

TOWNSHIP OF LAPEER

PLANNING COMMISSION ORDINANCE

ORDINANCE NO. 2

An ordinance to re-authorize the Lapeer Township Planning Commission as previously established by resolution; to enumerate powers and duties of the Planning Commission; to provide for the appointment, term of office, compensation and removal of members; to establish meeting requirements; to provide for the appropriation of funds for the operation of the Planning Commission; and to repeal any ordinance provisions or resolutions in conflict therewith.

THE TOWNSHIP OF LAPEER ORDAINS:

Section 1. Planning Commission Authorization.

In accordance with the Michigan Planning Enabling Act (Public Act 33 of 2008), the Lapeer Township Planning Commission previously established by resolution is hereby continued, with the powers and duties set forth in this Ordinance.

Section 2. Membership and Appointment.

The Planning Commission shall consist of seven (7) members who are qualified electors of the Township. Members shall be appointed by the Township Supervisor with the approval of the Township Board. One (1) of the Planning Commission members shall be an ex-officio member who shall also be a member of the Township Board. Vacancies occurring for any reason shall be filled for the remainder of the unexpired term by appointment of the Township Supervisor with the approval of the Township Board. The membership of the Planning Commission shall be representative of important segments of the community, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry and commerce. No employee of the Township shall be a member of the Planning Commission.

Section 3. Terms of Office.

Each appointed member, except the ex-officio member, shall serve for a three (3) year term. Terms shall be staggered so that no more than two (2) of the members' terms (not counting the ex-officio member's term) shall expire in any one (1) year. Members may be eligible for reappointment at the discretion of the Township Supervisor. Current members shall serve until their current terms expire, unless they are removed in accordance with Section 6 or they resign. The term of office of the Township Board member who serves on the Planning Commission shall correspond to the term of office on the Township Board.

Section 4. Planning Commission Officers.

The Planning Commission members shall elect a Chairperson, Vice Chairperson, and a Secretary for terms of one (1) year. The Township Board member may not serve as the Chairperson or the Vice Chairperson.

Section 5. Compensation and Expenses.

Members of the Planning Commission shall be compensated for their services and reimbursed for expenses as provided by the Township Board.

Section 6. Removal for Cause.

A member of the Planning Commission may be removed by the Township Board, after written charges and a public hearing, for nonfeasance, misfeasance, or malfeasance in office. Failure to disclose a potential conflict of interest as defined in the Bylaws of the Planning Commission shall be considered malfeasance. Failure to repeatedly attend Planning Commission meetings shall be considered nonfeasance.

Section 7. Planning Commission Meetings.

The Planning Commission shall meet each month, if there is business to be conducted. In no event shall the Planning Commission hold less than four (4) regular meetings during each calendar year. The majority of the Commission shall constitute a quorum for the transaction of ordinary business. All questions which shall arise at Planning Commission meetings shall be determined by a vote of the majority of the members present, except for approval of a proposed Master Plan or Master Plan Amendment which shall be by affirmative vote of a majority of all Planning Commission members.

Section 8. Annual Report and Budget.

The Planning Commission shall submit an annual report to the Township Board which shall include a proposed Planning Commission budget. The Township Board shall annually appropriate the funds necessary, in its judgment, for the operation of the Planning Commission during the fiscal year.

Section 9. Statutory and Ordinance Authority.

The Planning Commission shall have all of the powers and duties set forth in the Michigan Planning Enabling Act (Public Act 33 of 2008, as amended) and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), which shall include the following:

- a. Preparation of a Township Master Plan and any necessary amendments for recommendation to the Township Board;
- b. Preparation of a Township Zoning Ordinance and any necessary text amendments for recommendation to the Township Board;

- c. Consideration of requested rezonings of property and recommendation to the Township Board;
- d. Hear and decide any requests for special land use approvals;
- e. Review and decide any requests for site plan approval;
- f. Review and decide any requests for private road approval;
- g. Prepare and adopt Bylaws for the Planning Commission;
- h. Perform any other duties as may be assigned to it by the Township Board or pursuant to Township ordinances, Bylaws and records, or State statutes.

Section 10. Bylaws and Records.

The Planning Commission shall adopt Bylaws for transaction of business. The Commission shall also keep a record of its resolutions, findings, and determinations, all of which shall be public records.

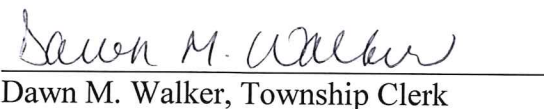
Section 11. Repeal of Conflicting Provisions.

All resolutions or ordinance provisions or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

The undersigned Supervisor and Clerk of the Township of Lapeer hereby certify that this Ordinance was duly adopted by the Lapeer Township Board on the 9th day of March, 2009 and was published in the LA View on the 12th day of March, 2009. This Ordinance shall take effect sixty-three (63) days after said date of publication.



Scott Jarvis, Township Supervisor



Dawn M. Walker, Township Clerk