

LITCHFIELD CITY PLANNING COMMISSION
MEETING RULES AND BY-LAWS

Article 1 - Objectives

The objectives and purposes of the City Planning Commission are those set forth in State of Michigan Municipal Planning Act 285, P.A. 1931, as amended, and those power and duties delegated to the Planning Commission by the City Council.

Article 2 - Officers and Their Duties

- Section 1. The officers of the Planning Commission shall consist of *seven (7) members which includes* a Chairperson, Vice-Chairperson and a Secretary. *All but one (1) must be a qualified elector of the city.*
- Section 2. The Chairperson shall preside at all meetings and hearings of the Planning Commission and shall have the duties normally conferred by parliamentary usage on such officers.
- Section 3. The Chairperson shall have the privilege of discussing all matters before the Commission.
- Section 4. The Vice-Chairperson shall act for the Chairperson in his absence.
- Section 5. The City Clerk shall act as Secretary for the Planning Commission, and shall keep the minutes and records of the Commission

Article 3 - Election and Terms of Officers

- Section 1. A candidate receiving a majority vote of those members of the Planning Commission present shall be declared elected and shall serve for one (1) year or until that person's successor shall take office.
- Section 2. In the event of a vacancy in an office, the Planning Commission shall immediately fill the vacancy for the unexpired term by regular election procedure.
- Section 3. Nominating and election of officers shall be held annually at the January meeting. The term of office shall become effective at the January meeting until the following January meeting.
- Section 4. The city manager or a person designated by the city manager, if any, the mayor, one or more members of the City Council, or any combination thereof, may be appointed to the Planning Commission, as ex officio member. However, not more than one third (1/3) of the members of the Planning Commission may be ex officio members. Except as provided in this section, an elected officer or employee of the City of Litchfield is not eligible to be a member of the Planning Commission. The term of an ex officio member of the Planning commission shall be as follows:
- (a) The term of the mayor shall correspond to his or her term as mayor;
 - (b) The term of the city manager shall expire with the term of the mayor that appointed him as city manager;
 - (c) The term of a member of City Council shall expire with his or her term on the City Council.

Article 4 - Meetings

- Section 1. Regular meetings of the Planning Commission will be held on the fourth Wednesday of each month at 6:30 PM, at the City Council Chamber at 221 Jonesville St, Litchfield, MI 49252 unless otherwise stipulated. The Chairperson may authorize, as determined by necessity, a date and time change of a regular meeting in accordance with the requirements of the Michigan Open Meetings Act.
- Section 2. A majority of the membership of the Commission shall constitute a quorum and the number of votes necessary to transact business shall be a majority of the members of the Commission present. Voting shall be by roll call. A record of the roll call vote shall be

- kept as a part of the minutes. The person making the motion is called, first, followed by the support, with the chairperson voting last.
- Section 3. The Chairperson may call a special meeting of the Commission upon request by two (2) or more members of the Commission. Members shall be notified not less than five (5) days prior to the date set. No business other than the stated purpose of the meeting shall be considered except by unanimous consent of the Commission.
- Section 4. All meetings at which official action is taken shall be open to the general public.

Article 5 - Order of Business

- Section I. Committees may be appointed by the Chairperson for purposes and terms, which the Commission approves.

Article 6 - Hearings

- Section 1. In addition to those required by law, the Commission may at its discretion hold public hearings when it decides that such hearings will be in the public interest.
- Section 2. Notice of such hearings shall be published in the official newspaper of the City or in a newspaper of general circulation in the City.
- Section 3. The case before the Commission shall be present in summary by the Planner and parties in interest shall have privilege of the floor.
- Section 4. All meetings shall be recorded with minutes prepared by the City Clerk's Office. A record shall be kept of those speaking before the Commission.

Article 7 - Conflict

Should any provisions of these By-Laws at any time be in conflict with State of Michigan Municipal Planning Act 285, P.A. 1931, as amended or amended in the future, the By-Law provision shall become inoperative.

Article 8 - Amendments

These By-Laws may be enacted or amended only by a two-thirds vote of the entire membership of the Planning Commission.

Article 9 – Ex Parte Communication

- Section 1. The Planning Commission desires to conduct all proceedings fairly, to create a record that includes all of the evidence upon which recommendations and decisions were made, and to prevent the appearance of undue influence on its recommendations and decisions. To this end, Planning Commission members who experience ex-parte communication are encouraged to disclose the details of the communication at the Commission meeting after the introduction of the item of which the ex-parte communication pertained.
- Section 2. Planning Commission members may attend meetings held by applicants with adjacent property owners, however only in the capacity of an observer. If a Planning Commission member does decide to take part in discussions at said meeting, he/she shall disclose the nature of such participation to the Planning Commission prior to participating in a hearing or deliberations on a request. The Planning Commission shall make a determination as to whether or not he/she can impartially consider the request.

Article 10 - Conflict of Interest

Planning Commission members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when there is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict.

Article 11 - Adoption

These By-Laws were adopted on April 21st, 2006, and will take immediate effect and supersede all previous by-laws.