

**PITTSFIELD CHARTER TOWNSHIP
PLANNING COMMISSION
STATEMENT OF BYLAWS**

ARTICLE I - PREAMBLE

SECTION 1.1 - Basis:

Pursuant to the **MICHIGAN PLANNING ENABLING ACT** of Public Act 168 of 1959, as amended, the Pittsfield Charter Township Board of Trustees created the Pittsfield Charter Township Planning Commission by resolution, with the power to make, adopt, extend, add to, or otherwise amend and to carry out plans for Pittsfield Charter Township.

SECTION 1.2 - Title:

The official title of this Commission shall be the Pittsfield Charter Township Planning Commission.

ARTICLE II - AREA

SECTION 2.1 - Area:

The area served by the Pittsfield Charter Township Planning Commission shall include all lands within the boundaries of Pittsfield Charter Township.

ARTICLE III - PURPOSES

SECTION 3.1 - Purposes:

The purposes of the Commission shall be:

- A. To review, revise and approve plans and programs for the development of Pittsfield Charter Township.
- B. To regulate the development of the economic, social, physical, natural and cultural resources of Pittsfield Charter Township.
- C. To promote public health, safety and general welfare of the people residing in Pittsfield Charter Township.
- D. To prepare plans pursuant to Act 33 of the Public Acts of 2008, as amended, for the purpose of guiding the physical development of Pittsfield Charter Township.
- E. To further cooperation between governmental units and between private agencies towards these ends.

ARTICLE IV - MEMBERSHIP

SECTION 4.1 - Number:

The Pittsfield Charter Township Planning Commission shall be composed of seven (7) members, who shall be qualified electors in Pittsfield Township. One member of the Township Board of Trustees shall be a member of the Planning Commission.

SECTION 4.2 - Appointment:

All members of the Planning Commission shall be appointed by the Township Supervisor with the approval of the Township Board of Trustees. Members may be removed by the Township Supervisor after a hearing and with the approval of the Township Board of Trustees.

SECTION 4.3 - Term:

The term of each member shall be for three (3) years.

SECTION 4.4 - Succession:

Each member shall serve until his/her-term expires, he/she resigns, or he/she is unable to serve, and until reappointed or until a successor is appointed in accordance with the Michigan Planning Enabling Act and Section 4.2 of these Bylaws.

ARTICLE V - OFFICERS

SECTION 5.1 - Office:

The Planning Commission shall elect a Chairperson, Vice-Chairperson and Secretary from its members.

SECTION 5.2 - Term:

The term of all officers shall be one (1) year, and each officer shall serve until re-elected or until a successor is elected.

SECTION 5.3 - Election:

The Chairperson, Vice-Chairperson and Secretary shall be elected at the first meeting in January of each year by a majority vote of the membership of the Commission present at the time of election.

ARTICLE VI - DUTIES OF OFFICERS

SECTION 6.1 - Chairperson:

The Chairperson shall be the chief executive officer of the Commission and shall preside at all meetings of the Commission. The Chairperson shall appoint all committees or advisory committees established and provided by the Commission and shall be an ex-officio member of all committees. The Chairperson shall have a vote on all Commission actions. The Chairperson is empowered to authenticate any documents approved by the Commission.

SECTION 6.2 - Vice-Chairperson:

In the event that the office of Chairperson becomes vacant by death, resignation or otherwise, the Vice-Chairperson shall serve as Chairperson until a new Chairperson is elected.

In the event of the absence of the Chairperson, or his/her-inability to discharge the duties of this office, such duties shall, for the time being, be fulfilled by the Vice-Chairperson.

SECTION 6.3 - Secretary:

The Secretary shall perform the usual duties of this office and such other duties as the Commission may direct. The Secretary shall be responsible for supervising all correspondence, notices and minutes pertaining to meetings and official acts of the Commission.

ARTICLE VII - DUTIES OF COMMISSIONERS

SECTION 7.1 – Commissioner Duties

Based on the principle that commissioners must act with honesty, diligence, and prudence, these duties include: (1) Avoidance of conflict of interest: commissioners must declare their interest in any decision in which the township is involved, and follow the instructions of the board of commissioners in this regard. (2) Care and skill: commissioners must exercise caution and competence in all situations as reasonable persons would under the circumstances. (3) Confidentiality: commissioners must not make improper use of the privileged information obtained as a commission member. (4) Fairness: commissioners must deal with other commissioners and public without bias or favor. (5) Honor: commissioners must not engage in any conduct that may bring disrepute to the township and/or other commissioners. (6) Independence: commissioners must not compromise on the right to exercise an independent judgment but, at the same time, must restrict their independence in

good faith to favor a collective decision that will benefit the township. (7) Loyalty: commissioners must act in good faith in the best interest of the township and whole heartedly assist the Chair of the commission in achieving the township's success.

SECTION 7.2 – Commissioner Behavior and Ethics

A Commission member, when speaking to individuals, groups or organizations, shall indicate representation of the Commission. When speaking for personal purposes, the Commission member shall indicate that the stated opinions and beliefs are not necessarily the opinions and beliefs of the Commission as a whole.

Commission members shall conduct themselves at Commission meetings in a fair, courteous manner.

Commission members are encouraged to call the Planning Department and Commission Chair prior to any meeting at which they expect to be absent or tardy. The Planning Department shall keep attendance records and report to the Chair if an attendance problem appears to have developed.

Commission members shall not accept gifts or other favors from applicants, their representatives, or other persons and institutions concerned with matters which have been, are now, or which might come before the Commission.

VIII MEETINGS

SECTION 8.1 - Hearings and Items from the Floor

Public Hearings conducted by the Planning Commission shall be run in an orderly and timely fashion, in accordance with the Open Meetings Act, Public Act 267 of 1976, as amended. This shall be accomplished in the following manner:

Each person wishing to be heard during “Items from the Floor” or a “Public Hearing”, will be given an opportunity to speak. Individuals will be limited to three (3) minutes each and persons representing a group or organization will be allowed five (5) minutes each. Each person may speak one (1) time. The Chairperson, or the Commission by the request of two (2) Commissioners, may, allow additional time or allow additional comments from persons previously heard.

During Public Hearings, subject matter shall be limited to the topic under consideration. Commission response to the public's remarks shall be confined to clarification of the presented facts.

SECTION 8.2 - Regular Meetings:

Regular meetings of the Planning Commission shall be held the first Thursday of the month, except January, July and December, unless the Planning Commission decides on an alternative date. For January, July and December, the Planning Commission shall decide an alternative date. The Planning Commission shall adopt by motion, a meeting schedule no later than the December meeting for the upcoming calendar year. The meeting schedule may allow for more than one (1) regular meeting per month.

The regular meeting schedule must be posted within ten (10) days of the first meeting in the calendar year and it must contain the date(s), time(s) and place(s) of the Commission's regular meetings. The Commission may by motion change the regular meeting schedule with an affirmative vote of five (5) members. Any change of the regular meeting schedule shall be posted within three (3) days after the meeting in which the change is made and it must contain the date(s), time(s) and place(s) of the Commission's regular meetings.

No agenda item will be taken up by the Planning Commission after 10:30 p.m., except by the consent of five (5) Commission members present.

SECTION 8.3 - Special Meetings:

Special meetings may be held as needed, if called by four (4) members upon written request to the Planning Department, who shall notify all members at least forty-eight (48) hours in advance. The date, time and place of the meeting shall be posted a minimum of eighteen (18) hours before the meeting.

SECTION 8.4 – Work Sessions:

Work Sessions may be scheduled at any time, if called by four (4) members of the Commission upon written request to the Planning Department, who shall notify all members at least forty-eight (48) hours in advance. No approvals or recommendations shall be made and no public hearings shall be held at a Work Session.

SECTION 8.5 - Order of Business:

The order of business for regular meetings shall be:

- A. Call to Order.
- B. Determination of Quorum.
- C. Pledge of Allegiance.
- D. Approval of Agenda.
- E. Items from the Floor.
- F. Special Order of Business (if required).
- G. Public Hearings.
- H. Old Business.
- I. New Business.
- J. Planner's Report.
- K. Chairperson's Report.
- L. Commissioner's Report.
- M. Approval of Prior Minutes.
- N. Adjournment.

The order of business for work session shall be:

- A. Call to Order.
- B. Roll Call.
- C. Pledge of Allegiance.
- D. Approval of Agenda.
- E. Items from the Floor.
- F. Work Session Items for Discussion.
- G. Planner's Report.
- H. Chairperson's Report.
- I. Commissioner's Report.
- J. Adjournment.

The order of business for special meetings shall be:

- A. Call to Order.
- B. Determination of Quorum.
- C. Pledge of Allegiance.
- D. Approval of Agenda.
- E. Items from the Floor.
- F. Special Business.
- G. Planner's Report.
- H. Chairperson's Report.
- I. Commissioner's Report.
- J. Adjournment.

SECTION 8.6 - Rules of Order:

All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure, as governed by “Roberts Rules of Order”.

SECTION 8.7 - Advice of Decision:

A written notice containing the decision of the Planning Commission will be sent to the petitioner(s) and/or the originator of the request.

ARTICLE IX- QUORUM & VOTING

SECTION 9.1 - Quorum:

In order for the Commission to conduct business or take any official action, a quorum consisting of four (4) members of the Commission shall be present. When a quorum is not present, no official action, except for the closing of the meeting, may take place. The members of the Commission may discuss matters of interest, but can take no action until the next Regular meeting or Special meeting. All public hearings scheduled for a meeting for which a quorum is not present shall be rescheduled for the next Regular meeting. Public notice shall conform to the Open Meetings Act.

SECTION 9.2 - Voting:

An affirmative vote of the majority of the members present shall be required for the approval of any requested action or motion placed before the Commission. Voting shall ordinarily be by voice vote, provided that a roll call vote shall be required if requested by any Commission member or directed by the Chairperson. Ordinance amendments, conditional use permits, controlled use permits and recommendations to the Township Board of Trustees shall require a roll call vote. All members of the Commission, including the Chairperson, shall vote on all matters. A member may be excused from voting only if that member has a bona fide conflict of interest, as recognized by the majority of the remaining members of the Commission. Any member abstaining from a vote shall not participate in discussion of that item.

SECTION 9.3 – Conflict of Interest:

A conflict of interest is a situation in which financial or other personal considerations have the potential to compromise or bias professional judgment and objectivity. An apparent conflict of interest is one in which a reasonable person would think that the commissioner's judgment is likely to be compromised. A potential conflict of interest involves a situation that may develop into an actual conflict of interest. It is important to note that a conflict of interest exists whether or not decisions are affected by a personal interest; a conflict of interest implies only the potential for bias, not a likelihood.

On all matters in which a Commission member has a direct financial interest and/or on matters involving property owned either in part or in total by a member, that member shall abstain from discussion and voting on the matter. Members abstaining shall disclose, except where it violates a confidence, the general nature of the conflict, and the minutes shall so record the conflict and abstention.

On other matters which could involve a conflict of interest, members shall disclose all pertinent facts relating to the potential conflict, except where it violates a confidence, which facts shall be included in the minutes of the proceedings. The member may then abstain from discussion and voting on the matter.

If a question is raised under this section at any Commission meeting concerning the eligibility of a member of the Commission to vote on any matter, such questions shall be finally determined by the concurring vote of at least four members of the Commission, not including the member with the potential conflict.

ARTICLE X - ADVISORY COMMITTEES

SECTION 10.1 - Appointment:

The Commission may authorize and appoint advisory committees whose members may consist of government officials and individuals whose experience, training and interest in the Commission's work qualifies them to provide valuable assistance and expertise to the Commission. The Commission may also appoint various committees of competent citizens to collect information and prepare reports to the Commission on the various phases of the comprehensive planning program for which the Commission is primarily responsible. In accordance with Public Act 33 of 2008, the Commission may also appoint advisory committees whose members are not members of the Planning Commission.

ARTICLE XI - ANNUAL REPORT

SECTION 11.1 - Annual Report:

The Commission shall present an annual report of its prior year activities to the Pittsfield Township Board of Trustees at the first Board of Trustees meeting of March.

ARTICLE XII - FISCAL YEAR

SECTION 12.1 - Fiscal year:

The fiscal year of the Commission shall be the same as the fiscal year of the Pittsfield Township Board of Trustees.

ARTICLE XIII - COMPENSATION

SECTION 13.1 - Compensation:

Members of the Planning Commission shall be compensated for their services as provided by the Township Board of Trustees.

ARTICLE XIV - AMENDMENTS

SECTION 14.1 - Amendments to Bylaws:

These procedures, once adopted, may be altered, amended, added to or repealed, in whole or in part, by an affirmative vote of five (5) members of the Commission at any regular or special meeting, provided that notice of proposed alterations, amendment or repeal shall be submitted to all members of the Commission at least fifteen (15) days before the regular or special meeting of the Commission at which they are to be considered.

ARTICLE XV - RESOLUTION AND EFFECTIVE DATE SECTION

15.1 - Resolution and Effective Date:

WHEREAS, the members of the Pittsfield Charter Township Planning Commission have assembled at one (1) regular meeting on February 19, 2009, to consider, prepare and amend a Statement of Bylaws for rules and order of the Commission;

THEREFORE, be it resolved that the members of the Pittsfield Township Planning Commission assembled in a meeting February 19, 2009, pursuant to Section 19 of Act 33 of the Public Acts of 2008, as amended, hereby adopt and establish immediate effect of this Statement of Bylaws.

SECTION 15.2 - Record:

These Bylaws and Rules of Procedure are adopted this 19th Day of February 2009, Pittsfield Charter Township, Washtenaw County, Michigan.