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QUESTION 1

Which year was the Americans with Disabilities Act passed?

- A. 1990
- B. 1992
- C. 1994
- D. 1996

Correct Answer: A

QUESTION 2

Scenario: Public Decision-Making without Public Input

You are a new employee in the County Planning Department. Your assignment is to prepare the department's recommendations for the Capital Improvements Program (CIP). When you received the assignment, the Planning Director told you that all the city agencies submit their requests to the Planning Department where they are assembled. Your job is to review the requests for consistency with adopted plans and policies, and prepare a formal report listing the requests with recommendations. The report will then be sent from the Planning Department, to the Planning Commission, and finally to the County Supervisors for action. Although you have been given no explicit instructions regarding public comment you assume there will be public hearings before the Planning Commission.

You have been waiting for the list of projects for a couple of days now. While standing at the copy machine one morning, you overhear a conversation and suddenly become aware of an In-house informal review committee that "weeds out unnecessary requests. You are initially startled mostly because the Director never mentioned the procedure. On the other hand, you tell yourself, this committee must be doing a pretty good job. After all, the other departments aren't squawking. And it certainly gives the Board of Supervisors a more manageable list of projects. You ask how this system evolved and you are told that the Supervisors needed a streamlined process and this scheme was devised.

In a sense, you feel as if the job has been taken away from you and from the Planning Commission. You do wonder about it because there is no public input to the process. Is there a problem?

Ethical Issues: Has an important public planning process been subverted to gain efficiency? Are appropriate people making public policy? Action Alternatives:

1 There is no problem. You can't have a public hearing on everything or nothing would ever be accomplished. You probably just didn't understand the assignment. You were expecting something to work like a textbook description rather than the real world

2.

There may or may not be a problem Is the informal committee using reasonable planning standards or dividing the pie according to electoral districts? Find out if good planning rationale, consistent with adopted plans, is being followed.

3.

There is a problem because the public and the Commission have been led to believe that the process allows them to



comment on all the proposals, not a refined sub-list Write your report to advise the community that they are looking at an edited version of the original requests made by all the departments.

4.

Decide that your director has a lack of confidence in you. Why else would you be given a meaningless task and not be told what you need to know? Consider resigning rather than serving as a "front" for a system in which you have no part

5.

Other

Commentary: Public Decision-Making without Public Input

Code Citations;

A 3 A planner must strive to provide full, clear, and accurate information on planning issues to citizens and governmental decision-makers.

4 A planner must strive to give citizens the opportunity to have a meaningful impact on the development of plans and programs. Participation should be broad enough to include people who lack formal organization or influence.

5 A planner must strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons, and must urge the alteration of policies, institutions, and decisions which oppose such needs

A planner owes diligent, creative, independent and competent performance of work in pursuit of the client's or employer's interest Such performance should be consistent with the planner's faithful service to the public interest

1 A planner must exercise independent professional judgment on behalf of clients and employers.

2 A planner must accept the decisions of a client or employer concerning the objectives and nature of the professional services to be performed unless the course of action to be pursued Involves conduct which is illegal or inconsistent with the planner's primary obligation to the public interest

A planner should contribute to the development of the profession by improving knowledge and techniques, making work relevant to solutions of community problems, and increasing public understanding of planning activities. A planner should treat fairly the professional views of qualified colleagues and members of other professions.

A. Answer: See the solution below

Correct Answer: A

Answer: The answer is given as an example. You need to write an essay based on the text given in the task. Before consulting ethical guides, one must examine the relevant charter of enabling legislation to ensure that no specific or implied requirements for public review are being ignored. If such is the case, the planner should move immediately to inform others of the need to operate in compliance with the law. In this instance, we are assuming that the issue is not one of failing to meet the legal requirements. The public has the right to participate in public decision-making. The Code is quite explicit in urging that planners strive to provide full, clear and accurate information and to give citizens the opportunity to have meaningful impact on the development of plans and programs. However, the Code does not state at what point in the planning process that public participation should occur. In some communities, there is little participation in CIP planning as opposed to setting community goals You should first begin with alternative 2 and collect a little more information about the process. Investigate the situation to see if there has been a public participation process in the past. Perhaps you could sit in on a meeting of the review committee and find out if the decisions being made follow good planning practice and publicly adopted plans. If so, there may be no ethical problems. If you are not permitted to join the committee or if people are not forthcoming in their responses, you should raise this issue with your supervisor and be prepared to act upon alternative 3. This course of action needs to be undertaken within the context of your



responsibilities to fairly treat the views of colleagues. In this case, your newness may mean that you do not understand what is a well understood and completely accepted process. On the other hand, your fresh perspective may be just what is needed to remind the planners of a trap they may have fallen into as they substituted their role for that of the Commissioners in an effort to make the Commissioners' job a little more easy. There are many other ways that community participation can be solicited absent the presentation of a laundry list of capital projects. A "call for projects" could be issued to all the relevant citizen boards and commissions in your community. The Planning Commission meeting at which the CIP report is to be discussed should be advertised. You can suggest these and other alternatives to your director to help structure a more participatory process. Reject Alternative 4. This is hardly the type of problem that merits resignation. Your newness may mean that you do not understand what is a completely accepted process within your new community. You also may have learned an important lesson in that not all the information you need to do your job will be handed to you. You need to be prepared to gather additional intelligence from your colleagues, files, and other records about how to do your job. Keep in mind that the Code is not the place to seek information about how to "get the hang" of a new job. You should be cautious about jumping to conclusions. A conversation with a more experienced planner can help you work through such circumstances. You could also talk with the Professional Development Officer of your local chapter.

QUESTION 3

Where was the first historic preservation commission designated?

- A. New York City, NY
- B. Charleston, SC
- C. Gettysburg, PA
- D. Vieux Carre, New Orleans, LA

Correct Answer: D

QUESTION 4

What year was the standard city planning enabling act?

- A. 1924
- B. 1928
- C. 1934
- D. 1938

Correct Answer: B

QUESTION 5

Scenario

A pro-development city manager tells you, the planner, that you must provide findings to support a shift in a natural resources boundary in order to accommodate a particular development. What might you do if your findings do not support the shift but there is pressure from the city manager to provide findings that are contrary to your findings?



A. Answer: See the solution below

Correct Answer: A

With data on the regulations as well as on the potential long-term consequences of not complying with the regulations, go to the city manager to explain why you cannot approve the project or alter the facts. This information may be sufficient to resolve the situation. You might need to look for creative solutions that will allow for a modified project to move forward and bring these to the city manager. For example, alter the location of development and use the area near the natural resource as an open space amenity. You may need to remove yourself from the situation and refer it to your director. Suppose the city manager goes ahead and approves the project in spite of your findings. Before blowing the whistle, be sure to consult with other planners and other qualified professionals including, if appropriate, the city attorney, to exhaust efforts for reconsideration of the matter. If you should choose to blow the whistle, understand that this may have negative consequences, and so be prepared. Accepting such consequences will be more beneficial to you than behaving unethically. It is very important throughout this process to document everything. Be sure to keep accurate records showing dates, places and content of any conversations, messages and meetings relative to the issue. Remember that a planner's first obligation is to the public interest, unless the decision is illegal or unethical. Remember that a development that will have negative environmental consequences is not in the public interest, but a development that will create jobs may be in the public interest (Ethical Principle 2)

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