

# **MANSFIELD TOWNSHIP PLANNING COMMISSION BYLAWS**

## **Overview**

The following rules of procedure are for the Mansfield Township Planning Commission to ease the performance of its duties as outlined in the Township Planning Act, Public Act 168 of 1959, as amended.

## **SECTION 1: Officers**

- Selection and Tenure-At the first regular meeting each year, the planning commission shall select from its membership a chairperson and secretary. All offices shall serve a term of three years, or until their successors are selected by the Mansfield Township Board and assume office, except as noted in B and C Below. All officers shall be eligible for re-election for consecutive terms for the same office.
- Chairperson-The chairperson shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the planning commission.
- Secretary-The secretary shall execute documents in the name of the planning commission, perform the duties hereinafter listed below, and shall perform such other duties as the planning commission may determine.
  - Minutes-The secretary shall be responsible for maintaining a permanent record maintained by the township clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
  - Attendance-The secretary shall be responsible for maintaining an attendance record for each planning commission member and report those records annually to the planning commission for inclusion in the annual report to the township board.
- Township Board Representative-The township board representative shall present the recommendations of the planning commission as required by the zoning ordinance, or other ordinances to the township board prior to their consideration of such request.
- Zoning Board of Appeals Representative-The Chairman of the planning commission as representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.

## **SECTION 2: Meeting**

- Regular Meetings- The planning commission shall hold not less than four regular meetings each year and by resolution shall decide the time and place of such meetings. Other meetings may be held as necessary with prior approval from the Township Board. When a regular meeting falls on a holiday or upon a day resulting in a conflict, the planning commission shall, if possible, select a suitable alternate meeting date in the same month as originally scheduled meeting. Notice of regular or scheduled planning commission meetings shall be posted at the principal township hall within 10 days after the planning commission's first meeting in each calendar year per the Open Meetings Act.

- Special Meetings-Special meeting may be call by the chairperson or upon written request to the secretary by at least two members of the planning commission. The business the planning commission may perform shall be conducted at a public meeting held in compliance the Open Meeting Act. All costs of special meeting 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 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 Meeting Act.
- Public Records-All meetings, minutes, records, documents, correspondence, and other material 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.
- Quorum-Three members of a five-member 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 without a quorum being present.
- Voting-An affirmative vote of the majority of the planning commission membership is required to adopt and part of the master plan or amendments to the plan (MCL 125.328). Unless required by statute, other actions of motions placed before the planning commission may be adopted by a majority vote of the membership in attendance, as long a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member of directed by the chairperson. All planning commission members, including the chairperson, shall vote on all matters, but the chairperson shall vote last.
- Agenda-The chairperson shall be responsible for preparing the agenda for planning commission meeting. The order of business for meetings shall be follows:
  - Call to Order
  - Pledge to Flag and Invocation
  - Roll Call and Recognition of Visitors
  - Approval of Minutes
  - Approval of Agenda
  - Zoning Adm Report
  - Discussion of current Planning Commission projects
  - Public Comments
  - Schedule of Next Meeting
  - Board Privilege
  - Adjournment
- Public Hearings-All public hearing 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:
  - Chairperson opens the public hearing and announces the subject.
  - Chairperson summarizes the procedures/rules for the hearing.
  - Applicant presents the main points of the application.
  - Persons speaking in support of the application.
  - Persons speaking in opposition to the application.
  - Chairperson closed the public hearing and returns to the regular/special meeting.
  - Planning commission begins deliberation and arrives at a decision.

To ensure everyone can speak, the chairperson may elect to limit the time permitted for each person to speak, except the applicant may be permitted additional time as the Chairperson allows. 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, in his/her discretion, may permit additional comments.

All comments by the public, staff and the 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 written notice containing the decision of the planning commission shall be directed to the chairperson and originators of the request.

## **Duties of the Planning Commission**

- Act on petitions and township board requests for amendments to the zoning ordinance as required.
- Take such action on petitions and township board requests for amendments to the master plan as required.
- Prepare and annual work program and budget, to be included in the annual report.
- Take such actions as are required by the Township Zoning Act, Public Act 184 of 1943, as amended.
- Prepare special studies and plans, as deemed necessary by the planning commission or township board and for which appropriations of funds have been approved by the township board, as needed.
- Attend training sessions and plans, as deemed necessary by the planning commission or township board for which appropriations of funds have been approved by the township board, as needed.
- Perform other duties and responsibilities or respond as requested by any township board or commission.

## **Duties of the Zoning Administrator**

- The planning commission will be assisted by the zoning administrator in performing the planning commissions duties, as noted in Section 3
- The zoning administrator shall be responsible for the professional and administrator work in coordinating the functions of the planning commission.
- The zoning administrator shall
  - Accept application for matters to be reviewed by the planning commission and ensure that such applications are complete.
  - Forward application materials to the planning commission at least one week prior to the meeting at which the matters will be considered.
  - Inform the planning commission of administrative and enforcement actions taken on behalf of the township related to the zoning of another appropriate ordinance.
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- The planning commission may be assisted by other professional, or township staff as needed, including the building inspector, township attorney, township engineer or other person or agency.

## Absences, Removal, Resignations and Vacancies

### Technical Benefits

- To be excused, members of the planning commission shall notify the planning commission chairperson or other planning commission member when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in and unexcused absence.
- Members of the planning commission may be removed by the township supervisor, after a hearing, with the approval of the township board.
- A member may resign from the planning commission by sending a letter of resignation to the township supervisor, township board or planning commission chairperson.
- Vacancies shall be filled by the township supervisor, with the approval of the township board within one month of resignation or removal of a planning commission member. Successors shall serve out the unexpired term of the member being replaced.

### Conflict of Interest

Planning commission members shall declare a conflict of interest and abstain from participating in a hearing of deliberations on a request when:

When a relative or other family member is involved in any request for which the planning commission is asked to make a decision.

- 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.
- The planning commission member owns or has a financial interest in neighboring property. For purposes of the section, a neighboring property shall include and property falling within the notification radius for the proposed development, as required by the zoning ordinance or other applicable ordinance, or
- There is a reasonable appearance of a conflict of interest, as determined by the planning commission member declaring such conflict.

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 abstain from any discussion of votes relative to the matter that is the subject of the conflict. The member declaring a conflict 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. He or she should not make any presentations to the planning commission as a representative of the proposal.

### Amendments

These bylaws may be amended Township at any meeting by three members of the planning commission. Adopted by the Mansfield Township Planning Commission at a regular meeting,

Dated: July 23, 2024