



**CHARTER TOWNSHIP OF CHOCOLAY**  
**PLANNING COMMISSION**

## **PLANNING COMMISSION BYLAWS AND PROCEDURES**

### **Article I Name and Area Served**

- Section 1. This Planning Commission shall be known as the Chocolay Township Planning Commission.
- Section 2. The area served by the Chocolay Township Planning Commission shall be the entire Charter Township of Chocolay.

### **Article II Purpose**

As an appointed body, the Planning Commission shares responsibility for local land use and infrastructure planning with the elected officials on the Township Board of Trustees. The Planning Commission is an independent advisory body that reviews and provides recommendations to the Township Board on applications for conditional use permits, planned unit developments, private road applications, rezoning requests, site plan reviews, and zoning ordinance amendments.

The Commission, along with Township staff, develops and maintains a master plan for Township Board approval, and makes sure that Commission decisions are consistent with the master plan.

The Commission also serves as a liaison with the public and other units of government. The Commission provides important leadership when involving community stakeholders in decision making, so the Board can take more efficient and effective action. The Commission represents and works on behalf of the entire community.

### **Article III Membership**

The members in the Township Planning Commission shall be appointed by the Township Supervisor with approval of a majority of the Township Board. Membership shall be maintained at seven members appointed from all geographical areas and occupations of the Township.

The member representing the Township Board shall maintain liaison with the Board and may not hold an office on the Planning Commission.

Members other than the Board representative are appointed for three year terms.



## Article IV Township Planning Commission Meetings

- Section 1. The Planning Commission shall meet in accordance with the Michigan Open Meetings Act and all other State and local laws.
- Section 2. Special meetings will be held at the call of the Chair.
- Section 3. Chocoday Township Planning Commission meetings shall be open to the public.
- Section 4. A quorum at any regular or special meeting shall consist of four (4) official members of the Planning Commission
- Section 5. For meetings of the Township Planning Commission, the rules of parliamentary practice comprised in *Robert's Rules of Order Newly Revised* shall govern in all cases in which they are not inconsistent with the standing rules and orders of the Township Planning Commission and not contrary to any laws of the State of Michigan.
- Section 6. Interaction with the public will be guided by the Planning Commission *Public Participation Policy*.
- Section 7. A member who misses three (3) consecutive regular meetings, or a total of four (4) regular meetings in any 6-month period may be subject to replacement at the discretion of the Township Supervisor.
- Section 8. Voting
- Every member who is present when a question is last stated by the Chair shall vote for or against the motion unless:
- (1) Excused by unanimous consent of the Planning Commission members present or
  - (2) The member is financially or personally vested in the question as detailed in *Article XI*.

## Article V Officers and Executive Committee

- Section 1. The officers of the Chocoday Township Planning Commission shall consist of the Chair, Vice-Chair, Secretary, and Vice-Secretary.
- Section 2. The Executive Committee shall consist of the Chair, Vice-Chair, Secretary and Vice-Secretary.
- Section 3. Officers shall be elected by the Township Planning Commission from among its members at the January meeting and shall serve for a period of one year.

## Article VI Duties of the Executive Committee

- Section 1. The Executive Committee or their designee shall prepare the agenda for monthly and special Planning Commission meetings and make necessary arrangements for accommodations for the meetings.
- Section 2. The Executive Committee shall oversee work of standing committees.



## Articles VII Duties of Officers

### Section 1. Chair

- A. The Chair shall be an executive officer of the Township Planning Commission and shall preside at its meetings and meetings of the Executive Committee.
- B. The Chair shall appoint, with the consent of the Planning Commission, all committees or advisory committees or councils established by the Planning Commission.
- C. The Chair shall be an ex-officio member of all committees.
- D. The Chair shall have a vote upon all resolutions as a Planning Commission member or as a member of the Executive Committee.

### Section 2. Vice-Chair

- A. The Vice-Chair shall serve as Chair if the Chair is absent from a meeting or if the Chair is unable to perform the duties of the Chair.
- B. In the event the office of Chair shall become vacant by resignation or otherwise, the Vice-Chair shall become Chair for the unexpired term of the Chair's office.

### Section 3. Secretary

- A. The Secretary shall attend all meetings of the Planning Commission and the Executive Committee and record the minutes of such meetings.
- B. The Secretary shall keep a public record of the Planning Commissions resolutions, transactions, findings, and determinations.
- C. The Township Clerk shall have custody of the official record (minute) books of the Planning Commission and Executive Committee.

### Section 4. Vice-Secretary

- A. The Vice-Secretary shall serve as Secretary if the Secretary is absent from a meeting or if the Secretary is unable to perform the duties of Secretary.
- B. In the event the office of Secretary shall become vacant by resignation or otherwise, the Vice-Secretary shall become the Secretary for the unexpired term of the Secretary's office.

## Article VIII Fiscal

Section 1. The fiscal year of the Chocolay Township Planning Commission shall be January 1 to December 31 of each year.

Section 2. The Planning Commission shall prepare an annual Capital Improvement Program (CIP) of public structures and improvements to be presented to the Township Board for their approval. This plan will be presented to the Board prior to the Board meeting in July for budget consideration.



## Article IX Reports

The Chocolay Township Planning Commission shall issue an annual report, and such other reports as it deems desirable, of its progress and recommendations to the Township Board, and upon request of the Township Board, shall make other such reports as the Township Board may require.

## Article X Training

Section 1. Appointed members of the Commission may attend educational programs designed for training members of Michigan planning commissions if the adopted Township Board budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training.

## Article XI Conflict of Interest

Section 1. Before casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by this ordinance constitutes malfeasance in office.

Section 2. A Planning Commissioner shall declare a conflict of interest when:

1. An immediate family member is involved in any request for which the Planning Commission is asked to make a decision.
  - a. "Immediate family member" is defined as an individual's father, mother, son, daughter, brother, sister, and spouse or a relative of any degree residing in the same household as that individual.
2. The Commissioner 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 Commissioner owns or has a financial interest in neighboring property.
  - a. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the application or proposed development, as required by the zoning ordinance or other applicable ordinance.

Section 3. The remaining Commissioners will determine if there is a conflict of interest by majority vote.

Section 4. If a conflict of interest is determined, the Commissioner found to be in conflict must refrain from discussion on the topic and will not be permitted to vote on the topic.

## Article XII Amendments to By-Laws

These bylaws, in whole or in part, may be altered, amended, added to or repealed by a majority of the Planning Commission members at any regular or special meeting.



## Article XIII Information

The Township Planning Commission is authorized to make use of the expert advice and information which may be furnished by the appropriate Federal, State, County and Township officials, departments and agencies having information, maps and data pertinent to Township planning.

## Article XIV Agenda and Packet

Materials to be included on the agenda or in the packet for Planning Commission consideration will be accepted from the public until 12 PM on the Wednesday preceding the regular or special meeting of the Commission.

Correspondence will be accepted from the public until 12 PM on the Wednesday preceding the regular or special meeting of the Commission. Submitted correspondence must contain the name and address of the submitter to be included in the packet.

