

Gratiot County

Planning Commission Ordinance

GRATIOT COUNTY PLANNING COMMISSION ORDINANCE
OF MARCH 16, 2011

WHEREAS, The People of Gratiot County did establish a Gratiot County Planning Commission Ordinance, and it is now desired to amend the existing ordinance and adopt this ordinance to insure proper record of the action is created, NOW THEREFORE, THE PEOPLE OF GRATIOT COUNTY DO ORDAIN THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

GRATIOT COUNTY PLANNING COMMISSION ORDINANCE

AN ORDINANCE to create a Planning Commission for Gratiot County as authorized by P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 et. seq. for the purpose of having planning and zoning in Gratiot County, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development of Gratiot County; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the state where Gratiot County exists.

THE PEOPLE OF GRATIOT COUNTY DO ORDAIN:

1 CREATION

There shall be a Gratiot County Planning Commission pursuant to P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 et. seq., hereinafter referred to as the Commission with the powers and duties as therein set forth and as hereinafter provided and staffed Permits Office. This ordinance shall be officially known and described as the "Gratiot County Planning Commission Ordinance."

2 MEMBERSHIP

- (a) The Planning Commission shall consist of seven (7) members appointed by the County Administrator with Board of Commissioners concurrence, appointed by resolution of a majority of the full membership of the County Board of Commissioners. To be qualified to be a member and remain a member of the Planning Commission, the individual shall meet the following qualifications:
 - (1) Shall be a qualified elector of Gratiot County, except that one member may not be a qualified elector;
 - (2) Shall meet the conditions provided for each individual member in sub-sections (b), (d), (e), and (f) below, except the geographical location of the individual's residency may be considered optional.
- (b) The membership shall be representative of the important geographic and interest segments of Gratiot County, as follows.
- (c) Members shall be appointed for three-year terms. However when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as

possible, the terms of $\frac{1}{3}$ of all commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of $\frac{1}{3}$ of all commission members continue to expire each year. A member shall hold office until his or her successor is appointed.

- (d) An ex officio member shall be limited to one member from the Gratiot County Board of Commissioners. The term of office of the ex officio member shall coincide with the elected term of office on the Gratiot County Board of Commissioners.
- (e) The membership shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of Gratiot County, in accordance with the major interests as they exist in Gratiot County, as follows: Agriculture, Natural resources, Recreation, Public health, Government, Transportation, Industry, and Commerce.
- (f) Every reasonable effort shall be made to insure that the membership of the Gratiot County Planning Commission includes a member of a public school board, or an administrative employee of a school district included, in whole or in part, within Gratiot County's boundaries.
- (g) The membership shall also be representative of the entire geography of Gratiot County to the extent practicable, and as a secondary consideration to the representation of the major interests.
- (h) The ex officio member shall not be chair of the Planning Commission.
- (i) The Planning Commission shall elect a Chair, Vice-Chair, and Secretary from among the appointed members. The term of the Chair, Vice-Chair, and Secretary shall be for one year, with eligibility for re-election.

3 MEMBERS, APPOINTMENTS, AND TERMS

- (a) In October of each year Gratiot County Clerk shall place an advertisement(s) in a newspaper of general circulation in Gratiot County to seek applications for Planning Commission members.
- (b) Applications for the Planning Commission are provided by Gratiot County Clerk and shall be submitted no later than October 31.
- (c) In December of each year the County Administrator with Board of Commissioners concurrence shall consider the applications and nominations received, and appoint members to the Planning Commission by a majority vote for a three year term of office which shall end December 31 at 9:00 a.m. of the respective year.

.04 REMOVAL FROM OFFICE

- (a) The Gratiot County Board of Commissioners may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office. Failure to repeatedly attend Planning Commission meetings shall be considered nonfeasance in office.

5 MEMBERSHIP; VACANCIES

The Gratiot County Board of Commissioners shall fill any vacancy in the membership of the Planning Commission for the unexpired terms in the same manner as the initial appointment.

6 MEMBERSHIP; TRANSITION

- (a) The Gratiot County Board of Commissioners shall appoint all members of the Planning Commission as specified in Section 2 of this Ordinance in the first instance at the first Gratiot County Board of Commissioners meeting held in following the effective date of this ordinance. The terms of office of the previous Planning Commission members shall terminate upon appointment of new members as specified here.
- (b) All other aspects of this ordinance shall have immediate effect.

7 MEMBERSHIP; COMPENSATION

All appointed members of the Planning Commission shall be compensated at a rate to be determined by Gratiot County Board of Commissioners.

8 MEETINGS

- (a) The Planning Commission shall hold at least one regular meeting each month, unless there are no agenda items for consideration, in which case the scheduled meeting may be cancelled. A majority of the Planning Commission shall constitute a quorum for the transaction of the ordinary business of said Planning Commission and all questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission that are present at said meeting.

9 POWERS AND DUTIES

The Planning Commission shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*).

10 MEETINGS; RECORDS

The Planning Commission shall adopt By-Laws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record.

11 MASTER PLAN

The affirmative vote of not less than a majority of the members of the Planning Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any Master Plan or amendment to a Master Plan. The approval of any proposed Master Plan or amendment to a Master Plan shall be by resolution of the Planning Commission.

12 EMPLOYEES; CONTRACTS FOR SPECIAL SERVICES

The Planning Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other corresponding civil employees of the County. The Commission may also contract with community planners, engineers, architects, and other consultants for such services as may be required. The expenditures of the Commission, exclusive of gifts, shall be within the amount appropriated for such purpose by the Board of Commissioners, which shall provide the funds, equipment and accommodations necessary for Commission work.

13 APPROVAL, RATIFICATION, RECONFRIMATION

All official actions taken by the Gratiot County Planning Commissions preceding the Planning Commission created by this ordinance are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Planning Commission created by this ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of any previous Gratiot County Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

Passed by the Gratiot County Planning Commission on MARCH 16, 2011, at its regular meeting.

Signed: _____, Chair.

I hereby certify that the foregoing was duly adopted by the Gratiot County Planning Commission, at its regular meeting. I further certify that the above and foregoing ordinance is identical in form with that recorded in the Book of Ordinances for Gratiot County.

Signed _____, Clerk