

CHARTER TOWNSHIP OF FLINT PLANNING COMMISSION BYLAWS

The following rules of procedure are adopted by the Charter Township of Flint Planning Commission to facilitate the performance of its duties as outlined in the Michigan Zoning Enabling Act, Public Act 110 of 2006

Section 1: Officers

- A. **Selection and Tenure** – During the month of August each year, the Planning Commission shall select from its membership a Chairman, Vice Chairman, and a Secretary. All officers shall serve a term of one (1) year, or until their successors are selected and assume office. All officers shall be eligible for re-election for consecutive terms for the same office.
- B. **Chairperson** – The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission.
- C. **Vice Chairperson** – The Vice Chairman shall act in the capacity of the Chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairman shall succeed to this office of the unexpired term, and the Planning Commission shall select a successor to the office of Vice Chairman for the unexpired term.
- D. **Secretary** – The Secretary shall execute documents in the name of the Planning Commission, and shall perform other duties as the Planning Commission may determine.

Section 2: Meetings

- A. **Regular Meetings** – Charter Township of Flint Board of Trustees will schedule annually by resolution, regular and alternate meetings and shall determine the time and place of such meetings. The Planning Commission shall hold not less than four (4) regular meetings each year. Other meetings may be held as necessary.

Notice of regular or scheduled Planning Commission meetings shall be posted at the principal Township Office within ten (10) days after the Planning Commission's first meeting in each fiscal year in accordance with the Open Meetings Act.

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- B **Special Meetings** – Special Meetings may be called by the Chairperson upon written request to the Secretary by at least two (2) members of the Planning Commission. The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. All costs of Special Meetings held to consider requests of applicants for approvals under the zoning ordinance (or for such other purposes as may be necessary) shall be paid by the applicant for such requests.

Notice of Special Meetings shall be given to the members of the Planning Commission at least forty-eight (48) hours prior to the meeting. Such notice shall state the purpose, time and location of the Special Meeting and shall be posted in accordance with the Open Meetings Act.

- C. **Public Records** – All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- D **Quorum** – A majority of the appointed members of the Planning Commission shall constitute a quorum for transacting business and taking official action for all matters. Whenever a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act, or hold the meeting to consider the matters on the agenda. No action shall be taken at a meeting at which a quorum is not present.
- E **Voting** – An affirmative vote of the majority of the Planning Commission membership is required to adopt any part of the Master Plan or amendments of the plan (MCL 125 328). Unless required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice vote, a roll call vote shall be required if requested by any commission member or directed by the Chairperson. All Planning commission members, including the Chairperson, shall vote on all matters, but the Chairperson shall vote last.

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F Procedure – Robert’s Rules of Order shall be followed when not in conflict with these bylaws, statutes of the State of Michigan or Ordinances of the Charter Township of Flint.

G Agenda – The order of business for meetings shall be as follows

1. Call to order
2. Pledge of Allegiance
3. Audience Participation
4. Approval/Correction of Minutes
5. Old Business
6. New Business
7. Other Matters to be Reviewed by the Planning Commission
8. Adjournment

H Public Hearings – All Public Hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission. The following rules of procedure shall apply to Public Hearings held by the Planning Commission

1. Chairperson opens the Public Hearings and announces the subject.
2. Chairperson summarizes the procedure/rules to be followed during the hearing
3. Township Planning Staff or other consultants present their reports and recommendations
4. Applicant presents the main points of the application
5. Persons speaking in support and/or opposition of the application are recognized
6. Chairperson closes the Public Hearing and returns to the regular/special meeting
7. Planning Commission begins deliberation and arrives at a decision

To ensure everyone has the opportunity to speak, the Chairperson shall limit the time permitted for members of the public to speak to three (3) minutes, with the exception of the applicant who may be permitted additional time as the Chairperson allows

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The Chairperson may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chairperson, at his/her discretion, may permit additional comments

All comments by the public, staff and Planning Commission shall be directed to the Chairperson. All comments shall be related to the land use request, unrelated comments shall be ruled out of order

A copy of the approved minutes shall be available at the Township Building Department upon request.

Section 3: Duties of the Planning Commission

The Planning Commission shall perform the following duties

- A. Take such action on petitions, staff proposals and Township requests for amendments to the zoning ordinances and Master Plan as requested
- B. Take such actions as are required by the Michigan Zoning Enabling Public Act 110 of 2006
- C. Review subdivision and condominium proposals and recommend appropriate actions to the Township Board of Trustees
- D. Attend training sessions, conferences or meetings as needed to properly fulfill the duties of Planning Commissioner and for which appropriations of funds have been approved by the Township Board of Trustees, as needed
- E. Perform other duties and responsibilities or respond as requested by the Flint Township Board of Trustees

Section 4: Removals, Resignations and Vacancies

- A. Members of the Planning Commission may be removed by the Township Supervisor, after a hearing with the approval of the Township Board of Trustees

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- B A member may resign from the Planning Commission by sending a letter of resignation to the Township Supervisor and Planning Commission Chairperson
- C Vacancies shall be filled by the Township Supervisor, with the approval of the Township Board of Trustees. Successors shall service out the unexpired term of the member being replaced

Section 5: Conflict of Interest

- A Planning Commission members shall declare a conflict of interest request when
 - 1 A relative or other family member is involved in any request for which the Planning Commission is asked to make a decision, or
 - 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, or
 - 3 The proposal could allow the Planning Commission member, a relative or business associate to receive a financial gain or benefit, or
 - 4 There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict.
- B The Planning Commission member declaring a conflict of interest should state the nature of the conflict and whether he or she believes he or she could impartially consider the request before the Commission. He or she should individually decide to request the Commission vote to allow him or her to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict will leave the table and may absent him/herself from the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate

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He or she should not make any presentations to the Planning Commission as a representative of the proposal.

Section 6: Amendments

These bylaws may be amended at any meeting by a vote of five (5) members of the Planning Commission

Adopted by the Charter Township of Flint Planning Commission at a regular meeting on this 14th day of August, 2008