

**FREDERIC TOWNSHIP PLANNING COMMISSION ORDINANCE
OF April 2019-1
EFFECTIVE UPON PUBLICATION**

WHEREAS, The People of FREDERIC Township did establish the FREDERIC Township Planning Commission Resolution of December 14, 1999, and it is now desired to repeal the existing Resolution and adopt this ordinance to insure proper record of the action is created, NOW THEREFORE, THE PEOPLE OF FREDERIC TOWNSHIP DO ORDAIN THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

TOWNSHIP PLANNING COMMISSION ORDINANCE

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

THE PEOPLE OF FREDERIC TOWNSHIP DO ORDAIN:

101. Creation:

There shall be a Frederic 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.* hence forth, referred to as the Commission with the powers and duties as therein set forth. This ordinance shall be officially known and described as the Frederic Township Planning Commission Ordinance."

102. Membership:

- A. The Commission shall consist of 7 members appointed by the Township Supervisor, with approval of the township board by a majority vote of the members elected and serving, shall appoint all planning commission members, including the ex officio member. 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 Frederic Township, except that one member may be a non-qualified elector;
 2. after an individual's first appointment and before reappointment shall have attended training for Commission members, pursuant to section 104 of this ordinance;
 3. shall meet the conditions provided for each individual member in 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 ⅓ of all commission members continue to expire each year.

- C. One member shall also be a member of the Frederic Township Board of Trustees whose term of office shall be a two year term, and will change with another trustee from the board for the remainder of his or her elected term of office on the Frederic 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 Frederic Township, in accordance with the major interests as they exist in Frederic Township, as follows:

- 1. Natural resources;
- 2. Recreation;
- 3. Education;
- 4. Public health;
- 5. Government;
- 6. Transportation;
- 7. Industry;

- E. The membership shall also be representative of the entire geography of Frederic Township to the extent practicable, and as a secondary consideration to the representation of the major interests.

103. Liaisons:

The Commission, in its Bylaws, may name "liaisons" to the Commission. The purpose of liaisons is to provide certain Frederic Township and quasi-Township officials the ability to participate in discussion with the Commission in addition to speaking in public participation, and nothing else. At a minimum liaisons shall include:

- 1. Planning Department staff, and their agents and consultants, if existing.
- 2. Township Attorney.

- 104. Training:** Appointed members of the Commission shall attend educational programs designed for training members of Michigan planning commissions if the adopted Frederic 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 Frederic Township Board of Trustees. 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 Township Clerk shall determine which members' terms of office expire, shall determine what organizations qualify to nominate members and shall contact, by first class mail, those organizations to solicit nominations.
- B. In December of each year if the Clerk has not received at least two nominations for each office, then the Clerk shall discard those applications and shall place an advertisement(s) in a newspaper with paid circulation in Frederic Township to seek different applications.

- C. In February of each year the Township Board of Trustees shall consider the applications and nominations received, and appoint members to the Commission by a majority vote for a three year term of office which shall end February 28, at 9:00 a.m. of the respective year.

105. Removal from Office:

- A. The Frederic Township Board of Trustees 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 Frederic Township Board of Trustees.

106. Membership; Vacancies:

The Frederic Township Supervisor shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.

107. Membership; Compensation:

All members of the Planning Commission shall serve as such with compensation equal to, or less than, the per diem of the Frederic Township Board of Trustees.

108. Meetings:

- A. The Commission may meet at least once every month, if necessary, but no less than 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. Pursuant to its Bylaws, The affirmative vote of $\frac{2}{3}$ of the total number of seats for members of the Commission, regardless of vacancies or absences at the time and place of voting, shall be necessary for the adoption, or recommendation for adoption, of any plan, amendment to a plan, or ordinance.

109. Powers and Duties:

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.*).

- 110. Staff:** Employees that are assigned to work with the Commission shall follow the directives of the Commission in matters of planning and zoning public policy issues, but shall not be subject to Commission directives concerning employment provisions of law, employment policies, employee roster, employee, or union contracts, if any.

111. Meetings; Records:

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.

112. Approval, Ratification, and Reconfirmation.

All official actions taken by all Frederic Township 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 Frederic Township Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

Passed by the Board of Trustees of Frederic Township on April 9, 2019, at its regular meeting with trustees

Supervisor William Johnson ____

Clerk Nancy L. Bindschatel ____

Treasurer Karen Dawson ____

Trustee Debra Friedman ____

Trustee Avis Goscicki ____

in attendance, voting __ aye, __ nay.

Signed: _____, Supervisor

I hereby certify that the foregoing was duly adopted by the Board of Trustees of Frederic Township, Crawford County, Michigan, at its regular meeting on the April 9, 2019 that of members of the Frederic Township Board of Trustees were in attendance and voted for the adoption of the Ordinance.

Signed _____, Clerk
[Date]