSION RESOLUTIONS

A M E N D M E N T

At the regular meeting of the Planning Commission held on Tuesday, December 17, 1968 the following resolution was introduced:

RESOLUTION PCR NO. 663

A RESOLUTION OF THE HANTECA CITY PLANNING COMMISSION CHANGING THE BYLAWS OF THE COMMISSION MAKING A QUORUM TO CONSIST OF THREE (3) MEMBERS INSTEAD OF FOUR (4)

WHEREAS, all meetings concerned with Public Hearings dealing with the review, adoption or amendment of the General Plan or parts thereof, including zoning, set-back or subdivision ordinance considerations forwarded to the City Council for their approval and adoption, and;

WHEREAS, the provision of requiring a quorum of four (4) members to consider these matters restricts the activity of conducting the meetings of the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does amend Article 8, Section 2 of the Bylaws to require a simple quorum of three (3) on these matters.

The foregoing Resolution was passed and adopted by the following vote:

AYES: Commissioners Gould, Dr. Johnson and Mortensen.

NOES: None.

ABSENT: Commissioners Dr. Henry and Phillips.

The current By-laws now read:

"Article VIII, Section 2

For public hearings dealing with the review, adoption or amendment of the General Plan or parts thereof, including zoning, set-back or subdivision ordinance considerations, a quorum shall consist of three (3) members."

A M E N D M E N T

At the regular meeting of the Planning Commission held on Tuesday, August 4, 1970 the following resolution was introduced:

RESOLUTION PCR NO. 668

A RESOLUTION OF THE MANTECA CITY
PLANNING COMMISSION AMENDING THE
BYLAWS TO ESTABLISH 7:30 P.M. IN
LIEU OF 8:00 P.M. AS THE NEW
MEETING HOUR FOR THE REGULAR
PLANNING COMMISSION MEETINGS.

WHEREAS, there has been an increase in matters brought before the Planning Commission requiring more lengthy meetings; and

WHEREAS, the City Council has changed the starting time of their meetings to 7:30 P.M.

NOW, THEREFORE, BE IT RESOLVED that the Commission Bylaws be amended to establish the regular meeting of the Manteca City Planning Commission at 7:30 P.M. on the first and third Tuesdays of each month.

The foregoing resolution was passed and adopted by the following vote;

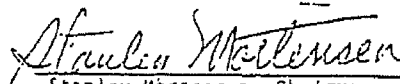
AYES: Commissioners Phillips, Dr. Henry and Mortensen

NOES: None

ABSENT: Commissioners Gould and Lancaster

ABSTAIN: None

Dated: August 4, 1970


Stanley Mortensen, Chairman

The current By-laws now read:

"Article VII, Section 1

Regular meeting of the Commission shall be held on the first and third Tuesdays of each month beginning at 7:30 P.M. at the Council Chambers, City Hall of the City of Manteca."

RESOLUTION PCR NO. 669

A RESOLUTION OF THE MANTECA CITY
PLANNING COMMISSION AMENDING THE
BYLAWS

WHEREAS, by recent resolution the Planning Commission amended the bylaws establishing the starting time of the regular meetings to 7:30 P.M.; and

WHEREAS, Paragraph 6 of Article VII specifies an arrival later than 8:30 as an unexcused absence for the purpose of remuneration.

NOW, THEREFORE, BE IT RESOLVED that the Commission Bylaws be amended to read "Any Planning Commissioner arriving at a meeting later than 8:00 P.M. shall be deemed to have an unexcused absence for the purpose of remuneration".

The foregoing resolution was passed and adopted by the following vote:

AYES: Commissioners Gould, Dr. Henry, Lancaster,
Mortensen and Phillips

NOES: None

ABSENT: None

ABSTAIN: None

Dated: September 1, 1970


Stanley Mortensen, Chairman

RESOLUTION PCR NO. 670

A RESOLUTION OF THE MANTECA CITY
PLANNING COMMISSION AMENDING
ARTICLE V, PARAGRAPH 3

WHEREAS, the Planning Commission considers the quarterly statistical report without a supplement of little value; and

WHEREAS, preparation of a quarterly supplement would take time away from more pressing needs,


NOW, THEREFORE, BE IT RESOLVED that the Planning Commission Bylaws be amended to require an annual report in lieu of a quarterly report of the activities of the Planning Commission for its adoption and report to the City Council.

BE IT FURTHER RESOLVED that this report, to cover the activities of the preceding year, shall be submitted at the second regular meeting in January.

The foregoing resolution was passed and adopted by the following vote:

AYES: Commissioners Gould, Dr. Henry, Mortensen, Oliver
and Phillips
NOES: None
ABSENT: None
ABSTAIN: None

Dated: December 1, 1970


Stanley Mortensen, Chairman

The current By-laws now read:

"Article V, Paragraph 3

The Planning Director shall prepare not less frequently than annually a report of the activities of the Planning Commission. This report covering the activities of the preceding year shall be submitted at the second regular meeting in January for its adoption and report to the City Council."

PLANNING COMMISSION RESOLUTION

#677

A RESOLUTION OF THE MANTECA CITY PLANNING
COMMISSION TO AMEND THE BYLAWS BY ADDING
SECTION 7, TO ARTICLE VII (MEETINGS)

WHEREAS, the Planning Commission regularly meets on the second (2nd) and fourth (4th) Tuesdays of each calendar month at 7:30 p.m.; and

WHEREAS, it is being proposed to avoid those calendar months which result in scheduled back to back meeting dates of the City Council and Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission ByLaws, Article 7 (Meetings) be amended to add Section 7 to read as follows:

7. Months in which the first day is a Tuesday and is followed in succession with four (4) Tuesdays or a total of five (5) Tuesdays shall cause the Planning Commission to hold their regularly scheduled meetings on the third (3rd) and fifth (5th) Tuesdays of such months.

The foregoing resolution was passed and adopted by the following vote:

AYES: Commissioners Marliani, Mortensen, Janis, Laberdee.

NOES: Commissioner Johnson.

Dated: September 27, 1977


Chairman

PLANNING COMMISSION RESOLUTION #695

A RESOLUTION TO MODIFY ARTICLE XI-5,
VOTING, OF THE PLANNING COMMISSION
BYLAWS AS ADOPTED UNDER AUTHORITY
OF ORDINANCE #271

WHEREAS, adoption of a motion shall be made by a simple majority of Planning Commission members present, and;

WHEREAS, a tie vote has automatically continued an agenda item to the next meeting;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby amend Article XI, Section 5 of the Bylaws to require that a tie vote shall automatically deny any agenda item that otherwise requires a simple majority of a quorum to adopt a motion.

The foregoing resolution was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: September 26, 1978

Polly Marliani, Chairwoman

John Redrick

RESOLUTION PCR #768

A RESOLUTION OF THE MANTECA CITY
PLANNING COMMISSION AMENDING THE
BYLAWS TO ESTABLISH 7:00 P.M. IN
LIEU OF 7:30 P.M. AS THE NEW
MEETING HOUR FOR THE REGULAR
PLANNING COMMISSION MEETINGS.

WHEREAS, there has been an increase in matters brought before the
Planning Commission requiring more lengthy meetings.

NOW, THEREFORE, BE IT RESOLVED that the Commission Bylaws be amended
to establish the regular meeting of the Manteca City Planning
Commission at 7:00 P.M. on the second and fourth Tuesdays of each
month and,

WHEREAS, Paragraph 6 of Article VII specifies an arrival later than
8:00 P.M. shall be deemed to have an unexcused absence for the
purpose of remuneration.

NOW, THEREFORE, BE IT RESOLVED that the Commission Bylaws be amended
to read "Any Planning Commissioner arriving at a meeting later than
7:30 P.M., or after meeting is adjourned whichever is earlier, shall
be deemed to have an unexcused absence for the purpose of remuneration.

The foregoing resolution was passed and adopted by the following vote:


AYES: Commissioners Moyer, Wegener, Elliott, Nunes, Blahnik

NOES: None

ABSENT: None

ABSTAIN: None

Dated March 11, 1986


Dave Blahnik, Chairman