

BY-LAWS
MARQUETTE CHARTER TOWNSHIP PLANNING
COMMISSION

SECTION 1

Name and Area

- A. The Marquette Charter Township Planning Commission, hereafter referred to as the "Planning Commission", or "Commission".
- B. The area served by the Commission shall be the entirety of Marquette Charter Township, hereafter referred to as the "Township".

SECTION 2

Authority, Mission Statement, and Functions

- A. The Commission, shall exercise the authority granted to it by the Charter Township of Marquette Board, hereafter referred to as the "Board", and as set forth in the Michigan Planning Enabling Act, Act 33 of 2008, and the Michigan Zoning Enabling Act, Act 110 of 2006, as amended.
- B. The Commission will act as the principal planning, policy, and program development body which provides recommendations to the Board on short and long-term issues affecting the economic, social, and physical development of the Township. Activities of the Commission will include those duties and responsibilities set forth in the Michigan Planning Enabling Act, Act 33 of 2008, and the Michigan Zoning Enabling Act, Act 110 of 2006, as amended.
- C. The following matters shall be presented for review or adoption at a meeting of the Commission:
 - 1. The Township Master Plan.
 - 2. Sand and gravel extraction permits.
 - 3. All planning reports and plans, before publication.
 - 4. Other such matters as directed by the Board, or Township Zoning Ordinance.
- D. The following matters shall be presented for recommendation to the Board at a meeting of the Commission:
 - 1. Amendments and revisions to the Township Zoning Ordinance.
 - 2. Land subdivisions.

3. Township Capital Improvement Program.
 4. Selection of consultants for Commission projects.
 5. Other such matters as directed by the Board.
- E. The following matters shall be presented for review by the Commission:
1. Preliminary plans and reports for the physical development of the Township.
 2. Township Zoning Compliance Reports.
 3. Reports on meetings of the Marquette City Planning Commission, the Marquette County Planning Commission, Marquette Charter Township Board, Marquette Charter Township DDA, Marquette Charter Township Road and Recreation Committees, and other bodies of interest to the Commission.
 4. Such other matters as the Board shall find advisable or essential to be reviewed by the Commission.

SECTION 3

Membership

- A. The membership of the Commission shall consist of five members for staggered terms of three (3) years and shall be appointed by the Marquette Charter Township Supervisor with the approval of the Board. Term limits do not apply to the position of Commissioner or the related Commission officers. Provided, however, that the term of any Commissioner who is also a member of the Township Board shall expire when his or her term on the Township Board terminates.

SECTION 4

Commissioner's Code of Conduct

- A. A Planning Commissioner will:
1. Accept responsibility to represent the Commission, to which they are appointed, with dignity and pride by being a positive role model.
 2. Conduct themselves in a businesslike manner, respecting the rights and opinions of other Commission members and of the public. Abusive, insulting, profane, or excessively argumentative language or conduct should not be tolerated.
 3. Abstain from, and not tolerate, physical or verbal abuse.
 4. Accept responsibility to promote and support Commission development of an effective planning and zoning program.

5. Attend Commission meetings on a regular basis and provide prior notification of any necessary absences.
6. Read the Zoning Ordinance, rules of procedure, by-laws, and other pertinent documents which pertain to the business of the Commission and continue to gain knowledge and understanding through self-study, inquiries, and attending appropriate training.
7. Attend training programs necessary to remain current on issues of concern for the community and in planning and zoning law.
8. Respect, adhere to, and help enforce the rules, policies, and guidelines established by the Commission.
9. Read meeting packet materials ahead of time and otherwise be prepared for the meetings.
10. Refrain from deciding cases before the meeting discussion.
11. Participate in deliberation at the meetings when appropriate
12. Not engage in criminal and/or other activities including but not limited to situations of conflict of interest, incompatible office, ex parte contact, or accepting gifts as a form of influencing your vote.
13. Recognize the lack of authority vested in individual Commissioners and the inability of any Commissioner to speak for the Commission when interacting with the public, media, or any other entities.
14. Represent the adopted majority position of the Commission when speaking on behalf of the Commission in public forums, after a vote by the Commission has been taken.
15. Help their community follow the Community Planning Principles established by the Michigan Association of Planning (MAP), the Michigan Chapter of the American Planning Association. Copies will be provided upon Commissioners request.

SECTION 5

Officers

- A. At the first regular meeting in January of each year, the Commission shall elect from its membership a Chairperson, Vice-Chairperson, and Secretary.
- B. Duties of the Chairperson. The Chairperson shall preside at all meetings, appoint committees, call special meetings, sign documents of the Commission, see that all actions of the Commission are properly taken, and perform such duties as may be ordered by the Commission.
- C. Duties of the Vice-Chairperson. The Vice-Chairperson shall act in the capacity of Chairperson in the absence of the Chairperson and in the event the office of the Chairperson becomes vacant, the Vice-Chairperson shall succeed to the office of

Chairperson for the unexpired term and the Commission shall elect a successor to the office of Vice-Chairperson for the unexpired term at the next regular meeting.

- D. Duties of the Secretary. The Secretary or their designee shall be responsible for the minutes of each meeting. All communications, petitions, and reports shall be addressed to the Commission and delivered or mailed to the Secretary. The Secretary or their designee shall inform the Commission of all correspondence. The Secretary shall execute documents in the name of the Commission, be a custodian of the Commission's records, and perform such duties as directed by the Commission.

SECTION 6

Meetings

- A. Regular meetings shall be held twice per month. Dependent upon the urgency and/or content of the Commission's agenda, a meeting may be cancelled at the discretion of the Chairman. The day, time, and meeting place for the monthly meetings for the upcoming year will be determined at a regular meeting in November or December.
- B. Special meetings shall be called at the request of the Chairperson, or at the request of any two (2) members of the Planning Commission. Notice of the special meeting shall be given by the Secretary, or their designee, in writing, to the members of the Commission at least eighteen (18) hours prior to such meeting and shall state the purpose and time of the meeting.
- C. The regular meeting in February of each year shall be the annual meeting. An annual report prepared by the Township Planner shall be approved by the Commission at this meeting, a copy of which shall be made public and a copy forwarded to the Board.
- D. Three (3) members of the Commission shall constitute a quorum for the transaction of business and the taking of official action for all matters except the adoption of a Master Plan, or any part of a Master Plan.

The affirmative vote of a majority of the total number of members shall be necessary for the adoption of a Master Plan, or any part of a Master Plan.

Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or continue the meeting, for the purpose of considering such matters as are on the agenda. No action taken, at a meeting where a quorum is not present, shall be final or official unless ratified or confirmed at a subsequent meeting at which a quorum is present.

E. Order of Business; the following procedure will normally be observed, however, individual items may be rearranged by the Chairperson or the Township Planner, if necessary, for the expeditious conduct of business:

1. Meeting Called to Order by Chairperson.
2. Roll Call.
3. Approval of the Agenda.
4. Approval of Previous Meeting Minutes.
5. Privileged Comment 6. Public Comment.
7. Unfinished Business.
8. New Business.
9. Correspondence.
10. Reports.
11. Announcements.
12. Public Comments.
13. Additional Comments by Planning Commissioners.
14. Adjournment.

No new agenda items will be discussed two hours after the start of the meeting, other than adjournment.

F. Motions shall be restated by the Secretary or Recording Secretary before a vote is taken. The name of the motion maker and supporter shall be recorded. Voting shall be by voice and shall be recorded by yeas and nays. Roll call votes will be recorded only upon request by a member of the Commission. The Chairperson shall vote last.

G. Action by the Commission on any application or on any matter on which a hearing is held shall not be taken until the hearing has been concluded. After being informed that such a petition has been submitted, members of the Commission shall not discuss such request with the petitioner or others, except at the designated review or public hearing. 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.

H. Members of the Commission who feel that they have a conflict of interest on any matter that is on the Commission agenda shall voluntarily excuse themselves, leave the room, and refrain from discussion and voting on said items as Commissioners.

I. Parliamentary procedure in Commission meetings shall be guided by Roberts Rules of Order in all cases not otherwise provided for in these By-Laws. If any requirement of these By-Laws conflict with a specific law, statute or Township ordinance, that law, statute or ordinance supersedes these By-Laws.

SECTION 7

Committees

The Chairperson, upon concurrence of the Commission, shall appoint various standing committees and task force committees when the occasion arises.

SECTION 8

Hearings (*see footnotes)

- A. Before adoption of any part of the Master Plan, amendments to the Master Plan, or recommendation of approval of an amendment to a Zoning Ordinance is presented to the Board, the Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given pursuant to the requirements as outlined in the applicable enabling legislation.
- B. If the Charter Township of Marquette Zoning Ordinance or other Township Ordinance does not specifically require a public hearing for certain types of reviews, a public hearing may still be held at the discretion of the Planning Commission to provide opportunity for input from interested parties, such as for obtaining public opinion or discussion of a particular problem. Public notices shall be in accordance with any applicable ordinance or statute, however, when the ordinance or statute has no provision for when notices must be given, the notification shall be a minimum of fifteen (15) days prior to the hearing date.
- C. Upon request, a written notice containing the decision of the Commission will be sent to petitioners and originators of a request for the Commission to study a special problem.

SECTION 9

Member's Absence

- A. Whenever a member of the Commission fails to attend meetings for three (3) consecutive months and the absences are unexcused by the Commissioners, it shall be the mandatory duty of the Secretary to submit to the members a written memorandum of the attendance record of such member. After a Commissioner has three consecutive months of continuous unexcused absences or six consecutive months of continuous absences in which any number of the absences are excused or unexcused absences the Commission shall send a recommendation concerning the retention or termination of the

Commissioner's appointment to the Board. Such recommendation shall be based only upon the reason or lack thereof for the absenteeism.

- B. Each member of the Commission who has knowledge of the fact that they will not attend a scheduled meeting of the Commission shall notify the Chairman and/or the Township Planning Staff at the earliest possible opportunity and, in any event, 2 hours prior to the scheduled meeting. Failure to do so will cause that absence to be unexcused unless in the opinion of the Chairman a greater consideration exists.

SECTION 10

Amendments

These By-Laws may be amended at any regular or special meeting on passage by a quorum of the members providing the following procedures have been met.

- A. A proposed amendment to the By-Laws shall be introduced by the Planning Commission Secretary and be presented in writing to the Commission at the regular meeting prior to a regular meeting of which the proposed amendment is to be reviewed for adoption.
- B. The Secretary shall give at least 48 hours written notice to each member of the Commission prior to the meeting of which the proposed amendment is to be first introduced.

SECTION 11

Review

- A. These By-Laws will be handed out to each new Commissioner upon appointment.
- B. The By-Laws will be reviewed every five (5) years starting with year 2000 and every five (5) years thereafter. Any proposed amendments deemed appropriate will follow the procedures set forth in Section 10.

footnote Adopted: October 11, 1995.

footnote Amended: July 8, 1998.

footnote Amended: February 9, 2000.

footnote Amended: May 22, 2002.

footnote Amended: December 10, 2003.

footnote Amended: March 10, 2004.
footnote Amended: August 24, 2005.
footnote Amended: October 13, 2010.
footnote Amended: March 14, 2018.
footnote Amended: July 22, 2020.

These By-Laws shall take effect immediately on passage by a quorum of the membership.

David Wiegand, Secretary