PLAN COMMISSION

RULES of PROCEDURE

Bartholomew County City of Columbus

2025

TABLE OF CONTENTS

ARTICLE 1. AUTHORITY, DUTIES 1
Section 1. Authority 1
Section 2. Duties 1
Section 3. Seal 1
Section 4. Membership 1
Section 5. Meetings 1
Regular meetings 1
Special meetings 2
Cancellation 2

ARTICLE 2. OFFICERS AND STAFF 2
Section 1. Commission Officers 2
Section 2. Duties of Commission Officers 2
President 2
Vice president 2
Secretary 2
Section 3. Commission Staff 2
Appointment 2
Duties 3
Commission attorneys 3
Directives 3

ARTICLE 3. CONDUCT OF MEETINGS 3
Section 1. Quorum 3
Section 2. Electronic Participation by Members 3
Requirements 3
Number and frequency 3
Minutes 4
Fee schedule 4
Declared emergency 4
Section 3. Electronic Participation by Applicants and the Public 4
Participation by applicants 4
Participation by the public 4
Section 4. Livestreaming 5
Section 5. Ex-Parte Communication 5
Section 6. Voting 5
Majority 5
Method 5
Conflict of interest 5
Required 6
Absentee 6
Section 7. Consent Agenda 6
Section 8. Order of Business 6

ARTICLE 4. PUBLIC HEARINGS 6
Section 1. Procedure 6
Docket 6
Order of events 6
Limitation on comments 7

Method of voting 7
Section 2. Conduct 7
Representation 7
Commission participation 7
Identification 7
Commentary addressed to Commission 7
Authority of presiding officer 8
Orderly conduct 8

ARTICLE 5. DISPOSITION OF PETITIONS 8
Section 1. Motions 8
Section 2. Dismissal 8
Want of prosecution 8
Lack of jurisdiction 8
Section 3. Withdrawal 8
Without prejudice 8
With prejudice 8
Not permitted 8
Section 4. Amendment 8
Increased density or intensity 8
Decreased density or intensity 8
Section 5. Continuance 9
Requests 9
Motion by commission 9
Indecisive vote 9
Improper notice 9
Section 6. Approval/Denial 9
Subdivisions 9
Site development plans 9
PUD plans 9
Zoning map amendments 9
Subdivision control ordinance and zoning ordinance text amendments, ... 9
Annexation 9
Section 7. Conditions & Commitments 10
Section 8. Refiling 10

ARTICLE 6. FILING PROCEDURES 10
Section 1. Application 10
Section 2. Filing Deadlines 10
Section 3. Eligible Applicants 10

ARTICLE 7. NOTICE REQUIREMENTS 10
Section 1. Contents 10
Section 2. Publication 10
Section 3. Mailed Notice 10
Interested parties 10
Method of notice 11
Determination of owners 11
Section 4. General Public Notice Sign 12
Section 5. Website Posting 12
Section 6. Evidence of Notice 12

ARTICLE 8. COMMITTEES 12
Section 1. Authority 12
Section 2. Standing Committees 12
Executive committee 12
Columbus plat committee 12
Bartholomew County plat committee 13
Columbus subdivision review committee 14
Bartholomew County subdivision review committee 14
Columbus nominating committee 14
Bartholomew County nominating committee 15
Columbus street renaming committee 15
Bartholomew County street renaming committee 15
Columbus utility review committee 15

ARTICLE 9. COLUMBUS PLAN COMMISSION HEARING EXAMINER 16
Section 1. Establishment &Appointment of the Columbus Plan Commission Hearing Examiner 16
Section 2. Limitations of Powers of the Hearing Examiner 16
Section 3. Hearing Before the Hearing Examiner – Conduct 16
Rules 16
Schedule 16
Conflict of Interest 16
Unavailability of Hearing Examiner 16
Record 16
Notice of Decision 17
Section 4. Transfer of Proceedings from Hearing Examiner to Plan Commission 17
Section 5. Appeals of a Hearing Examiner Decision 17
Right to Appeal 17
Appeal Procedure 17
Notice 17
Plan Commission Hearing 17

ARTICLE 10. COMMISSION RECORDS 18
Section 1. Responsibility 18
Section 2. Minutes 18
Section 3. Audio or Video Recordings 18
Section 4. Commission Case Files 18
Section 5. Public Records 18
Section 6. Reports 18

ARTICLE 11. FEES 18
Section 1. Schedule of Fees 18
Section 2. Payment Required 18
Section 3. Waivers 18

ARTICLE 12. ETHICS 19

ARTICLE 13. AMENDMENTS AND SUSPENSION 20
Section 1. Amendments 20
Section 2. Suspension of Rules 20

ARTICLE 14. SEVERABILITY 20

ARTICLE 15. CERTIFICATE OF ADOPTION 21

ARTICLE 1.
AUTHORITY, DUTIES

Section 1. Authority
The City of Columbus Plan Commission and the Bartholomew County Plan Commission (hereinafter called "Commission") exist as advisory plan commissions under authority of Indiana Code 36-7-4-202, Section 2.34.040 of the City of Columbus Municipal Code, by County Ordinance No. 1, 1957, and any amendments thereto. These rules are adopted in accordance with the requirements of IC 36-7-4-401.

Section 2. Duties
The duties of the Commission shall be those set forth in IC 36-7-4-400, *et. seq.* - COMMISSION DUTIES AND POWERS (the "400 Series"), and such other responsibilities as may be assigned to it by the Common Council of the City of Columbus or the Bartholomew County Board of Commissioners (hereinafter called "Legislative Body").

Section 3. Seal
The seal of the City of Columbus shall be the seal of the Columbus Plan Commission, with an inscription that reads "City of Columbus Plan Commission."

The seal of the Bartholomew County Plan Commission shall read "Bartholomew County Plan Commission – OFFICIAL SEAL".

Section 4. Membership
The Columbus Plan Commission shall consist of eleven (11) voting members, appointed in accordance with IC 36-7-4-207 and IC 36-7-4-214. In addition, there shall be one liaison member appointed by the Bartholomew County Plan Commission, with said liaison member having all rights of participation in the deliberations of the Commission except the right to vote or hold office.

The Bartholomew County Plan Commission shall consist of nine (9) voting members in accordance with IC 36-7-4-208 and IC 36-7-4-214. In addition, there shall be one liaison member appointed by the Columbus City Plan Commission, with said liaison member having all rights of participation in the deliberations of the Commission except the right to vote or hold office. Other liaisons may be appointed from other communities within Bartholomew County, with said liaison members also having all rights of participation in the deliberations of the Commission except the right to vote or hold office.

Recognizing that the commission is charged with certain duties and responsibilities to the public and that the full discharge of those responsibilities requires participation in the discussion and voting on the matters before the commission, it is the Commission's policy that regular attendance is expected. In the event that a member is absent for more than three (3) regular meetings in any 12-month period, the Commission president shall notify the appointing authority of such absences and ask the appointing authority to review the appointment.

Section 5. Meetings
All meetings of the Commission shall be conducted in accordance with IC 5-14-1.5, the Indiana Open Door Law, and any amendments thereto. On-site inspections by individual Commission members, of property involved in petitions before the Commission, shall not be considered meetings.

A. Regular Meetings – A schedule of all regular meetings for each calendar year shall be approved by the Commission. The calendar shall indicate the time and place of the meetings and may be amended during the course of the year as necessary.

B. Special Meetings – In accordance with the provisions of IC 36-7-4-307, special meetings of the Commission may be called at any time by the president or by two members upon written request to the Commission's staff. The staff shall notify Commission members of such special meeting at least three days in advance of such meeting. Written notice of a special meeting shall not be required if the time and place of the special meeting has been fixed in a regular meeting of the Commission, provided that all members of the Commission are present at that regular meeting,

C. Cancellation –
   1. Whenever there is a lack of business for Commission consideration, the staff may cancel a regular meeting. In such cases, the staff of the Commission shall give notice to all members.
   2. Whenever a quorum is not available for a regular or special meeting, the president of the Commission may cancel such meeting, and all business scheduled for such meeting will be automatically continued to the next regular or special meeting. In such cases, the staff of the Commission shall give notice to the Commission members, those having business before the Commission, and to the news media.
   3. The president of the Commission also may cancel a scheduled regular or special meeting in the event of natural disaster, snow emergency or similar causes. In such cases, the staff of the Commission shall give notice to the Commission members, those having business before the Commission, and to the news media. In the event of cancellation for any reason, re-notification shall be provided to Interested Parties.

ARTICLE 2.
OFFICERS AND STAFF

Section 1. Commission Officers
At its first regular meeting in each year, the Commission shall elect from its members a president, vice president, and secretary.

Section 2. Duties of Commission Officers
A. President – The president shall preside over Commission meetings and on behalf of the Commission shall exercise general supervision over the affairs of the Commission, including the execution of contracts and agreements, the appointment of committees and representatives (except as otherwise provided by statute, ordinance, or these rules), the determination of points of order and procedure, and the signing of all official documents.

B. Vice President – The vice president shall have authority to act as president of the Commission during the absence or disability of the president.

C. Secretary – The secretary shall certify all official acts of the Commission, including the written votes of the Commission on any and all matters for which such vote is required.

D. Pro Tempore - In the event of the absence or disability of both the president and the vice president, the secretary shall preside, provided, however, the first and only item of business to be presented by such presiding officer shall be the election of a president *pro tempore*. In the event of the absence or disability of the secretary, the president of the Commission shall select a secretary *pro tempore*.

Section 3. Commission Staff
A. Appointment – The planning director shall be appointed by the Mayor of the City of Columbus with the concurrence of the Columbus Plan Commission. The planning director shall also be appointed by the Bartholomew County Board of Commissioners, with the concurrence of the Bartholomew County Plan Commission. The planning director shall be primarily accountable and responsible to the Commissions.

B. Duties – The City of Columbus/Bartholomew County Planning Department shall serve as staff to the Commission, and the planning director shall be the designated executive of the staff. All Commission requests for information or technical advice shall be made to the director who will be responsible for assigning staff members to gather such information or provide such advice and for conveying such information or advice to the Commission. The director shall be responsible for the administration of the Commission's office, the employment and compensation of employees, and administration of any funds allocated to the Commission. The director shall be delegated authority to perform ministerial acts in all cases except where final action of the Commission is necessary. The director also shall employ the Commission's recording secretary and shall be responsible for the keeping of an accurate record of all Commission proceedings, including the keeping of records and minutes, the custody and preservation of all papers and documents of the Commission, the maintenance of a current roster and qualification of members, and records of attendance.

C. Commission Attorney – The Commission attorney shall be appointed by the City of Columbus Mayor or the Bartholomew County Board of Commissioners as appropriate for each jurisdiction and shall serve as counsel for the Commission.

D. Directives – Any policies or assignments to the staff not covered by these regulations shall be by resolution of the Commission.

ARTICLE 3.
CONDUCT OF MEETINGS

Section 1. Quorum
Pursuant to IC 36-7-4-301, six (6) voting members of the Columbus Plan Commission shall constitute a quorum. Five (5) voting members of the Bartholomew County Plan Commission shall constitute a quorum. No business may be transacted and no public hearing may be opened at any meeting of the Commission unless a quorum is present.

Section 2. Electronic Participation by Members
Participation by members at meetings by electronic means, rather than in-person, is permitted consistent with IC 5-14-1.5-3.5 as detailed below. All associated provisions of Indiana Code, including definitions, shall apply. If any provision of this Section is in conflict with another provision of these Rules, in the event of any member participating by electronic means, these provisions shall control.

A. Requirements - Subject to subsections B and D below, any member may participate in a meeting by any electronic means of communication that allows all participating members to simultaneously communicate with each other; and, other than a meeting that is an executive session, allows the public to simultaneously attend and observe the meeting.
   1. A member who participates by an electronic means of communication shall be considered present for purposes of establishing a quorum, and may participate in final action only if the member can be seen and heard.
   2. All votes taken during a meeting at which at least one (1) member participates by an electronic means of communication must be taken by roll call vote.

B. Number and Frequency - At least fifty percent (50%) of the members must be physically present at a meeting at which any member will participate by means of electronic communication. Not more than fifty percent (50%) of the members may participate by an electronic means of communication at that same meeting.
   1. A member may not attend more than fifty percent (50%) of the meetings in a calendar year by an electronic means of communication, unless the member’s electronic participation is due to:

a. military service;
b. illness or other medical condition;
c. death of a relative; or
e. an emergency involving actual or threatened injury to persons or property.

2. A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member must attend in person at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:
   a. military service;
   b. illness or other medical condition;
   c. death of a relative; or
   e. an emergency involving actual or threatened injury to persons or property.

C. Minutes - The minutes of a meeting at which any member participates by electronic means of communication must:
   1. identify each member who:
      a. was physically present at the meeting;
      b. participated in the meeting by electronic means of communication; and
      c. was absent; and
   2. identify the electronic means of communication by which:
      a. members participated in the meeting; and
      b. members of the public attended and observed the meeting, if it was not an executive session.

D. Fee Schedule - No member may participate by means of electronic communication in a meeting at which the Commission may take final action to impose or increase any fee.

E. Declared Emergency - If an emergency is declared by the governor under IC 10-14-3-12 or the mayor or county commissioners (as applicable) under IC 10-14-3-29, members are not required to be physically present for a meeting until the emergency is terminated.
   1. Members may participate in a meeting by any means of communication provided that:
      a. At least a quorum of the members participate in the meeting by means of electronic communication or in person.
      b. The public may simultaneously attend and observe the meeting unless it is an executive session.
   2. The minutes of the meeting must comply with subsection C above.
   3. All votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

F. Staff Notification - Members desiring electronic attendance should notify the Commission Staff as soon as possible prior to a scheduled meeting so arrangements for technology may be made.

Section 3. Electronic Participation by Applicants and the Public

A. Participation by Applicants - All applicants, including their hired design professionals, attorneys, etc., should participate in-person to the extent possible. Applicants wishing to participate electronically should make that request to the Commission Staff at least one (1) week prior to the meeting at which their request is scheduled to be considered. The Commission Staff should seek the President's consent for electronic participation by applicants. Applicants who participate electronically should be seen and heard by other participants.

B. Participation by the Public - Electronic participation by the public may be offered at the Commission's discretion, with the Commission staff in control of the public's audio and/or video capabilities, so as to prevent disruptions or inappropriate behavior during meetings. If electronic participation is available to

the public, they shall, at a minimum, be permitted the ability to, during public hearings, make comment verbally.

1. Any members of the public participating electronically shall be provided with equal access to the meeting and ability to be seen and heard. Any special accommodations or access, such as the ability to be seen or share presentation materials electronically, made available to any one member of the public shall also be made available to all others participating in the same meeting.
2. During public hearings, members of the public participating electrically should be called upon to speak after those attending the meeting in-person.

Section 4. Livestreaming

Regardless of their ability to participate electronically, as provided by Section 3(B) above, the public shall be able to view all proceedings via live-stream pursuant to IC 5-14-1.5-2.9(c)(1). Any technical failure that disrupts or prevents a member of the public from livestreaming does not prevent the Commission from conducting the meeting or affect the validity of an action taken by the Commission at the meeting, pursuant to IC 5-14-1.5-2.9(g).

Section 5. Ex-Parte Communication

All presentation of information on a petition pending before the Commission should take place in an open, public meeting, not in private, unofficially, or with any Interested Parties, as defined in Article 7, Section 3A of these rules. While it is recognized that it is not possible to eliminate all such communication, Commission members are discouraged from initiating *ex parte* communication. When such communication occurs unavoidably, Commission members are expected to invite the parties to share their information with the Commission. If the parties choose not to share their information with the Commission and the member considers the information to be relevant, the member will disclose the communication and make the information received part of the public record. This section does not apply to activities of the Commission which are not quasi-judicial in nature, such as development of a comprehensive plan or ordinance text amendments.

Section 6. Voting

A. Majority – In accordance with IC 36-7-4-302, no action of the Commission is official unless it is authorized at a regular or special meeting by a majority of the entire membership of the Commission.

B. Method – All votes of the Commission on matters requiring a public hearing, other than those on the consent agenda, shall be by ballot, with the form of the ballot to be approved by the Commission. Each ballot must bear the signature of the member voting by such ballot. Secret ballot votes shall not be permitted. Items of business not requiring a public hearing and all items on the consent agenda may be decided by voice vote. If the outcome of a particular vote is unclear, the president or any member may request a roll call vote.

C. Conflict of Interest -
   1. In accordance with IC 36-7-4-223, a Commission member may not participate in a hearing or decision concerning a matter in which he/she has a direct or indirect financial interest. For the purposes of these rules, a direct or indirect financial interest shall mean any economic interest.
   2. A member may not participate if he/she is an interested party entitled to notice under Article 7, Section 3B, of these rules or has a disqualifying non-economic conflict of interest. A disqualifying non-economic conflict of interest is any interest in the property or relationship with the parties involved in the matter which would prevent the member from participating in the hearing or decision in a fair and impartial manner.
   3. A member shall declare his/her potential conflict of interest, whether or not economic in nature. Such member may disqualify himself/herself or may be disqualified by a majority vote of the remaining Commissioners.
   4. A member who determines that he/she has or is determined by the Commission to have a conflict of

interest shall remove himself/herself from the Commission proceedings and leave the chamber during the deliberation of the subject of such conflict. Such abstention shall not be considered a negative vote.

5. Nothing in this section shall prevent a member of the Commission from presenting a petition on his/her own behalf, but members shall not appear before the Commission on behalf of others.
6. Questions as to whether such conflict exists may be determined by the Commission's attorney.

D. Required – Except as provided in subsection "C" of these rules above, all Commission members present shall vote on each matter for which a public hearing is held. An abstention for any other reason shall have the same effect as a negative vote.

E. Absentee – Absentee or proxy voting shall not be permitted. Members must be present for the public hearing and ballot in order to be eligible to vote on any matter. In the event that a member is absent for part of a public hearing, such member's eligibility to vote on the matter shall be at the discretion of the presiding officer. A member is eligible to vote on a continued matter from a prior meeting from which they were absent provided that the member listens to the tape recording or reads a transcript of the proceedings before the vote is taken.

Section 7. Consent Agenda

Routine or non-controversial items may be decided by consent. The Commission president shall read the titles of the items on the consent agenda. Any member of the Commission or any member of the audience may request that an item be removed from the consent agenda and placed on the regular agenda. In that event, the Commission president shall then determine the appropriate place on the agenda for the item, and it will be considered by the Commission as a regular item of business. For items decided by consent, the staff report and recommendation shall serve as the Commission findings and decision.

Section 8. Order of Business

The order of business for regular meetings of the Commission shall be as listed below, except that the president of the Commission, after consultation with the staff and/or other members of the Commission, may alter the order of business for regular meetings if such alteration is construed to promote efficiency and convenience for the Commission, petitioners, and the public.

A. Roll call of members
B. Consent agenda (including Minutes)
C. Old business
D. New business
E. Discussion items
F. Reports and recommendations
G. Adjournment

ARTICLE 4.
PUBLIC HEARINGS

Section 1. Procedure

A. Opening The Hearing – The president shall call the docket number of the item scheduled for public hearing.

B. Order of Events – The order of events shall be as follows:
   1. Presentation of the request by the Commission's staff
   2. Presentation of the request by the petitioner
   3. Comments and questions by members of the Commission
   4. Opening of public hearing
   5. Comments and questions by members of the audience

6. Closing of public hearing
7. Closing comments by petitioner
8. Discussion and questions by members of the Commission
9. Motion
10. Vote

C. Public Comments & Questions – Written comments submitted by the public in advance of the public hearing such that they are transmitted to the Commission with the written staff report and petitioner's materials shall be considered part of the meeting record and therefore do not need to be separately, specifically acknowledged during the meeting. Written comments submitted just prior to the meeting and, therefore, not included with the staff report and petition shall be acknowledged by the presiding officer, or their designee, by identifying the sender's name and address, if provided and legible. Written comments are not required to be read verbatim into the meeting record. A physical or electronic copy of all submitted written comments shall be retained as part of the Commission's official records. After all public comments have been heard under the rules of this section and appropriate written comments acknowledged, the presiding officer shall declare the public hearing closed. No additional public comment shall be permitted after the close of the public hearing unless the presiding officer specifically allows the re-opening of the public hearing and such discussion. The closing of the public hearing shall not limit the Commission members' ability to ask questions of the petitioner and/or of members of the audience during the subsequent discussion period. However, the presiding officer shall, in all instances, have the authority to limit discussion by the public and the Commission members.

D. Method of Voting – Each motion on a matter requiring a public hearing, other than those decided as part of the consent agenda, shall be by ballot of the members, in accordance with the provisions of Article 3, Section 3, of these rules. Each ballot shall bear the docket number of the petition. At the conclusion of the vote, the secretary shall report the vote and it shall be so recorded. The vote of each member shall become a part of the record on the petition, and the secretary shall identify the members casting minority ballots. The vote of each member shall be disclosed by any Commission officer or the staff to anyone requesting such information. For matters that require consideration of specific modifications or waivers prior to a vote on the petition, such interim votes may be voice votes.

Section 2. Conduct

A. Representation – The petitioner may appear in person, by agent or attorney, and present any supporting witnesses, evidence, statements and arguments in favor of the request. Failure of the petitioner to appear may result in dismissal of the petition pursuant to Article 5, Section 2 of these rules. Remonstrators and persons in favor of the request may appear in person, by agent or by attorney and present witnesses, evidence, statements and arguments. Any person interested in any petition shall have the right but shall not be required to enter a written statement or other presentation in the public hearing.

B. Commission Participation – The Commission members shall be provided adequate opportunity to examine witnesses and question any evidence, statements and arguments in the interest of a fair public hearing.

C. Identification – All persons wishing to be heard on any matter in a public hearing must stand before the Commission and provide their names and addresses for the record.

D. Commentary Addressed to Commission – All commentary at a public hearing shall be addressed to the Commission through its presiding officer. Such commentary shall not be permitted between opposing parties without the consent of the presiding officer.

E. Authority of Presiding Officer – The presiding officer shall have the authority to prohibit repetitious, irrelevant, or immaterial testimony and shall have authority to limit the length of testimony by each speaker deemed appropriate to a fair public hearing.

F. Orderly Conduct – Every person appearing before the Commission shall abide by the order and direction of the presiding officer. Discourteous, disorderly, or contemptuous conduct shall not be tolerated, and the presiding officer may take such action as is deemed necessary to prevent such conduct, specifically including but not limited to requiring the offensive person(s) to depart the meeting; summoning law enforcement personnel or adjourning the meeting.

ARTICLE 5.
DISPOSITION OF PETITIONS

Section 1. Motions
The final disposition of any petition duly filed and brought before the Commission shall be in the form of a motion, properly adopted, specifically setting forth such disposition.

Section 2. Dismissal
A. Want of Prosecution – The Commission may dismiss a petition if the petitioner or authorized representative does not appear to present and speak in favor of such petition or if such petition has been improperly filed as required by these rules.

B. Lack of Jurisdiction – The Commission shall dismiss a petition if it finds it has no jurisdiction over its subject matter.

Section 3. Withdrawal
A. Without Prejudice – Any petition may be withdrawn without prejudice provided a written request for withdrawal signed by the petitioner or an authorized representative is received by staff prior to public notice being provided for the request. The petition shall not appear on the Commission's agenda and may be resubmitted at any time.

B. With Prejudice – Any request for withdrawal made after public notice has been provided, may be granted or denied by the Commission. Such request may be made in writing or orally at the Commission meeting and must state the reasons for the request. If the Commission votes to permit withdrawal, the petition shall not again be placed on the docket for public hearing within a period of three (3) months from the date of the originally scheduled public hearing, except upon a motion duly adopted by a majority of the members of the Commission to permit such re-docketing.

C. Not Permitted – No petition may be withdrawn after a motion has been made and seconded and a vote has been ordered by the presiding officer.

Section 4. Amendment
A. Increased Density or Intensity – No petition can be amended in a manner which increases the intensity of use (e.g., adds additional lots or land, changes to a zoning district permitting more uses or more intensive uses) after public notice has been provided. Any such amendment request will result in postponing the Commission's hearing of the petition for one month. The petition as amended shall be readvertised and new notice given to Interested Parties.

B. Decreased Density or Intensity – After public notice has been provided, it shall be within the discretion of the Commission to approve a petitioner's request to amend the petition in a manner which decreases the intensity of use (e.g., removes lots or land, changes to a zoning district which is more restrictive).

Any Interested Parties may be heard on the subject of such amendment. The Commission may require such amended petition to be continued and may require re-advertising and re-notification of Interested Parties in the interest of providing a fair and adequate public hearing.

Section 5. Continuance

A. Requests – Any person may request a continuance in writing prior to the public hearing and/or orally at the beginning of the public hearing. The person requesting such continuance shall be required to show good and sufficient cause for such continuance, and it shall be within the discretion of the Commission to grant or deny such request.

B. Motion by Commission – Any member of the Commission may at any time move to continue the public hearing of any petition. Such a motion duly seconded and adopted shall continue the public hearing to the time specified in the motion. The Commission may include in the motion specific instruction for re-advertising and/or re-notification of Interested Parties.

C. Indecisive Vote – In the event that the Commission does not achieve the required votes to approve or deny a petition, such vote shall be declared indecisive, and the petition shall be continued automatically to the next meeting of the Commission. Before declaring a petition continued on this basis, the presiding officer shall call for another motion. No petition for rezoning shall be continued more than two successive times under the provisions of this paragraph. If upon the third successive consideration of a rezoning petition resulting from continuances under the provisions of this paragraph, the Commission does not arrive at a recommendation with the necessary majority of votes, as provided in Article 3, Section 3A of this document, it shall forward the petition to the legislative body with a report stating the Commission's inability to arrive at a recommendation within a reasonable time, and the legislative body may decide the petition without a recommendation to approve or deny from the Commission.

D. Improper Notice – If proper notice under applicable laws and Article 7, of these rules, has not been given, the Commission shall continue the petition to allow time for proper notice to be given.

Section 6. Approval/Denial

A. Subdivisions – The Commission has the authority to approve subdivisions of land under the terms of the Subdivision Control Ordinance (Chapter 16 of the Columbus City Code).

B. Site Development Plans - The Commission has the authority to take action on site development plans under the terms of the City of Columbus/Bartholomew County Zoning Ordinance Chapter 12.8.

.

C. PUD Plans - The Commission has the authority to take action on Preliminary PUD Plans and Final PUD Plans under the terms of the City of Columbus/Bartholomew County Zoning Ordinance Article 5.

D. Zoning Map Amendments - The Commission has the authority to take action on Zoning Map Amendments under the terms of the City of Columbus/Bartholomew County Zoning Ordinance Chapter 1.5 and 12.6.

E. Subdivision Control Ordinance and Zoning Ordinance Text Amendments - The Commission has the authority to take action on text amendments under the terms of the Subdivision Control Ordinance Chapter 16.44 and City of Columbus/Bartholomew County Zoning Ordinance Chapter 1.5.

F. Annexation – The City of Columbus Plan Commission has the authority to take action on Annexation applications under the terms of City of Columbus/Bartholomew County Zoning Ordinance Chapter 12.7.

Section 7. Conditions & Commitments
Per Indiana Code Section 36-7-4-1015 and Chapters 5.5, 12.6, and 12.8 of the City of Columbus/Bartholomew County Zoning Ordinance, the Commission may impose such reasonable conditions or commitments upon its approval of any site development plan or zoning map amendment.

Section 8. Refiling
No petition for amendment to the Zoning Ordinance or Preliminary PUD Plan which has been denied by the legislative body shall again be placed on the docket for public hearing within a period of one (1) year from the date of such disapproval, unless the Commission finds that there is a substantial change in the petition or circumstances affecting the petition, in which case the matter may again be placed on the docket only if a motion to permit re-docketing is duly adopted by the Commission.

ARTICLE 6.
FILING PROCEDURES

Section 1. Application
Each petition to the Commission shall be on application forms prescribed by the staff and shall be accompanied by such information and exhibits as specified on such forms and/or required by applicable ordinances. Any communication purporting to be a petition not on the prescribed forms or not containing the information required shall be considered incomplete and shall not be docketed.

Section 2. Filing Deadlines
The staff shall prepare, each year, a schedule of the filing deadlines for the ensuing year. Such schedule shall provide for adequate time for the staff to review the proposal and offer technical advice to the Commission and shall provide adequate time for issuances of required notices. Any application which is incomplete at the time of the filing deadline shall not be docketed.

Section 3. Eligible Applicants
The owner(s) of property included in any petition before the Commission must consent to the filing of the application. Such consent may be evidenced by the owner's signature on said application or by signature of a person having power of attorney authorizing such signature, including a copy of the power of attorney. In the case of property which is being purchased under a land contract, the signatures of both the contract purchasers and the contract sellers or their duly authorized agents shall be required.

ARTICLE 7
NOTICE REQUIREMENTS

Section 1. Contents
Any notice of public hearing required by state or local law shall contain the information required by the applicable law.

Section 2. Publication
When the Commission is required by law to publish in a newspaper of general circulation a notice prior to any public hearing of the Commission, the staff shall cause such notice to be published in accordance with the time periods established by applicable law. Proof of such publication shall be obtained by the staff and kept in the appropriate file.

Section 3. Mailed Notice
The Commission shall provide mailed notice to Interested Parties in accordance with this section.

A. Interested Parties – In accordance with IC 36-7-4, Interested Parties are hereby determined to be the following:

1. Rezoning, Preliminary PUD Plans, and Final PUD Plans (for new PUD's being established consistent with Zoning Ordinance Article 5).
   a. *Columbus Jurisdiction*: Record owners of property within 300 feet from the perimeter of the subject property and the record owners of any subject property who are not petitioners.
   b. *Bartholomew County Jurisdiction*: Record owners of all property within 600 feet from the perimeter of the subject property or two properties in each direction, whichever is greater, and the record owners of any subject property who are not petitioners.
2. Site Development Plans and Final PUD Plans (for previously established PUD's for which the Final PUD Plan serves as a site development plan for an individual lot or lots consistent with Zoning Ordinance Section 5.1(E)). Record owners of all property adjoining the property involved in the request.
3. Major and Minor Subdivision Preliminary Plats: Record owners of all property adjoining the property involved in the request. However, in the City of Columbus jurisdiction only, for any resubdivision of a major subdivision subject to the provisions of Subdivision Control Ordinance Section 16.40.070 (Major Subdivision Plat Substantial Revisions), mailed notice shall also be provided to all owners of property in that previously approved major subdivision.
4. Comprehensive Plans and Zoning or Subdivision Control Ordinance Text Amendments. No mailed notice shall be required unless specified on a case-by-case basis by the Commission.

B. Method of Notice -
   1. The staff shall provide notice of any matter requiring public hearing or action by the Commission to all Interested Parties, as defined in Article 7 Section 3A of these rules, by letter verified by a certificate of mailing sent at least ten (10) calendar days before the Commission meeting.
   2. The staff shall give notice of the right to appeal any decision of the Plat Committee to all Interested Parties by letter verified by a certificate of mailing. The notice may be provided either following the decision or upon staff verification that Plat Committee comments upon which approval was granted have or can be addressed. The notice shall provide ten (10) calendar days from its date of mailing for the filing of any appeals.

C. Determination of Owners -
   1. The names and addresses of record property owners to be notified shall be obtained from the property ownership records of the Bartholomew County Public Access Geographic Information System (eGIS) as maintained by the Surveyor of Bartholomew County. Such records shall be obtained no more than one month prior to the appropriate hearing. Notice based on these records shall be deemed proper for the purposes of the hearing.
   2. For purposes of determining notice, the land described in the petition shall be deemed to also include any adjoining land owned by the applicant and/or subject property owner. Land separated from the subject property by streets, railways, easements or similar features shall be considered adjoining. Property owned by the Columbus Municipal Airport is exempt from this adjoining-land requirement.
   3. In the case where the land and the buildings or units on it are owned by different people / entities, both the record landowner and the record building or unit owners, for building(s) / units(s) within the notice area, shall be notified, as long as that information is available in the county's eGIS records
   4. Record owners of property located outside of Bartholomew County shall also be notified according to the criteria under Section 3A of this Article and shall have all record ownership determinations made according to the information made publically available by their respective county.

Section 4. General Public Notice Sign
The staff shall cause a sign indicating an upcoming public hearing to be placed on the subject property and visible from the nearest public street at least ten (10) calendar days before the public hearing. When the subject property is bound by two or more streets, the sign shall be placed on the street with the highest thoroughfare classification. Proof of such placement of the sign shall be obtained by the staff and kept in the appropriate file. The staff shall have discretion over the exact location of the sign on the subject property so as to maximize its visibility to passers-by. The sign may be general in its content and is not required to contain the information specified by Article 7, Section 1, of these rules. The inability of the staff to place the sign or its removal prior to the public hearing due to factors such as weather conditions, construction activity, etc. shall not be deemed improper public notice and shall not result in any mandatory delay in the consideration of the request(s) by the Commission.

Section 5. Website Posting
The staff shall cause information regarding upcoming public hearings to be placed on the Planning Department's website before the Commission meeting. The staff shall have discretion over the design and layout of the website and the location of the request information on the website so as to maximize its accessibility by the public and the overall organization of information. The website information is not required to contain the information specified by Article 7, Section 1. The inability of the staff to provide the information on the website due to factors such as technical problems, etc. shall not be deemed improper public notice and shall not result in any mandatory delay in the consideration of the request(s) by the Commission.

Section 6. Evidence of Notice
Postal Service Certification as recorded in a *Certificate of Mailing Form* shall be considered evidence that the mailed notice has been given. Personal contact with the Planning Department prior to the hearing or personal appearance at the hearing shall also constitute evidence of notice. A Publisher's Claim from a newspaper of general circulation shall be considered evidence of notice by publication. A date stamped photograph of the general public notice sign at the subject property shall constitute evidence of its placement.

ARTICLE 8.
COMMITTEES

Section 1. Authority
The presiding officer is hereby authorized to appoint permanent and temporary committees to facilitate the work of or advise the Commission. Such committees may comprise Commission members only, or they may include others. A chairperson may be appointed for each committee, and reports on their assignments shall be made a part of the record. The president shall be an ex officio member of any committee so appointed.

Section 2. Standing Committees
The standing committees are described below. Of these committees, the executive committees, subdivision review committees, nominating committees, and street renaming committees are considered administrative and neither require public notice nor must be accessible by the public. The plat committees and Columbus Utility Review Committee meetings shall be subject to public notice as described for each below.

A. Executive Committee – An executive committee consisting of the officers of the Commission shall be a permanent committee which shall be authorized to act on behalf of the Commission on all administrative matters except those where final action of the Commission is required. The president shall be chairperson of said committee.

B. Columbus Plat Committee – A Plat Committee consisting of three (3) members shall be a permanent committee. The members shall be the planning director; the city engineer, and a citizen member of the Commission. Each member of the committee shall be appointed by the Commission for one year. The

Commission may appoint alternate members to the Plat Committee who may serve as voting members in the event the regular member is unable to attend or abstains from voting. The alternate for the planning director shall be another member of the department; the alternate for the city engineer shall be another member of that department, and the alternate for the Commission member shall be another citizen member of the Commission.

1. Officer and Staff
   a. The Plan Commission member shall be the Chairperson and shall preside over Committee meetings.
   b. The staff of the City of Columbus-Bartholomew County Planning Department shall be the staff for the Plat Committee.

2. Meetings
   a. The filing deadlines for the Committee shall be the Commission's filing deadlines. Plat Committee meetings shall be included on the Commission calendar of meeting and filing deadlines described by Article 1 Section 5A, of these rules.
   b. Special meetings may be called by the Chairperson of the Committee.
   c. A majority of the Committee shall constitute a quorum. No action of the committee shall be official unless it is approved by a majority of its members.
   d. All provisions adopted by the Commission in Article 3 of these Rules of Procedure for the conduct of meetings and procedures related thereto, which are not inconsistent with state law, the subdivision control ordinance, and/or this Article, shall apply to all proceedings before the Plat Committee.
   e. Consistent with the requirements of Indiana law, notice of any Plat Committee meeting shall be provided to the appropriate news media a minimum of 48 hours before that meeting. The meeting proceedings shall be accessible by the public.

C. Bartholomew County Plat Committee – A Plat Committee consisting of five (5) members appointed by the Plan Commission shall be a permanent committee. At least two members shall be members of the Plan Commission, with one of these two being the county surveyor or representative serving on the Commission. One member shall be the county highway engineer or designee, and one member shall be the planning director or designee. The other member may be a member of the Plan Commission or citizen within the jurisdiction of the Commission who is not a member of the Commission. Each member shall be appointed by the Commission for one (1) year. The Commission may appoint alternate members to the Plat Committee who may serve as voting members in the event the regular member is unable to attend or abstains from voting. The alternates for the Plan Commission members shall be members of the Commission.

1. Officer and Staff
   a. The county surveyor or representative shall be the Chairperson and shall preside over Committee meetings.
   b. The staff of the City of Columbus-Bartholomew County Planning Department shall be the staff for the Plat Committee.

2. Meetings
   a. The filing deadlines for the Committee shall be the Commission's filing deadlines. Plat Committee meetings shall be included on the Commission calendar of meeting and filing deadlines described by Article 1 Section 5A, of these rules.
   b. Special meetings may be called by the Chairperson of the Committee.
   c. A majority of the Committee shall constitute a quorum. No action of the committee shall be official unless it is approved by a majority of its members.

d. All provisions adopted by the Commission in Article 3 of these Rules of Procedure for the conduct of meetings and procedures related thereto, which are not inconsistent with state law, the subdivision control ordinance, and/or this Article shall apply to all proceedings before the Plat Committee.
e. Consistent with the requirements of Indiana law, notice of any Plat Committee meeting shall be provided to the appropriate news media a minimum of 48 hours before that meeting. The meeting proceedings shall be accessible by the public.

D. Columbus Subdivision Review Committee – A Subdivision Review Committee shall be a permanent committee consisting of the following members: planning director, city engineer, Bartholomew County chief code enforcement officer, fire chief, manager of the City Utilities Department, representative of the telephone utility, representative of the electric utilities (Duke and Bartholomew County REMC), representative of the Bartholomew County Drainage Board, or any successor to any of the above, and such other representatives as the planning director may invite to aid in the review of scheduled petitions. Members may designate representatives to participate in any and all meetings of the committee. The planning director or her/his designee shall serve as chairperson of the committee. The Subdivision Review Committee is established for the purposes listed below. In no way is the existence of this committee to be construed to limit the scope of discussion or findings of fact on any matter before the Commission or to prevent any member of the committee from raising additional issues which may come to light after the committee meeting.
1. To review all Major Subdivision Preliminary Plat subdivision petitions filed with the Commission for compliance with the technical requirements of the Subdivision Control Ordinance.
2. To encourage cooperation between the Commission, staff, and petitioners by resolving problems at the staff level where possible.
3. To review requests for the vacation of right-of-way and other such matters determined by the staff to benefit from a coordinated discussion of land development, utilities and public infrastructure.

E. Bartholomew County Subdivision Review Committee – A Subdivision Review Committee shall be a permanent committee consisting of the following members: planning director, county engineer, Bartholomew County chief code enforcement officer, county extension agent, County environmental health officer, representative of the telephone utility, representative of the electric utilities (Duke and, Bartholomew County REMC) or any successor to any of the above, and such other representatives as the planning director may invite to aid in the review of scheduled petitions. Members may designate representatives to participate in any and all meetings of the committee. The planning director or her/his designee shall serve as chairperson of the committee. The Subdivision Review Committee is established for the purposes listed below. In no way is the existence of this committee to be construed to limit the scope of discussion or findings of fact on any matter before the Commission or to prevent any member of the committee from raising additional issues which may come to light after the committee meeting.
1. To review all Major Subdivision Preliminary Plat subdivision petitions filed with the Commission for compliance with the technical requirements of the Subdivision Control Ordinance.
2. To encourage cooperation between the Commission, staff, and petitioners by resolving problems at the staff level where possible.
3. To review requests for the vacation of right-of-way and other such matters determined by the staff to benefit from a coordinated discussion of land development, utilities and public infrastructure.

F. Columbus Nominating Committee – A nominating committee consisting of at least three (3) Commission members should be appointed no later than the December meeting each year to provide candidates for Commission offices for the following year.

G. Bartholomew County Nominating Committee – A nominating committee consisting of at least three (3) Commission members should be appointed no later than the December meeting each year to provide candidates for Commission offices for the following year.

H. Columbus Street Renaming Committee – A street renaming committee shall be a permanent committee consisting of the following members: postmaster, fire chief, police chief, Bartholomew County chief code enforcement officer, planning director, and city engineer. Members may designate representatives to participate in any and all meetings of the committee. This committee shall make recommendations to the mayor on the renaming of streets within the City of Columbus. In recommending street names, the Committee shall consider the following factors:
   1. Street names shall not duplicate other street names in the city or county.
   2. Street names shall, to the extent possible, be easy to understand.
   3. Street names shall be selected with due regard to historical names and events.

   In the event that a street recommended for renaming is located in the city and the county, the committee shall consult with appropriate representatives of the county before making its recommendation to the mayor.

I. Bartholomew County Street Renaming Committee – A street renaming committee shall be a permanent committee consisting of the following members: postmaster, county sheriff, Bartholomew County chief code enforcement officer, planning director, and county highway engineer. Members may designate representatives to participate in any and all meetings of the committee. This committee shall make recommendations to the Board of County Commissioners on the renaming of streets within the unincorporated areas of Bartholomew County. In recommending street names, the Committee shall consider the following factors:
   1. Street names shall not duplicate other street names in the city or county.
   2. Street names shall, to the extent possible, be easy to understand.
   3. Street names shall be selected with due regard to historical names and events.

   In the event that a street recommended for renaming is located in the county and the city, the committee shall consult with the appropriate representatives of the city before making its recommendation to the Board of County Commissioners,

J. Columbus Utility Review Committee (Columbus jurisdiction only) – A Utility Review Committee shall be a permanent committee consisting of the following members: one representative of the Commission, appointed by the president; the director of the City Utilities Department or designee; the planning director or designee. The committee shall consider applications for connections to city utilities under the provisions of Ordinances #92-47 and #92-48. The committee shall have the authority to approve or deny such applications or to refer them to the Commission. Any applicant who is denied service by the committee may appeal the committee's decision to the Commission. Such appeal must be filed within 30 days after the decision.
   1. Officer and Staff
      a. The Commission representative shall serve as chair of the committee and shall preside over Committee meetings.
      b. The staff of the City of Columbus-Bartholomew County Planning Department shall be the staff for the Utility Review Committee.

   2. Meetings
      a. The filing deadlines for the Committee shall be the Commission's filing deadlines. Utility Review Committee meetings shall be included on the Commission calendar of meeting and filing deadlines described by Article 1 Section 5A, of these rules.

b. Special meetings may be called by the Chairperson of the Committee.
c. The committee may act only by unanimous vote of all three committee members; all applications which fail to receive a unanimous vote shall be forwarded to the Commission.
d. All provisions adopted by the Commission in Article 3 of these Rules of Procedure for the conduct of meetings and procedures related thereto, which are not inconsistent with state law and/or this Article shall apply to all proceedings before the Utility Review Committee.
e. Consistent with the requirements of Indiana law, notice of any Utility Review Committee meeting shall be provided to the appropriate news media a minimum of 48 hours before that meeting. The meeting proceedings shall be accessible by the public.

ARTICLE 9.
COLUMBUS PLAN COMMISSION HEARING EXAMINER

Section 1. Establishment and Appointment of the Columbus Plan Commission Hearing Examiner

There is hereby established an alternate procedure whereby a hearing examiner conducts public hearings and acts on behalf of the Columbus Plan Commission as provided for by Indiana Code Section 36-7-4-402(d). The hearing examiner shall be appointed by the Columbus Plan Commission for the jurisdiction of the City of Columbus. The hearing examiner may be a planning department staff member, a Plan Commission member, or an appropriately qualified citizen of the Plan Commission's jurisdiction. The hearing examiner shall be appointed for a term of one year, to coincide with the calendar year, with that appointment renewable by the Commission for an unlimited number of terms. However, the hearing examiner shall serve at the pleasure of the Plan Commission and may be removed at any time by the Commission.

Section 2. Limitations of Powers of the Hearing Examiner

The hearing examiner shall be empowered to hear and render a decision on only those applications for which that authority is specifically provided to the examiner by the zoning ordinance.

Section 3. Hearing Before the Hearing Examiner – Conduct

A. Rules - All provisions adopted by the Plan Commission under these Rules of Procedure for the conduct of Commission public hearings and procedures, which are not inconsistent with the law, the zoning ordinance, and/or the specific provisions of this Article shall also apply to public hearings and proceedings before the hearing examiner.

B. Schedule – The planning director shall, in coordination with the hearing examiner, schedule examiner meetings on an as-needed basis.

C. Conflict of Interest - The hearing examiner shall not participate in a public hearing or decision on a matter for which the examiner has a conflict of interest as described by Article 3, Sections 3(C)(1 and 2) of these Rules. In the event such a conflict of interest occurs, the hearing examiner shall provide written documentation of their disqualification to the planning department staff. In such case the planning director may then refer the matter to a properly appointed alternate hearing examiner or to the Plan Commission.

D. Unavailability of Hearing Examiner – In the event the hearing examiner is unable, due to sickness or other reason, to exercise their authority on a matter that is scheduled before them, the planning director may refer the matter to a properly appointed alternate hearing examiner or to the Plan Commission.

E. Record – The planning department staff shall prepare and maintain a record of all proceedings conducted by the hearing examiner.

F. Notice of Decision – Within five (5) calendar days of a decision by the hearing examiner the planning department staff shall provide written notice of that decision to the applicant and any other party that has specifically requested that documentation. The written notice shall be deemed given as of the date of mailing to the necessary parties either (1) to their street address via first class United States mail or (2) to their electronic-mail address. The applicant and any other party requesting the written notice shall provide, in writing, their address to the planning department.

Section 4. Transfer of Proceedings from Hearing Examiner to Plan Commission

Following the public hearing, the hearing examiner may transfer an application to the Plan Commission upon a determination that (1) the circumstances of the application have changed and it is no longer eligible, under the terms of the zoning ordinance, for hearing examiner consideration or (2) there are aspects of the application and/or concerns voiced during the public hearing that the hearing examiner determines to be of significant complexity and therefore requiring the judgement of the Plan Commission. In the event of a transfer to the Plan Commission, the hearing examiner shall make a verbal announcement at their public hearing of the date and time of the meeting at which the Plan Commission shall consider the matter. Except for the notice by publication required by IC 5-3-1, no other notice of the transfer or scheduling of the public hearing before the Plan Commission must be given by the hearing examiner or planning department staff.

Section 5. Appeals of a Hearing Examiner Decision

A. Right to Appeal – Any applicant or interested party who is aggrieved by a decision of the hearing examiner may appeal that decision to the Plan Commission consistent with the provisions of Indiana Code Section 36-7-4-402(d).

B. Appeal Procedure -
   1. The applicant or interested party so aggrieved shall file with the planning department staff within 5 days after the decision is made, per Indiana Code Section 36-7-4-402(d), a written notice of the appeal. The written notice shall contain a concise and plain statement of the nature of the matter involved and describe the reason(s) why the determination of the hearing examiner is believed to be inconsistent with the applicable provisions of the zoning ordinance. The written notice shall be signed by the aggrieved applicant or interested party. The application subject to the appeal will be scheduled for consideration at the next available Plan Commission meeting.
   2. Any written notice of appeal that is not timely filed shall not be accepted and the applicant or interested party shall be construed as having forever waived his or her right to appeal such decision.

C. Notice – Notice of the subsequent public hearing before the Plan Commission shall be as specified in Article 7, Section 3 of these Rules of Procedure for the type of application that is subject to the appeal (site development plan, etc.).

D. Plan Commission Hearing – The Plan Commission shall conduct a new hearing on the matter, which shall be conducted in the same manner as other public hearings by the Commission. The Commission's consideration of the application that is the subject of the appeal shall not be limited to the specific reason(s) for the appeal, but may instead include all aspects of that application.

ARTICLE 10.
COMMISSION RECORDS

Section 1. Responsibility
It shall be the duty of the staff of the Commission to maintain all Commission files and records, including the official minutes of all meetings.

Section 2. Minutes
The staff shall prepare an accurate record of all public hearings and official actions of the Commission, and the minutes representing such record shall be made available within a reasonable time after such public hearing or action to all members of the Commission. After approval by the Commission, such minutes shall be made publicly available.

Section 3. Audio or Video Recordings
The staff shall make audio or video (with audio) recordings of the Commission's proceedings. Such recording products shall be archived and made publicly accessible for a period of not less than 90 days from the date of each meeting, as required under IC 5-14-1.5-2.9.

Section 4. Commission Case Files
The staff shall maintain a file for each petition placed on the docket of the Commission. Such files shall contain, as a minimum, the application form and supporting materials and any exhibits pertinent to the decision, conditions or binding effects of the Commission's action.

Section 5. Public Records
The records and files of the Commission shall be made available to the public under the provisions of IC 5-14-3, the Indiana Access to Public Records Law, and any amendments thereto. The planning director is hereby designated as the officer responsible for determining which documents of the staff and Commission are public records. Any person may file a written objection to a decision of the director under this section. Upon receipt of such objection, the director shall consult the Commission president and Commission attorney who shall decide whether a requested document is a public record.

Section 6. Reports
The staff shall prepare an annual report regarding the Commission's activities. The report shall be made available to the public.

ARTICLE 11.
FEES

Section 1. Schedule of Fees
The Commission shall, in accordance with the requirements of IC 36-7-4-411 and IC 36-7-4-704, establish a uniform schedule of fees to defray the administrative costs connected with processing and hearing petitions for both the Commission and the Board of Zoning Appeals and for otherwise carrying out the duties of the Planning Department. Such fees shall not exceed the actual costs of providing such services. Fees established may include fees for copying documents under the provisions of IC 5-14-3-8(d).

Section 2. Payment Required
In no case shall the Commission take action on any petition for which applicable fees have not been paid in full.

Section 3. Waivers
Nothing herein shall be construed to require a fee for actions initiated in the public interest by the Commission.

ARTICLE 12.
ETHICS

Plan Commission members shall adhere to standards of practice in accordance with this Article as set forth by the American Planning Association, American Institute of Certified Planners Code of Ethics and Professional Conduct. Plan Commission staff shall adhere to these standards when working with applicants, members of the public, and public officials. The Plan Commission shall also adhere to any locally adopted ethics standards or requirements.

Section 1. The planning process must continuously pursue and faithfully serve the public interest by the following:

A. Recognizing the rights of citizens to participate in planning decisions;

B. Striving to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;

C. Striving to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;

D. Assisting in the clarification of community goals, objectives and policies in plan-making;

E. Ensuring that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;

F. Striving to protect the integrity of the natural environment and the heritage of the built environment;

G. Paying special attention to the interrelatedness of decisions and the long range consequences of present actions.

Section 2. Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained by the following:

A. Exercising fair, honest and independent judgment in their roles as decision makers and advisors;

B. Making public disclosure of all “personal interests" they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker;

C. Defining “personal interest" broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;

D. Abstaining completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation;

E. Seeking no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as an advisor or decision maker in the planning process;

F. Not participating as an advisor or decision maker on any plan or project in which they have previously participated as an advocate;

G. Serving as advocates only when the client's objectives are legal and consistent with the public interest.

H. Not participating as an advocate on any aspect of a plan or program on which they have previously served as advisor or decision maker unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency; such participation as an advocate should be allowed only after prior disclosure to, and approval by, their affected client or employer; under no circumstance should such participation commerce earlier than one year following termination of the role as advisor or decision maker;

I. Not using confidential information acquired in the course of their duties to further a personal interest;

J. Not disclosing confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions;

K. Not misrepresenting facts or distorting information for the purpose of achieving a desired outcome;

L. Not participating in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;

M. Respecting the rights of all persons and not improperly discriminating against or harassing others based on characteristics which are protected under civil rights laws and regulations.

ARTICLE 13.
AMENDMENTS AND SUSPENSION

Section 1. Amendments
Amendments to the Rules of Procedure may be made by the Commission at any regular or special meeting upon the affirmative vote of a majority of members.

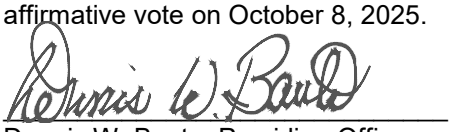
Section 2. Suspension of Rules
The suspension of any rule of procedure herein may be authorized by the Commission at any regular or special meeting upon the unanimous vote of those present, provided, however, that no rule which is required to comply with state or local law may be so suspended.

ARTICLE 14.
SEVERABILITY

If any section, clause, provision, or portion of these rules shall be held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section, clause, provision, or portion of these rules.

ARTICLE 15.
CERTIFICATE OF ADOPTION

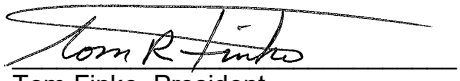
The foregoing Rules of Procedure of the City of Columbus Plan Commission specifically repeal the previous Rules of Procedure adopted by the Commission and any amendments. These rules are hereby adopted by an affirmative vote on October 8, 2025.



Dennis W. Baute, Presiding Officer

Laura Garrett, Secretary

The foregoing Rules of Procedure of the Bartholomew Plan Commission specifically repeal the previous Rules of Procedure adopted by the Commission and any amendments. These rules are hereby adopted by an affirmative vote on September 10, 2025.



Tom Finke, President

Arnold Haskel, Secretary