

CHARTER TOWNSHIP OF JAMESTOWN

COUNTY OF OTTAWA, MICHIGAN

At a regular meeting of the Township Board of the Charter Township of Jamestown, held at the Township Hall, on the 30th day of June, 2011, at 5:00 p.m.

PRESENT: Brouwer, Miedema, Shaarda and Tacoma

ABSENT: Jensen, Pruis, Boverhof

The following Ordinance was offered by Tacoma and supported by Shaarda.

ORDINANCE NO. 11-001

**AN ORDINANCE TO CONFIRM ESTABLISHMENT OF THE
TOWNSHIP PLANNING COMMISSION**

THE CHARTER TOWNSHIP OF JAMESTOWN ORDAINS:

Section 1. Scope, Purpose and Intent. This Ordinance is adopted pursuant to the authority granted to the Township Board under the Michigan Planning Enabling Act and Michigan Zoning Enabling Act to establish a Planning Commission with the powers, duties, and limitations provided by those Act and subject to the terms and conditions of this Ordinance and any future amendments to this Ordinance.

The purpose of this Ordinance is to confirm the establishment under the Michigan Planning Enabling Act of the Jamestown Charter Township Planning Commission, which was previously established by the Township Board; to identify the officers and the minimum number of meetings per year of the Planning Commission; and to prescribe the authority, powers and duties of the Planning Commission.

Section 2. Establishment, General Provisions.

(1) Short Title. This chapter shall be known and may be cited as the Charter Township of Jamestown Planning Commission Ordinance.

(2) Statutory Authority. This Ordinance is authorized adopted under authority of the Michigan Planning Enabling Act and the Michigan Zoning Enabling Act.

(3) Continuation of Planning Commission. The existence and status of the Jamestown Charter Township Planning Commission is hereby continued for all lawful purposes and effects and without limitation as to duration.

(4) Repeal. Any prior resolution establishing the Township Planning Commission is repealed.

(5) Definitions. Any words not otherwise defined in this Ordinance are defined as stated in Michigan Planning Enabling Act, as amended. If such words have not been defined, they are to be understood by their ordinary meaning.

(1) Transition. All actions taken by the Township Planning Commission preceding the adoption of this Ordinance are approved, ratified and confirmed. Any Planning Commission actions in process at the effective date of this Ordinance shall continue, but shall be subject to the terms hereof.

Section 3. Membership and Officers.

(1) Composition. The Planning Commission shall consist of seven (7) members.

(2) Appointment. The Township Supervisor shall appoint each Planning Commission member, subject to the approval of the Township Board, by majority vote of the Board members elected and serving.

(a) Qualifications for Members. The members of the Planning Commission shall be qualified electors of the Township, except that one of such members need not be so qualified. To be and remain qualified as a member, an elector need not be registered to vote, but shall reside and be eligible to register to vote in the Township. Appointment of one non-qualified elector to the Planning Commission is discretionary only.

(b) Representation. To the extent practicable, the membership of the Planning Commission shall be generally representative of the diverse interests and areas in the Township.

(c) Township Board Member. One member of the Planning Commission shall be a member of the Township Board. The term of a Township Board member on the Planning Commission shall be the same as that member's Township Board term. The Township Board member may not serve as chairperson or vice-chairperson of the Planning Commission, but shall otherwise have full voting rights.

(d) Township Employees. Township employees shall not be eligible for membership on the Planning Commission.

(3) Officers. At the first meeting of each year, the Planning Commission shall select a chairperson and secretary from among its members, who shall each serve for a term of one year; and who may be re-elected without restriction. The Planning Commission may elect a vice-chairperson and such other additional officers as the members may determine, for a term of office of one year, subject to re- election without restrictions.

(4) Term of Office. Planning Commission members in office at the time of the adoption of this Ordinance shall continue in office until the expiration of their respective terms. Succeeding members shall be appointed for three-year terms. A member's term

commences on the date of appointment and terminates three years from the date of appointment, except that a member shall continue to serve until his or her successor is appointed.

(5) Vacancies. The Township Board shall fill vacancies in the membership of the Commission in the same manner as provided for the initial appointments. A person appointed to fill a vacancy shall serve for the remainder of the unexpired term, and may be re-appointed to a full term.

(6) Removal. The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance or nonfeasance, after providing written notice to the member and an opportunity for a public hearing.

(7) Compensation. Planning Commissioners may receive such compensation and expense reimbursement as the Township Board may determine.

(8) Zoning Board of Appeals. One member of the Planning Commission shall serve as a member of the Zoning Board of Appeals.

Section 4. Powers and Duties.

(1) In General. Unless otherwise reserved in this Ordinance, the Planning Commission has all the powers and duties provided by Michigan Public Act 33 of 2008, as amended, Michigan Public Act 110 of 2006, as amended, and applicable Township ordinances.

(2) Duties and Responsibilities. The Planning Commission shall perform the following duties and responsibilities, among others:

(a) Bylaws and Other Matters. The Planning Commission shall adopt bylaws for the transaction of its business and shall keep a public record of its resolutions, findings, determinations and other official actions. Bylaws previously adopted by the Planning Commission shall continue in full force and effect, notwithstanding the adoption of this Ordinance, unless or until amended by the Planning Commission. The bylaws shall provide that

members shall not participate in matters as to which they have a conflict of interest. Public records shall be available to the public as provided by the Freedom of Information Act, Public Act 442 of 1976, as amended. The Planning Commission shall present a written annual report to the Township Board.

(b) Master Plan. To guide the development of the Township, the Planning Commission shall prepare a Master Plan in accordance with applicable provisions of Michigan Planning Enabling Act, as amended.

(c) Zoning Ordinance. The Planning Commission shall administer the Township zoning ordinance and take such other actions with respect to zoning and land use planning as are authorized by the terms of the zoning ordinance, other applicable Township ordinances and state law.

(3) Capital Improvement Program. The Township Board retains the responsibility of adopting a capital improvements program for the Township.

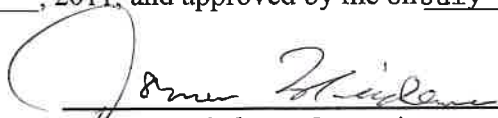
Section 5. Meetings. The Planning Commission may hold meetings as frequently as it determines, subject to Township Board oversight, but may not have fewer than four regularly scheduled meetings each year. The time and place of regular meetings shall be determined by resolution adopted in accordance with the Open Meetings Act, Michigan Public Act 267 of 1976, as amended. Meetings shall be held in accordance with the Open Meetings Act.

Section 6. Publication Effective Date. This Ordinance shall become effective sixty-three (63) days after publication of a summary of its provisions in a local newspaper of general circulation in the Township.

AYES: Tacoma, Brouwer, Shaarda, shaarda

NAYS: -0-

Passed and adopted by the Township Board of the Charter Township of Jamestown,
County of Ottawa, Michigan, on June 30, 2011, and approved by me on July 12, 2011.



James L. Miedema, Supervisor
Charter Township of Jamestown

Attest:


Ruth Prius, Township Clerk

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Jamestown, County of Ottawa, State of Michigan, at a ~~regular~~ ^{special} meeting held on June 30, 2011, and that the public notice of said meeting was given pursuant to the Open Meetings Act, being Act No. 267 of Public Acts of Michigan of 1976, as amended including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.



Ruth Prius
Township Clerk

CERTIFICATE OF PUBLICATION

I, Ruth Prius, Township Clerk of the Charter Township of Jamestown, County of Ottawa, State of Michigan, hereby certify pursuant to MCL 42.22 that Township Ordinance No. 11-001 or a summary thereof was published in the ADVANCE on July 12 2011.



Ruth Prius
Township Clerk