

**FORD RIVER TOWNSHIP PLANNING COMMISSION ORDINANCE**

Adopted October 13, 2008

Effective 63 days after publication (published October 20, 2008) as amended

WHEREAS, The People of Ford River Township did establish the Ford River Township Planning Commission, and it is now desired to adopt this ordinance to insure proper record of the action is created, NOW THEREFORE, THE PEOPLE OF Ford River Township DO ORDAIN THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

**FORD RIVER TOWNSHIP PLANNING COMMISSION ORDINANCE**

Of October 13, 2008

AN ORDINANCE to create a Planning Commission for the Ford River Township 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 Ford River Township, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development of the Ford River Township; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the state where Ford River Township exists.

THE PEOPLE OF Ford River Township DO ORDAIN:

101. Creation:

- A. There shall be a Ford River Township 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 Planning Department. This ordinance shall be officially known and described as the "Ford River Township Planning Commission Ordinance."

102. Membership:

- A. The Commission shall consist of five (5) members appointed by the Ford River Township Board. 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 Ford River Township, except that one member may be a non-qualified elector;
  2. shall not be a declared candidate for any political office, except this condition shall not apply to the Township Board representative to the Commission;
  3. after an individual's first appointment and before reappointment shall have attended training for Commission members, pursuant to section 104 of this ordinance;
  4. shall meet the conditions provided for each individual member in sections 102.B, 102.D, 102.E of this Ordinance, except the geographical location of the individual's residency may be considered optional.
- B. 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.

- C. One member shall also be a member of the Township Board of Trustees, whose term of office shall coincide with his or her elected term of office on the Township Board of Trustees.
- D. The membership shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of the Ford River Township, in accordance with the major interests as they exist in the Ford River Township, including, but not limited to:
  - 1. Agriculture;
  - 2. Natural resources;
  - 3. Recreation;
  - 4. Education;
  - 5. Public health;
  - 6. Government;
  - 7. Transportation;
  - 8. Industry;
  - 9. Commerce.
- E. The membership shall also be representative of the entire geography of the Ford River Township to the extent practicable, and as a secondary consideration to the representation of the major interests.

103. Liaisons:

- A. The Commission, in its Bylaws, may name “liaisons” to the Commission. The purpose of liaisons is to provide certain Ford River Township and quasi-Ford River Township official’s ability to participate in discussion with the Commission in addition to speaking in public participation, and nothing else. At minimum liaisons shall include:
  - 1. Ford River Township Supervisor.
  - 2. Ford River Township Attorney.

104. Training

- A. Appointed members of the Commission shall attend educational programs designed for training members of Michigan planning commissions if the adopted Ford River Township budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training. Nothing in this paragraph shall deem a member who has not had training from finishing his term of office unless the member resigns or is removed by action of the Township Board. The member shall be ineligible for reappointment at the conclusion of the term of office if they did not attend training. The Commission shall include in its Bylaws what training programs qualify to meet this requirement.

105. Members, Appointment and Terms:

- A. In November of each year the Ford River Township Clerk shall determine which members’ terms of office expire. The Ford River Township Clerk shall advertise in a newspaper of general circulation within the Township that the Township Board is seeking applications for the Planning Commission.
- B. In January of each year the Township Board shall consider the applications received, and appoint members to the Commission by a majority vote for a three year term of office which shall end January 31, at 9:00 a.m. of the respective year.

106. Removal from Office:
- A. The Township Board may remove a member of the 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 Commission meetings shall be considered nonfeasance in office.
  - B. The secretary of the Planning Commission shall report any member who has missed three regular meetings in a row to the Township Board.
107. Membership; Vacancies:
- A. The Township Board shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.
108. Membership; Transition:
- A. The transition from the previous Ford River Township Planning Commission and the Commission established in this ordinance shall take place as soon as possible after the effective date of this ordinance. The Township Board shall continue to make annual appointments, appointing approximately  $\frac{1}{3}$  of the membership of the Commission as specified in this Ordinance, so that membership representation and number of members have completed the transition to fully comply with this Ordinance.
  - B. All other aspects of this ordinance shall have immediate effect.
109. Membership; Compensation:
- A. All members of the Planning Commission shall serve as such with compensation equal to, or less than, the per diem of the Township Board per meeting, as established by the Township Board.
110. Meetings:
- A. The Commission shall meet no less than four (4) times per year and a majority of the Commission shall constitute a quorum for the transaction of the ordinary business of said 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.
  - B. The affirmative vote of a majority of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.
111. Powers and Duties:
- A. The 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.*).
  - B. The Commission shall have authority to apply for and receive grants from any government agency or the federal government and to receive gifts.
112. Meetings; Records:
- A. The Commission shall adopt Bylaws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record.

113. Approval, Ratification, and Reconfirmation.

- A. All official actions taken by all Ford River Township County Planning Commissions preceding the 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 Commission created by this ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of any previous Ford River Township Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

Passed by the Township Board of the Ford River Township on October 13, 2008 at its regular meeting with 5 commissioners in attendance, 5 voting aye, 0 nay.

Signed: \_\_\_\_\_, Township Supervisor.

I hereby certify that the foregoing was duly adopted by the Ford River Township of Ford River Township, Delta County, Michigan, at its regular meeting on the 13<sup>th</sup> of October, 2008 that of 5 members of the Township Board, 5 were in attendance and 5 voted for the adoption of the Ordinance. I further certify that the above and foregoing ordinance is identical in form with that recorded on October 13, 2008 at page \_\_ in the Book of Ordinances for the Ford River Township.

Signed \_\_\_\_\_, Clerk  
[date]