PLANNING COMMISSION BYLAWS

The following rules of procedure are hereby adopted by the Mikado Planning Commission to facilitate the performance of its duties as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2009, MCL 125.3801, *et seq*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 126.3101, *et seq.*

SECTION 1: Officers

A. **Selection and Tenure** – At the first regular meeting each January, the Planning Commission shall select from its membership, a Chairperson and Secretary. All officers shall serve a term of one year, or until their successors are selected and assume office. All officers shall be eligible for re-election for alternate terms for the same office.

B. **Chairperson** – The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission.

C. **Secretary** – The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine.

Note: The following four provisions may be included in the bylaws, or may be omitted if the Planning Commission prefers to use minimal bylaws and instead, identify "who does what" through internal policies that recognizes the individual township preferences, staffing and administrative organization.

1. **Minutes** – The Secretary shall be responsible for maintaining a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records **maintained by the Township Clerk**. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance. **Remember** – Not in the minutes, it never happened.
2. **Correspondence** – The Secretary shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports or other written materials received by the Secretary shall be brought to the attention of the Planning Commission.
3. **Attendance** – The Secretary shall be responsible for maintaining an attendance record for each Planning Commission member and report those records **annually** to the Planning Commission for inclusion in the **Annual Report** to the Township Board.

SECTION 2: Meetings

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

A. **Regular Meetings** – The Planning commission shall hold not less than four (4) regular meetings each year and by resolution shall determine the time and place of such meetings. Other meetings may be held as necessary. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally meeting.

Notice of regular Planning Commission meetings shall be posted at the principal Township office within 10 days after the Planning Commission's first meeting in each calendar year in accordance with the Open Meetings Act.

B. **Special Meetings** – Special meetings may be called by the Chairperson or upon written request to the Secretary by at least two members of the Planning Commission. Notice of the Special Meetings shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notices shall state the purpose, time and location of the Special Meeting and shall be posted in accordance with the Open Meetings Act.

C. **Notice** – Notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, Land Division Act, or other applicable statue.

D. **Public Hearings** – All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission.

E. **Agenda** – The chairperson shall be responsible for preparing a tentative agenda for Planning Commission meetings. The agenda may be modified by action of the commission.

F. **Quorum** – Three members of a five-member Planning commission shall constitute a quorum for transacting business and taking official action for all matters. No official action of the commission may be taken without a quorum present.

G. **Voting** – An affirmative vote of the majority of the members of the Planning Commission is required to approve any part of the Master Plan or Amendments to the plan or to amend these bylaws. Unless otherwise required by statue, other actions or motions placed before the Planning commission may be adopted by a majority vote of the members present and voting, as long as a quorum is resent. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the Chairperson. Except in the case of Conflict of interest, all Planning Commission members, including the Chairperson and ex officio member, shall vote on all matters.

H. **Public Records** – All meetings, minutes, records, documents, correspondence and other Materials of the Planning Commission shall be open to the public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

SECTION 3. Duties of the Planning Commission

The Planning Commission shall perform the following duties:

A. Prepare, review and update a Master Plan as a guide for development within the Township's Planning jurisdiction.

B. Take such action on petitions, staff proposals and Township Board requests for amendments to the zoning ordinance as requested.

C. Take such action on petitions, staff proposals and Township Board requests for amendments To the Master Plan use plan as required.

D. Prepare an annual written report to the Township Board of the Planning Commission's Operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.

E. Take such actions as authorized or required by the Michigan Planning Enabling Act.

F. Take such actions as authorized or required by the Michigan Zoning Enabling Act.

G. Review subdivision proposals and recommend appropriate actions to the Township Board.

H. Prepare a capital improvements program (*if not exempt from preparing a capital improvements program by the Township Board).*

I. Perform other duties and responsibilities or respond as requested by any Township Board or commission.

SECTION 4. Absences, Removals, Resignations and Vacancies

A. To be excused, members of the Planning Commission shall notify the Planning Commission Chairperson or other Planning Commission member when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.
B. Members may be removed by the Township Board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing.
C. A member may resign from the Planning Commission by sending a letter or resignation to the Township Board.
D. Vacancies shall be filled by the Township Supervisor, with the approval of the Township Board. Successors shall serve out the unexpired term of the member being replaced.

SECTION 5: Conflict of Interest

Before casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

Note: The Michigan Planning Enabling Act requires conflict of interest to be defined in the Planning Commission bylaws. See enclosed Samples.

SECTION 6: Amendments

These bylaws may be amended at any meeting by a vote of the majority of the membership of the Planning Commission.

Adopted by the Mikado Township Planning Commission at a regular meeting on (list month, date and year).