

**GRASS LAKE CHARTER TOWNSHIP
PLANNING COMMISSION**

**Grass Lake Charter Township Hall
373 Lakeside Drive
PO Box 216
Grass Lake, MI 49240**

**STATEMENT OF BY-LAWS
(Second Amendment-2013)**

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GRASS LAKE CHARTER TOWNSHIP
PLANNING COMMISSION

Jackson County
Michigan

(Resolution Adopting By-Laws)

At a regular meeting of the Grass Lake Charter Township Planning Commission ("Commission") held on the day of 30 January 2014, at 7:00pm, at the Township Hall located at 373 Lakeside Dr., Grass Lake, Michigan

Present: Elliot, Hinkle, Mammert, Dorr, Wymer, O'Quinn

The following preamble and resolution were offered by O'Quinn and supported by Dorr.

WHEREAS, the Commission shall adopt rules for the transaction of business, and to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, (M.C.L. 125.3801 *et seq.*), hereinafter "The Township Planning Act." These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling act, (M.C.L. 125.3101 *et seq.*), hereinafter "The Township Zoning Act."

WHEREAS, the Commission has reviewed the By-Laws to which attached and which are hereby incorporated by this Resolution is attached and which are hereby incorporated by reference herein;

NOW THEREFORE, be it **RESOLVED** the Commission adopts said By-Laws and the affirmative vote of each member is subscribed to the last page of the By-Laws.

AYES: 6 All Present
NAYS: -
ABSTAIN OR ABSENT 1 Lesinski
RESOLUTION DECLARED ADOPTED

Chairperson Jim J. Hinkle
Grass Lake Charter Township Planning Commission

CERTIFICATE

I, being duly elected secretary of the Grass Lake Charter Township Planning Commission, hereby certify that was adopted by the Commission on that at a public meeting held in accordance with the Open Meeting Act, Act 267 of 1976, as amended, being et seq., 15.261, et seq.

Dated: Jan. 30, 2014

Grass Lake Charter Township
Planning Commission

Secretary, Roger Mammert
Roger Mammert

**GRASS LAKE CHARTER TOWNSHIP PLANNING COMMISSION
BY-LAWS**

ARTICLE I PREAMBLE

SECTION 1.10 Basic

Pursuant to Planning Enabling Act, Act 33 of 2008, as amended, being M.C.L. 125.3801 *et seq.*, the Grass Lake Township Board ("Township Board") created the Grass Lake Charter Township Planning Commission ("Commission"), with power to make, adopt, extend, add to or otherwise amend, and to carry out plans for the unincorporated portions of Grass Lake Charter Township as provided in the Township Planning Act, *supra*.

SECTION 1.20 Enactment Clause

The Commission shall adopt rules for the transaction of business, and shall keep a public record of its resolutions, transactions, and findings and determinations, in accordance with Public ACT 257 of 1976, as amended, (being the Michigan Open Meeting ACT, M.C.L. 15.261 *et seq.*)

SECTION 1.30 Title

The Planning Commission shall be known as the "Grass Lake Charter Township Planning Commission."

ARTICLE II AREA

SECTION 2.10 Jurisdiction

The area served by the Commission shall include the unincorporated lands within the present and future boundaries of Grass Lake Charter Township

ARTICLE III ORGANIZATIONAL STURCTURE

SECTION 3.10 Members, Qualifications

Unless otherwise modified in accordance with Planning Enabling Act, *supra*, being M.C.L. 125.3801, the Commission shall consist of seven (7) members, who shall be representatives of major interests as they exist in the Township, such as agriculture, recreation, education, public health, government, commerce, transportation, and industry. All members shall be *residents* of the Township. **One member of the Township Board shall be a member of the Commission and can not be an officer.**

SECTION 3.20 Appointment, Removal

All members of the Commission shall be appointed by the Township Supervisor with the approval of the Township Board. Members may be removed by the Township Supervisor, after a hearing, with the approval of the Township Board.

SECTION 3.30 Term

The term of each member shall be for three (3) years with two (2) that expire each year with the exception of the board member who is on at the discretion of the supervisor. A successor shall be appointed not more than one (1) month after the term of the proceeding Commission member has expired. All vacancies for unexpired terms shall be filled for the remainder of such term.

SECTION 3.40 Quorum; Voting

Four (4) members of the Commission shall constitute a quorum for purposes of transacting the business of the Commission and the Open Meetings Act, Act 267 of 1976, as amended, MSA 4.1800(11) et seq., MCL 15-261, et seq. Each member of the Commission shall have one (1) vote. Unless otherwise provided by the Township Planning Act, *supra*, Township Zoning Act, *supra*, or these By-Laws, a majority vote of the voting membership, constituting at least a quorum, shall be required to act on a decision of the Commission, *except for the adoption of a Master Plan or amendment to the Master Plan, which shall require a majority vote of the entire membership.*

SECTION 3.50 Officers; Term; Duties

The Commission shall elect by a majority vote of its membership a Chairperson, Vice-Chairperson and Secretary. The term of each office shall be one (1) year. The Chairperson shall preside at all public meetings of the Commission. The Vice Chairperson shall preside at public meeting of the Commission in the absence of the Chairperson. *Should the Chairperson or Vice Chairperson both be absent, the remaining members shall select a Chairperson for the meeting.* The Secretary shall be responsible for the recording of all minutes of public meetings of the Commission and shall ensure that the records and files of the Commission *are properly maintained at the Township.*

SECTION 3.60 Committees

The Commission by a majority vote of its membership may create and fill other offices or committees as it considers advisable. The Commission by a majority vote of its membership may appoint advisory committees outside of its membership.

SECTION 3.70 Employment of Personnel

The Township Board, upon recommendation of the Commission, may employ a planning director or other planning personnel, contract for the services of planning and other technicians, and pay or authorize the payment of expenses within the funds budgeted and provided for planning purposes.

SECTION 3.80 Conflicts of Interest; Identification; Procedure

Planning Commission members shall vote on all motions and resolutions except where a conflict of interest exists. Planning Commission shall declare a Conflict of Interest when:

1. A relative or other family member is involved in any request for which the Planning Commission is asked to make a decision.
2. The Planning Commission member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency, or association.
3. The Planning Commission member owns or has a financial interest in neighboring property. For purposes of this Section, a neighboring property shall include any property falling within the notification radius of the proposed development, as required by the Zoning Ordinance, or other applicable Ordinance, and when;
4. There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict.

Planning Commission members declaring a conflict shall not make any presentations to the Planning Commission, either as a representative of the proposal or as an individual citizen.

When declaring a conflict, the Planning Commission member shall:

1. Announce a conflict of interest and state its general nature;
2. Abstain from any discussion or votes related to the matter which is the subject of the conflict; and
3. Absent himself/herself from the room in which the discussion takes place.

SECTION 3.90 Absences/Resignation

In order to be excused, members of the Planning Commission shall notify the Grass Lake Charter Township Office, Grass Lake Charter Township Supervisor, Planning Commission Chairperson, or other Planning Commission member when they intend to be absent from the following meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence. Three (3) or more unexcused absences in any six (6) month period, at the discretion of the Supervisor, may result in a request to the Township Board for removal of the member.

A member may resign from the Planning Commission by sending a letter of resignation to the Grass Lake Charter Township Supervisor, Township Board, or Planning Commission Chairperson.

ARTICLE IV BUDGET, ANNUAL REPORT

SECTION 4.10 Budget; Appropriations; Gifts and Grants

The Commission shall prepare a detailed budget and submit same to the Township Board for approval or disapproval. The Township Board annually may appropriate and make available funds for carrying out the purposes and functions permitted under the Township Planning Act,

supra, and may match Township funds with federal, state, county or other local government or private grants. The Township Board may accept and use gifts and grants for Commission purposes. Money so accepted shall be deposited with the Grass Lake Charter Township Treasurer in a special non-reverting Commission fund for expenditures by the Planning Commission for the purposes designated by the donor. The Township Treasurer shall draw warrants against the special non-reverting fund only upon vouchers signed by the Chairperson and Secretary of the Commission and upon orders drawn by the Grass Lake Charter Township Clerk. The expenditures of the Commission, exclusive of gifts and grants, shall be within the amount appropriated by the Township Board.

SECTION 4.20 Annual Report

The Commission shall make an annual written report to the Township Board concerning its operations and the status of planning activities, including recommendations regarding actions of the Township Board related to planning and developments.

SECTION 4.30 Freedom of Information Act

A written prepared, owned, used, in the possession of, or retained by the Commission in the performance of an official function shall be made available to the public in compliance with Freedom of Information Act, Act 442 of 1976, as amended, being MSA 4.1801 (I), et. seq., MCL 15-231 et seq.

ARTICLE V PURPOSES AND FUNCTIONS

SECTION 5.10 Community Master Plan

The Commission shall prepare, update, revise, amend and supplement a *Community Master Plan for the Township*, pursuant to the Township Planning Act, supra, and Township Zoning Act, Act 184 of 1943, as amended, being MSA 5.2963(I), et. seq., MCL 125.271, et. seq., which shall:

1. Protect the public health, safety and general welfare;
2. Encourage the use of resources in accordance with their character and adaptability;
3. Avoid the overcrowding of land by buildings or people;
4. Lessen congestion on public roads and streets;
5. Facilitate provisions for a system of transportation, sewage disposal, safe and adequate water supply, recreation and other public improvements;
6. Consider the character of Grass Lake Charter Township and its suitability for particular uses judged in terms of such factors as the trend in land and population development;
7. Limit the improper use of land;
8. Conserve natural resources and energy;

9. Meet the needs of the state's residence for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land;
10. Insure that uses of land shall be situated in appropriate locations and relationships;
11. Provide adequate light and air;
12. Lessen congestion on the public roads and streets;
13. Reduce hazards to life and property;
14. Conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties;
15. Conserve property values;
16. Recognize the general and appropriate trend and character of land, building and population development.

SECTION 5.11 Community Master Plan; Basis

As a basis for the plan the Commission may make inquiries, investigations, and surveys of all the resources of the Township, assemble and analyze data and formulate plans for the proper conservation and uses of all resources, including a determination of the extent of proper future needs for the most advantageous designation of lands having various use potentials and for services, facilities, and utilities required to equip those lands.

SECTION 5.12 Community Master Plan; Consultation; Advise; Information

The Commission shall consult in respect to its planning, with representatives of adjacent townships, with Region 2 Planning Commission and, with representatives of incorporated municipalities within the Township. The Commission may make use of expert advice and information which may be furnished by appropriate federal, state, county and municipal officials, departments, and agencies having information, maps, and data pertinent to township planning.

SECTION 5.13 Community Master Plan; Geographic Areas

In addition to the Community Master Plan prepared as a guide for the development of unincorporated portions of the Township, the Commission, by a majority vote of the members of the Commission, may adopt a plan for a geographic area less than the entire unincorporated area of the Township if, because of the unique physical characteristics of that area, more intensive planning is necessary for the purposes set forth in Section 5.10. Before adoption of a plan under this section the Commission shall hold at least one (1) public hearing on the plan after giving notice as provided by the Township Planning Act, supra.

SECTION 5.14 Community Master Plan; Site Plans:

A site plan required by the Zoning Ordinance of Grass Lake Charter Township, as hereafter may be amended, which is required to be submitted pursuant to Section 16e of the Township Zoning Act, *supra*, being MSA 5.2963 (16e); MCL 125.286e, shall comply with the land use plan adopted under this Article.

SECTION 5.15 Community Master Plan; Content:

This Community Master Plan shall include maps, plats, charts, and descriptive, explanatory and other related matter and shall show the Commission's recommendations for physical development of the unincorporated area of the Township. The Community Master Plan may include, but not necessarily be limited to, those of the following subjects which reasonably can be considered as pertinent to the future development of the Township:

1. A land use plan and program, in part consisting of a classification and allocation of land for such land uses as agriculture, residence, commerce, industry, recreation, ways and grounds, public buildings, schools soil conservation, forest, wild life refuges, and other uses and purposes.
2. The general location, charter and extent of streets, roads, highways, railroads, bridges, waterways, and water front developments; flood prevention works, drainage, sanitary sewers and water supply systems, works for preventing pollution and works for maintaining water levels; public utilities and structures;
3. Recommendations as to the general character, extent and layout for the redevelopment of rehabilitation of blighted districts and slum areas; and the removal, relocation widening, narrowing, vacating, abandonment, changes or use or extension of ways, grounds, open spaces, buildings, utilities or other facilities;
4. Recommendations for implementing any of its proposals.

SECTION 5.16 Community Master Plan; Adoption

A majority vote of the entire membership of the Commission is required to adopt, revise, amend, alter, change or supplement the Community Master Plan. The Community Master Plan may be adopted by a single resolution, or may be successive resolutions adopt successive parts of the plan, the parts corresponding with major geographic sections or divisions of the Township or with functional subdivisions of the subject matter of the Community Master Plan, and may adopt any amendment thereto as provided in the Township Planning Act, *supra*. The Plan or parts functional thereof shall be referred to the Region 2 Planning Commission for its review. The Region 2 Planning Commission shall approve or disapprove the plans within 45 days after date of receipt. In the event of disapproval, a notice of disapproval shall be forwarded to the Township Clerk, within 15 days after disapproval. The referral shall be subject to conditions applicable to the procedure of referral to the Region 2 Planning Commission. The review by Region 2 is considered a recommendation and is not binding to the Township Planning Commission.

SECTION 5.17 Community Master Plan; Hearing Notice; Procedure After Adoption

Before the adoption of the plan or any part, amendment, extension or addition, the Commission shall hold at least 1 public hearing thereon. Notice of such hearing shall be as provided by the Township Planning Act, *supra*. Following the adoption of the Committee Master Plan or any part thereof by the Commission, copies of the plan shall be transmitted to the Township Board and to Region 2 Planning Commission. The Commission shall promote public understanding of an interest in the plan and shall publish and provide for the distribution of copies of the plan and of any report, and may employ such other means of publicity and education as it determines necessary.

SECTION 5.20 Public Works

Pursuant to the requirements of the Township Planning Act, no streets, square, park or other public way, ground or open space, or public building or structure shall be constructed or authorized in the Township until the location, character and extent thereof shall have been submitted to and approved by the Commission. The Commission shall communicate its reasons for the approval or disapproval to the Township Board, which shall have the power to overrule the Commission by a recorded vote of not less than a majority of its entire membership. If the public way, ground, space, building structure or utility is one, the authorization or financing of which does not, under the law governing same, fall with the province of the Township Board, then the submission to the Commission shall be by the board, commission or body having jurisdiction, and the Commission's disapproval may be overturned by resolution of the board, commission or body by a vote of not less than a majority of its membership. The failure of the Commission to act within 60 days after the official submission to the Commission shall be deemed approval.

SECTION 5.30 Plats

The Township Board shall refer plats or other matters related to land development to the Commission before final action thereon by the Township Board and may request the Commission to recommend regulations governing the subdivision of land. The recommendations may provide for the procedures of submittal, including recommendations for submitting a preliminary subdivision design, the standards of design and the physical improvements that may be required.

SECTION 5.40 Zoning Ordinance

The Commission shall perform those functions set forth in the Zoning Ordinance of Grass Lake Charter Township, as may be amended, which are consistent with the Township Planning Act, *supra*, and Township Zoning Act, *supra*.

ARTICLE VI MEETINGS

SECTION 6.10 Decisions; Deliberations

All decisions of the Commission shall be made at a meeting opened to the public. All deliberations of the Commission constituting a quorum of its members shall take place at a meeting open to the public except as provided in compliance with the Open Meeting Act, Act 267 of 1976, as amended, being MSA 4.1800(00) *et seq.*; MCL 15.261 *et seq.*

SECTION 6.20 Conditions of Attendance; Prohibition

A person appearing before the Commission shall not be required to register or otherwise provide his or her name or other information to fulfill a condition precedent to attendance. The Commission may prepare a sign-up sheet for each public meeting and request that members of the public place their name and address on the sheet, indicate if they are present at the meeting on behalf of an organization, if so, state the name and address of the organization and, if intending to address the Commission, indicate on which topic they desire to address the Commission at the public meeting.

SECTION 6.30 Breach of Peace; Exclusion

A person shall not be excluded from a public meeting except for a breach of the peace actually committed at the meeting. In the event of such a breach, the Chair of the Commission shall be authorized to exclude the person(s) from the public meeting.

SECTION 6.40 Speaking; Limitations

Members of the public may address the Commission during the "Call to the Public" at a public meeting, subject to the following limitations which may be modified by the Chair. At the discretion of the Chair, a person addressing the Commission in their individual capacity and not as a representative or spokesperson for an organization may be limited to up to three (3) minutes to address the Commission. A person addressing the Commission as a representative or spokesperson of an organization may be limited to up to five (5) minutes to address the Commission.

SECTION 6.50 Regular Meetings

The Commission shall hold not less than four (4) regular meetings each year, and by resolution shall determine the time and place of the meetings.

SECTION 6.51 Regular Meetings; Notice; Posting

A regular meeting of the Commission shall not be held unless public notice is posted by the Secretary within ten (10) days after the first meeting of the Commission in each calendar or fiscal year of the Commission. The notice shall state the dates, times, and places of its regular meetings. All notices required by the Open Meeting Act, supra, shall be posted in the Grass Lake Charter Township Hall, located at 373 Lakeside Drive, Grass Lake, Michigan.

SECTION 6.52 Regular Meetings; Change; Posting

If there is a change in the schedule of regular meetings of the Commission, the Secretary shall post within three (3) days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings. Notice for rescheduled regular meetings shall be posted in the Grass Lake Charter Township Hall in accordance with the requirements of the Open Meeting Act, supra.

SECTION 6.60 Special Meetings; Costs

A special meeting may be called by two (2) members upon written request to the Secretary or by the Chairperson. If requested by an applicant(s) seeking approval of the Commission for a

permit or other approval under the requirements of the Zoning Ordinance all costs associated with the special meeting shall be borne equally by all applicant(s).

SECTION 6.61 Special Meeting; Notice

Public notice of a special meeting must state the date, time and place of a public meeting of the Commission and shall be posted by the Secretary in the Grass Lake Charter Township Hall at least eighteen (18) hours before the special meeting.

SECTION 6.70 Reconvening a Recessed Meeting

A public meeting of the Commission which is recessed for more than thirty-six (36) hours shall be reconvened only after public notice is posted in manner provided in Section 6.61.

SECTION 6.80 Agenda

Unless otherwise modified by a majority vote of the members present, the agenda of a public meeting of the Commission shall be as follows:

1. Call to Order
2. Roll Call
3. Determination of Quorum
4. Pledge of Allegiance
5. Reading of Minutes
6. Committee Reports (list committees)
7. Unfinished Business (specify)
8. New Business (specify)
9. Call to the Public
10. Adjournment (recess)

SECTION 6.90 Parliamentary Procedure

For meetings of the Commission, its committees and advisory committees the rules of procedure set forth in Roberts Rules of Parliamentary Procedure may be used to resolve conflicts in rules of procedure provided that those rules are not inconsistent and not contrary to any existing laws of the State of Michigan.

ARTICLE VII DISSEMINATION OF BY-LAWS

SECTION 7.10 Member; Township Clerk

The Secretary of the Commission shall provide each member and new member of the Commission with a copy of the By-Laws as amended, and provide the Clerk of the Township a copy of the By-Laws, as amended.

ARTICLE VIII AMENDMENT

SECTION 8.10 Procedure

The By-Laws may be amended, in whole or part, added to or repealed by an affirmative vote of four (4) members of the Commission at a regular or special meeting provided that notice of the proposed amendment, addition or repeal is given to each member of the Commission in writing at least seven (7) days prior to the regular or special meeting at which the amendment, repeal or addition is intended to be acted upon. Notice is conclusively presumed if mailed to the last known residential address of a member of the Commission at least nine (9) days prior to the meeting.

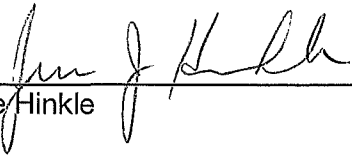
SECTION 8.20 Conflict

In the event any provision of the By-Laws is in conflict with the Township Planning act, supra, as may be amended, Township Zoning Act, supra, as may be amended, other statute, the Zoning ordinance of Grass Lake Charter Township or other statute or ordinance shall By-Laws in conflict shall be duly adopted ordinance, then the statute or ordinance shall govern and the provision of the By-Laws in conflict shall be repealed, void and of no effect.

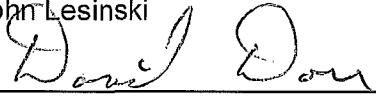
SECTION 8.30 By-Laws Repeal

Any and all By-Laws heretofore adopted by the Commission are hereby repealed.

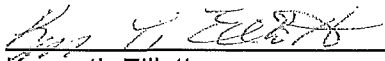
THE UNDERSIGNED hereby certify that on the day of adoption of these By-Laws, he or she was a duly appointed member of the Grass Lake Charter Township Planning Commission and voted to adopt these By-Laws as the By-Laws of the Commission.



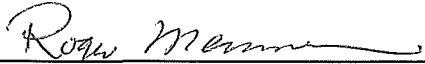
Jere Hinkle

John Lesinski


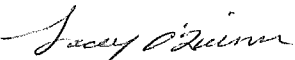
David Dorr



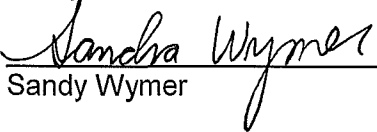
Kenneth Elliott



Roger Memmer



Lacey O'Quinn



Sandy Wymer