

Township Board
Winfield Township
Planning Commission Ordinance

(Ordinance No. 6-09)

WINFIELD TOWNSHIP HEREBY ORDAINS:

Section 1. Purpose, Creation. There shall be a Winfield Township Planning Commission pursuant to Act No. 33 of the Public Acts of Michigan of 2008, as amended ("Act 33"), hereinafter referred to as the "Commission," with the powers and duties provided herein. This Ordinance shall be officially known and described as the "Winfield Township Planning Commission Ordinance."

Section 2. Membership.

A. The Commission shall consist of nine members appointed by the Township Board. To be qualified to be a member and remain a member of the Commission, an individual shall meet the following qualifications:

1. Shall be qualified elector of the Township;
2. Shall not hold any elected office or employment with the Township, unless an ex officio;
3. Shall not be a declared candidate for any political office, except this condition shall not apply to the Township Board representative to the Commission; and
4. Shall meet any other conditions provided for individual members in this Ordinance.

B. Subject to Section 5.A., 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 one-third 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 one-third of all commission members continue to expire each year.

C. One member shall 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 consistent with the provisions of Act 33.

Section 3. 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 Commission shall report any member who has missed three regular meetings in a row to Township Board.

Section 4. Membership, Vacancies. The Township Board shall fill any vacancy in the membership of the Commission for the unexpired term in the same manner as the initial appointment.

Section 5. Membership, Transition.

A. The Township Board shall appoint all members of the Commission as specified in Section 2 of this Ordinance in the first instance at the first Township Board meeting held following the effective date of this Ordinance. The terms of office of the previous Commission members shall terminate upon appointment of the new members as specified herein.

B. All other aspects of this Ordinance shall have immediate effect.

Section 6. Membership, Compensation. All members of the Commission shall serve with compensation, if any, as established by resolution of the Township Board from time to time.

Section 7. Meetings: The Commission shall meet not less than four times each year and a majority of the Commission shall constitute a quorum for the transaction of the ordinary business of the Commission and all questions which shall arise at their meetings shall be determined by the vote the majority of the members of the Commission.

Section 8. Powers and Duties.

A. The Commission shall have all powers and duties as further set forth in Act 33 and Act No. 110 of Public Acts of Michigan of 2006, as amended.

B. The Commission shall have the authority to apply for and receive grants from any government agency or the federal government and to receive gifts.

Section 9. 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.

Section 10. Officers. The members shall annually elect from among themselves a Chairman, Vice-Chairman and Secretary. Terms of office shall be for one year, with an opportunity for re-election.

Section 11. Effective Date. This Ordinance shall take effect 30 days following the date of the publication of the Ordinance.


At a special meeting held on June 27, 2009, a motion was offered by Dan Kanouse, with support from Jim Radford to adopt Ordinance No. 6-09. The motion carried as follows.

AYES: 5 yes: Phyllis Larson yes, Roy Killinger yes, Dan Kanouse yes, Jim Radford yes, Colleen Stebbins yes

NAYS: 0


ABSENT: 0

ORDINANCE NO. 6-09 ADOPTED


Phyllis Larson, Supervisor


Colleen Stebbins, Clerk

I certify the foregoing to be true and accurate copy of an ordinance duly adopted at a special meeting of the Winfield Township Board held on June 27, 2009, and that public notice of that meeting was given pursuant to and in compliance with Act 267 of Public Acts of Michigan of 1976, as amended.


Colleen Stebbins, Clerk

Adopted:

June 27, 2009

Published:

July 20, 2009

Effective:

August 20, 2009