

**ORDINANCE 2021-0-15**  
**AN ORDINANCE AMENDING THE BYLAWS OF THE CREEDMOOR  
PLANNING BOARD WITH REGARD TO CONFLICTS OF INTEREST**

WHEREAS, the North Carolina General Assembly recently adopted Chapter 160D, which updates the conflicts of interest standards for appointed municipal boards, including planning boards; and

WHEREAS, a question has arisen as to how a conflict of interest should have been handled by the Creedmoor Planning Board; and

WHEREAS, the Creedmoor Board of Commissioners seeks to update the Planning Board Bylaws to make them clearer and consistent with parliamentary and statutory requirements;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CREEDMOOR THE FOLLOWING:

**Section 1.** City of Creedmoor Planning Board Bylaws Article III is amended as follows:

**ARTICLE III**  
**CODE OF CONDUCT**

**A. Parliamentary Procedure.** Meetings shall be conducted in accordance with generally accepted principles of parliamentary procedure. The Planning Board shall refer to the most current version of *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these Bylaws or state law.

**B. Attendance.** Any member of the Planning Board who misses more than two regularly scheduled meetings in a six-month period shall be removed from the board for cause. The City Board of Commissioners or County Commissioners, as appropriate, shall appoint a replacement for members removed for cause.

**C. Conflict of Interest.**

1. **Advisory Decisions.** Each member shall not vote on any advisory decision regarding a development regulation of the City where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. Each member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

2. **Other Matters.** Each member shall abstain from discussing and from voting on any other issue in which the member has a personal or financial interest, as provided by North Carolina General Statutes.

An abstaining member shall disclose the general nature of the conflict of interest. If the Board agrees the conflict prevents the member from participation in discussion and in voting on a matter before them, the abstainer shall not participate in deliberations or voting on the issue. The Planning Board member shall step down from the dais and take a seat in the audience during matters under consideration which involve issues where the member has declared he/she has a conflict of interest.

**Section 2.** All provisions of any City ordinance or resolution in conflict with this ordinance are repealed.

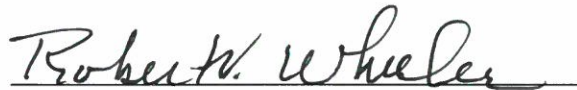
**Section 3.** This ordinance is effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 2nd day of August, 2021.


Ayes: 5

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

  
Robert V. Wheeler, Mayor

ATTEST:

  
Gerald Smith, Acting City Clerk

