

ORDINANCE 132

WHEREAS, The People of the Village of Perrinton desire to establish a Village Planning Commission by adoption of this Ordinance dated December 7, 2020 and to insure proper record of the action is created, NOW THEREFORE, THE PEOPLE OF THE VILLAGE OF PERRINTON DO ORDAIN THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

VILLAGE OF PERRINTON PLANNING COMMISSION ORDINANCE

AN ORDINANCE to create a Planning Commission for the Village of Perrinton, as authorized by P.A. 33 of 2008, as amended, being the Michigan Planning Act, MCL 125.3801 *et seq.*, for the purpose of having planning and zoning in the Village of Perrinton, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development of the Village of Perrinton; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the State where the Village of Perrinton exists.

THE PEOPLE OF THE VILLAGE OF PERRINTON DO ORDAIN:

101. Creation:

There shall be a Village of Perrinton Planning Commission pursuant to P.A. 33 of 2008, as amended, that being that the Michigan Planning Enabling Act, MCL 125.3801 *et. seq.*, hereinafter referred to as the Commission with the powers and duties as therein set forth and as hereinafter provided. This Ordinance shall be officially known and described as "the Village of Perrinton Planning Commission Ordinance."

102. Membership:

- A. The Commission shall consist of five members nominated by the Village of Perrinton President and approved by the Council. To be qualified to be a member of the Commission, the individual shall meet the following qualifications:
 1. Shall be a qualified elector of the Village of Perrinton.
 2. Shall not hold any elected office or employment with the Village of Perrinton, unless an ex-officio member;
 3. Shall not be a declared candidate for any political office, except this condition shall not apply to the Village of Perrinton representative to the Commission.
- B. Shall meet the conditions provided for each individual member in sections 102.B, 102.D, 102.E. and 102.F. of this Ordinance, except the geographical location of the individual's residency may be considered optional.
- C. The membership shall be representative of the important geographic and interest segments of the Village of Perrinton, as follows.
- D. 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 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 1/3 of all commission members continue to expire each year.
- E. Ex officio members shall include: the chief administrative official, or a person designated by him or her; the chief elected official; and one member of the Village of Perrinton Council.
 1. No more than 1/3 of the Planning Commission shall be ex officio members.
- F. The terms of office of ex officio members shall coincide with their elected terms of office on the Village of Perrinton Council or the term of office of the chief elected official who appointed him or her.
- G. The membership shall be representative of the important segments of the community, such as the economic, governmental, education and social development of the Village of Perrinton, in accordance with the major interests as they exist in the Village of Perrinton.
- H. The membership shall also be representative of the entire geography of the Village of Perrinton to the extent practicable, and as a secondary consideration to the representation of the majority interests.
- I. A member of the Village of Perrinton Council, Chief Administrative Officer, person designated by the Chief Administrative Officer, or chief elected official of the Village of Perrinton shall not be chair of the Commission.

- J. Not more than 1/3 of the total membership of the Commission shall consist of collectively, a member of the Village of Perrinton Council, Chief Administrative Officer, person designated by the chief elected officer, or chief elected official of the Village of Perrinton.
- K. The Commission shall elect a chairperson and secretary from its members, and create and fill other offices as advisable.
 - 1. Ex officio members shall not serve as chairperson.

103. Liaisons:

- A. The Commission, in its Bylaws, may name "liaisons" to the Commission. The purpose of liaisons is to provide certain Village of Perrinton and quasi-Village of Perrinton officials 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;
 - 2. Village of Perrinton Administrators;
 - 3. An attorney representing the Village of Perrinton.

104. Members, Appointment and Terms:

- A. In April of each year, the Village of Perrinton Clerk shall place an advertisement in the newspaper with paid circulation in the Village of Perrinton to seek applications for Commission members. In May of each year, the Village of Perrinton shall consider the applications and nomination received, and appoint members to the Commission by a majority vote for a three year term of office which shall end on May 30 at 9:00 a.m. of the respective year.

105. Removal From Office:

- A. The Village of Perrinton 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 Village of Perrinton Council.

106. Membership; Vacancies:

- A. The Village of Perrinton President as approved by the Village of Perrinton Council shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.

107. Membership; Initial:

- A. The Village of Perrinton President shall nominate as approved by the Village of Perrinton Council all of the Commission as specified in Section 102 of this Ordinance in the first instance at the first Village of Perrinton Council meeting held following the effective date of this Ordinance.

108. Meetings:

- A. The Commission shall meet at least once every three months, 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 2/3 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.

109. 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, MCL 125.3801 *et. seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act (MCL 125.3101 *et. seq.*)

110. Staff

- A. The appointment of the planning director and other such employees shall be subject to the same provisions of law, employment policies, employee roster, employee or union contracts, if any, as govern other employees of the Village of Perrinton.

- B. 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:

- A. The Commission shall adopt Bylaws for the transaction of business and shall keep record of its resolutions, transactions, findings and determinations, which records shall be a public record.

112. Approval; Ratifications

- A. All official actions taken by the all Gratiot 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 Gratiot County Planning Commission Acts. This Ordinance shall be in full force and effect from and after its adoption and publication.

Passed by the Village of Perrinton Council on December 7, 2020 at its regular meeting with 6 Council Members in attendance, 6 voting yea, 0 voting nay.

Signed: Kendra Blair
Kendra Blair, President

I hereby certify that the foregoing was duly adopted by the Village of Perrinton Council, Village of Perrinton, Gratiot County, Michigan, at its regular meeting on the December 7, 2020, that of 6 members of the Village of Perrinton Council, were in attendance and 6 voted for the adoption of the Ordinance. I further certify that the above and foregoing Ordinance is identical in form with that recorded on the _____ page in the Book of Ordinances for the Village of Perrinton and also published in the Gratiot County Herald on the 10th day of December, 2020

Signed: Julie Henry
Julie Henry, Comptroller