

**ORDINANCE NO. 110207**

**PLANNING COMMISSION ORDINANCE  
GENOA CHARTER TOWNSHIP,  
LIVINGSTON COUNTY, MICHIGAN**

**WHEREAS, GENOA CHARTER TOWNSHIP DID ESTABLISH THE GENOA TOWNSHIP PLANNING COMMISSION BY RESOLUTION NO. 71-2 ON FEBRUARY 12, 1971, AND IT IS NOW DESIRED TO REPEAL THE EXISTING RESOLUTION AND ADOPT THIS ORDINANCE TO INSURE PROPER RECORD OF THE ACTION IS CREATED, NOW THEREFORE, GENOA CHARTER TOWNSHIP ORDAINS THAT SAID ORDINANCE SHALL READ AS FOLLOWS:**

**GENOA CHARTER TOWNSHIP PLANNING COMMISSION ORDINANCE**

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

**GENOA CHARTER TOWNSHIP ORDAINS:**

Section 1. Creation. There shall be a Genoa Charter Township Planning Commission pursuant to P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 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 “Genoa Charter Township Planning Commission Ordinance.”

Section 2. Membership.

- A. The Commission shall consist of 7 members appointed by the Township Supervisor, subject to approval by the majority of the members of the Township Board of Trustees. To be qualified to be a member and remain a member of the Planning Commission, the individual shall be a qualified elector of Genoa Charter Township, except that one member may be a non-qualified elector.
- B. Members shall be appointed for three-year terms. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. As nearly as possible, the terms of  $\frac{1}{3}$  of all Commission members should continue to expire each year.

- C. One member shall also be a member of the Township Board of Trustees, whose term of office shall coincide with his or her elected term of office on the Township Board of Trustees.
- D. The membership shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of Genoa Charter Township, in accordance with the major interests as they exist in the Township, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce.
- E. The membership shall also be representative of the entire geography of the Township to the extent practicable, and as a secondary consideration to the representation of the major interests.

Section 3. Removal from Office. The Board of Trustees 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.

Section 4. Membership; Vacancies. The Township Board shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.

Section 5. Membership; Compensation. All members of the Planning Commission shall be compensated as provided by separate Resolution of the Genoa Charter Township Board of Trustees.

Section 6. Meetings.

- A. The Commission shall meet at least four times a year 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  $\frac{2}{3}$  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.

Section 7. Meetings; Records. The Commission shall adopt Bylaws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record.

Section 8. Capital Improvements Program. The Planning Commission shall be exempted from the requirement of PA 33 of 2008, MCL 125.3865, requiring annual preparation and submission to the Board of Trustees of a capital improvements program. The Township Board of Trustees shall delegate the preparation of the capital improvements program, separate from or as part of the annual budget, to the chief elected official or a non-elected administrative official, subject to final approval and adoption by the Board of Trustees.

Section 9. Approval, Ratification, and Reconfirmation. All official actions taken by the Genoa Charter Township Planning Commission 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 Genoa Township Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

Section 10. Repeals. All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 11. Severability. Should any section, subsection, paragraph, sentence, clause, or word of this Ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the Ordinance.

Section 12. Effective Date. This Ordinance was adopted by the Genoa Charter Township Board of Trustees at the regular meeting held on \_\_\_\_\_ and ordered to be given publication in the manner required by law. This ordinance shall be effective upon publication.

Copies of the Ordinance may be obtained from the Genoa Township Hall, located at 2911 Dorr Road, Brighton, Michigan 48116.

On the motion to adopt the Ordinance the following vote was recorded:

**Yeas:**

**Nays:**

**Absent:**

I hereby approve the adoption of the foregoing Ordinance this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Paulette Skolarus  
Township Clerk

\_\_\_\_\_  
Gary McCririe  
Township Supervisor

Township Board First Reading: January 17, 2011

Date of Publication of Proposed Ordinance: January 21, 2011

Township Board Second Reading and Adoption:

Date of Publication of Ordinance Adoption:

Effective Date: