

WELLS TOWNSHIP

PLANNING AND ZONING COMMISSION

BYLAWS

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WELLS TOWNSHIP PLANNING COMMISSION

BY - LAWS

ARTICLE I: Name and Area

Section 1. This Planning Commission shall be known as the Wells Township Planning Commission.

Section 2. The area served by the Wells Township Planning Commission shall be the entire township.

THE FOLLOWING RULES OF PROCEDURE ARE HEREBY ADOPTED BY THE WELLS TOWNSHIP PLANNING COMMISSION TO FACILITATE THE PERFORMANCE OF ITS DUTIES AS OUTLINED IN PA 168 OF 1959 AS AMENDED (TOWNSHIP PLANNING ACT - MCLA 125, 321 et seq.) INCLUDING THE ASSIGNMENT OF ZONING POWERS OF PA 184. OF 1943, AS AMENDED (TOWNSHIP RURAL ZONING ACT-MCLA 125.271 et. seq.)

ARTICLE II: Membership

Section 1. General Members

The membership in the Township Planning Commission shall be by appointment by the Supervisor with approval of the Township Board. Membership shall be maintained at five members appointed from all geographic areas and occupations within the Township. Each member shall be appointed for a term of three years.

*December*

Section 2. Board Representative

The member representing the Wells Township Board shall be by appointment by the Supervisor with approval of the Township Board.

The member representing the Wells Township Board shall maintain liaison with the Wells Township Board. Such member may not hold office in the Planning Commission.

Section 3. Attendance

A member who misses 3 consecutive regular meetings, in any 12 month period is subject to replacement. A statement to this effect will be included in the appropriate meeting minutes to notify the Township Board of the vacancy. A letter of notification will be sent to the replaced member, a copy of the letter is to be sent to the Township Supervisor.

Section 4. Voting

Every member who shall be present when a question is last stated by the Chair shall vote for or against the motion unless (1) excused by unanimous consent of the Planning Commission members present or (2) the member has a conflict interest in the question.

ARTICLE III: Officers

Section 1. Selection

At the first regular meeting in each calendar year, the Planning Commission shall elect from its membership a Chairperson, Vice - Chairperson, and Secretary. All officers shall be eligible for reelection.

*January*

Section 2. Tenure

The Chairperson, Vice - Chairperson, and Secretary shall take office immediately following their election and shall hold office for a term of one year of until their successors are selected and assume office.

ARTICLE IV: Duties of Officers

Section 1. Chairperson

The Chairperson shall be the executive officer of the Township Planning Commission and shall preside at its meetings and meetings of the Executive Committee. The Chair shall appoint with the consent of the Planning Commission all committees, or advisory committees or councils established by the Planning Commission. The Chair shall be an ex - officio member of all committees. The Chair shall have a vote upon all resolutions as a Planning Commission member or member of the Executive Committee.

Section 2. The Vice - Chairperson

- A. In the event the office of Chairperson shall become vacant by death, resignation or otherwise, the Vice - Chairperson shall become Chairperson, for the unexpired term of this office, or until a successor is elected.
- B. In the event of the absence of the Chairperson such duties shall, for the time being, be assumed by Vice - Chairperson.

Section 3. The Secretary

The Secretary shall attend all meetings of the Planning Commission and the Executive Committee and arrange for recording the minutes of such meetings. The Secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine.

ARTICLE V: Meetings

Section 1. Regular Meetings

Meetings of the Planning Commission shall be held on the third Wednesday of every other month at 7:30 p.m., in the Wells Township Hall. All meetings shall be held in accordance with the Open Meetings Act, P.A. 267 of 1976 (MCLA 15.261 et seq.). When the regular meeting day falls on a legal holiday, the Planning Commission shall select a suitable alternate day in the same month, in accordance with the Open Meetings Act.

Section 2. Special Meetings

Special meetings shall be called at the request of the Chairperson, or upon written request to the Secretary by any two members of the Planning Commission.

Section 3. Public

All regular and special meetings, hearings, records and accounts shall be open to the public in accordance with the Freedom of Information Act, P.A. 443 of 1976 (MCLA 15.231 et seq.).

Section 4. Quorum

A majority of the total number of appointed members (three) shall constitute a quorum for the transaction of business.

Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official until ratified and confirmed at a subsequent meeting (at which a quorum is present) by approval of a proper motion.

Section 5. Order of Business: Agenda

The Zoning Administrator shall arrange for preparation of an Agenda for each regular meeting and the Order of Business therein shall be as follows:

- 1) Call to Order
- 2) Roll Call
- 3) Approval of Minutes
- 4) Public Comment
- 5) Approval of Agenda
- 6) Public Hearings
- 7) Communications
- 8) Monthly Reports
- 9) Old Business
- 10) New Business
- 11) Announcements
- 12) Public Comment
- 13) Adjourn

Section 6. Motions

Motions shall be restated by the chair before a vote is taken. The name of the maker and supporter of a motion shall be recorded.

Section 7. Voting

Voting shall be by voice. Roll call votes will be recorded for all resolutions. A member of the Commission may request a roll call vote on any motion.

Section 8. Commission Action

Action may be taken by the Planning Commission on any matter on which a hearing has been concluded, and sufficient time has been given to discuss everything pertinent to any action.

Section 9. Cancellation of Meetings

When, due to adverse weather, lack of business or by reason of other emergency, there is little prospect of having a quorum present, the Chairperson, or in absentia the Vice - Chairperson, may cancel such scheduled meeting by telephone message to the membership and scheduled applicants before 4:00 p.m. on the day of the meeting.

ARTICLE VI: Fiscal

Section 1. Fiscal Year

The fiscal year of the Planning Commission shall be concurrent with the Township's Fiscal year.

Section 2. Budget Preparation

The Planning Commission shall work with the Township Board regarding preparation of an annual budget for the administration of zoning and general planning purposes.

ARTICLE VII: Reports

Section 1. The Wells Township Planning Commission may issue an annual report and such other reports as it deems desirable, of its progress and recommendations to the Township Board, and upon request of the Township Board, shall make such other reports as the Township Board may require.

ARTICLE VIII: Record Location

Section 1. All contracts, meetings minutes, ordinances, plans, and grant related materials shall be filed with the Township Clerk.

ARTICLE IX: Information

Section 1. The Township Planning Commission is authorized to make use of the expert advice and information which may be furnished by appropriate federal, state, county and municipal officials, departments and agencies having information, maps and data pertinent to township planning.

ARTICLE X: Action in the Name of Commission

Section 1. No member of the Commission shall have the power to bind the Commission nor act in its behalf, nor use its name, unless official sanction is granted by the Commission at a duly called regular or special meeting.

Section 2. All authorizations for the expenditure of funds or resolutions obligating the commission financially shall be approved and submitted by the Commission to the Wells Township Board.



Section 3. To avoid potential confusion or the appearance of favoritism or conflict of interest, the Wells Township Zoning Administrator shall be the single source of information regarding requests requiring a public hearing under the Township's Zoning Ordinance. Once the Commission has been informed that a petition has been submitted, members of the Commission shall not discuss requests with the petitioner or others, except at the designated public hearing.

ARTICLE XI: Matters to be Considered by the Planning Commission

Section 1. The following matter shall be presented for consideration at a meeting of the Planning Commission:

1. All preliminary plans and reports for the physical development of the township including the general location, character, and extent of roads, bridges, recreation, parks and open spaces; the general location and extent of public utilities and terminals.
2. All planning reports and plans before publication.
3. All Zoning actions required to properly administer the Wells Township Zoning Ordinance.
4. Planning department's budget requirements for the fiscal year and request for appropriations.
5. Petitions and staff proposals for changes in the zoning ordinance.
6. The removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any public way, grounds, open spaces, building, or properties.
7. The general character, extent, and layout of the replanning and redevelopment of obsolete and blighted areas.
8. Land subdivision and assessor's plats.
9. Capital improvements program for the township.
10. Selection of consultants and/or professional staff members; determination of basis for compensation.

11. Such other matters that shall be found advisable or essential to receive consideration by the Planning Commission.

ARTICLE XII: Matters to be acted upon by the Zoning Administrator on Behalf of the Planning Commission

- Section 1. The Zoning Administrator may be authorized by the Commission to act in the name of the Planning Commission, in accordance with such plans, policies, and procedures as are approved or established by the Planning Commission from time to time. Where there is serious conflict of interest, public controversy, or uncertainty or doubt as to the interpretation of such plans, policies, or procedures, the Planning Commission shall make the final determination.
- Section 2. The Zoning Administrator shall review the site plans submitted to the Planning Commission in accordance with provisions of the zoning ordinance.

ARTICLE XIII: Planning Commission Staff

Section 1. Authorization

Planning and Zoning Department staff may consist of a Zoning Administrator and such other personnel as may be authorized by the legislative body.

Section 2. General Responsibility

Planning and Zoning Department staff has the duty to prepare and administrate for the township and its environs all actions that are within the scope of the Michigan State Planning enabling act(s).

Section 3. Zoning Administrators Duties

The Zoning Administrator shall be responsible for the professional and administrative work in directing and coordinating the program of the Planning Commission. The administrator's work shall be carried on with the widest degree of professional responsibility, subject to the policy determinations and administrative policies of the Township Board.

Section 4. **Administrative Duties**

**The Zoning Administrator shall:**

- A) Supervise and review the work of the professional, technical, and nontechnical employees of the Planning and Zoning Department.
- B) Prepare a proposed annual budget for the planning department to submit to the Planning Commission.

Section 5. **Policy Formulation**

**The Zoning Administrator shall:**

- A) Be responsible for carrying out directives of the legislative body.
- B) Advise and assist the Planning Commission in the establishment of general planning policy.

Section 6. **Effectuation of Plans**

The Zoning Administrator shall recommend to the Planning Commission whatever action is necessary to effectuate plans with respect to both public and private endeavors.

Section 7. **Public Relations**

**The Zoning Administrator Shall:**

- A) Officially represent the Planning Commission and its staff at planning conferences, interdepartmental meetings of the township government, and serve generally as a liaison between the Planning Commission and the Public.
- B) Encourage private development or investment in accord with comprehensive plans.
- C) Cooperate with public and private agencies and with individuals for the development, acceptance, and effectuation of plans.
- D) Supply information for and encourage interested public agencies and citizen organizations in programs to promote public understanding and approval of planning.
- E) Accept other responsibilities as may be requested by the Township Board.

ARTICLE XIV: Amendments

Section 1. These rules may be amended at any regular or special meeting by a two - thirds vote of the members present. Any proposed amendment to the Bylaws shall be submitted to the membership prior to any such meeting along with the agenda.

ADOPTED THIS DATE \_\_\_\_\_ .

SIGNATURE OF CHAIRPERSON \_\_\_\_\_ .

ATTESTED \_\_\_\_\_ .  
Secretary

APPROVED BY WELLS TOWNSHIP BOARD  
DATE \_\_\_\_\_ .

FILED WITH TOWNSHIP CLERK \_\_\_\_\_ .  
Patti Manninen, Clerk