

CROSS VILLAGE PLANNING COMMISSION ORDINANCE
OF July 2, 2024

WHEREAS, The Cross Village Township Board of Trustees did adopt the Cross Village Township Planning Commission Ordinance of July 2, 2024.

NOW THEREFORE, THE CROSS VILLAGE TOWNSHIP ORDAINS THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

CROSS VILLAGE TOWNSHIP PLANNING COMMISSION ORDINANCE
Of July 2, 2024

AN ORDINANCE to create a Planning Commission for Cross Village Township Board of Trustees 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 guidance for Cross Village Township, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development as set out by the County; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the County where Cross Village Township exists.

THE CROSS VILLAGE BOARD OF TRUSTEES (See MCL 125.3803(3)(e)) ORDAINS:

Section 1. Creation:

There shall be a Cross Village 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 "Cross Village Planning Commission Ordinance."

Section 2. Membership:

- A. The Planning Commission shall consist of nine (9) members appointed by the Township Supervisor and approved by the Cross Village Board of Trustees. To be qualified to be a member and remain a member of the Planning Commission, the individual shall meet the following qualifications; see ART II, Sec. 11 (4)(c):
1. shall be a qualified elector of Cross Village Township, except that two Ex officio members may be a qualified elector in another local unit of government;
 2. shall not be an officer (including Clerk, Treasurer, Supervisor, and Trustee) or employee of the township;
 3. shall meet the conditions provided for each individual member in Sections 2.B. and 2.C of this Ordinance, except the geographical location of the individual's residency may be considered optional.
- B. Members shall be appointed for three-year terms. However, when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of $\frac{1}{3}$ of all Planning Commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of $\frac{1}{3}$ of all Planning Commission members continue to expire each year.
- C. Membership shall be determined as follows:

1. Ex officio members may include up to two (2) members of the Planning Commission. The terms of office of ex officio members shall coincide with their terms of office on the legislative body. Such members shall not hold the position of chair. Ex Officio members are defined in 3803 (3)(d) and 3811 (c)(5).
2. Every reasonable effort shall be made to insure that diverse geographic areas of the township are represented. These areas are generally identified by similar characteristics and population base, as the northern region, mid-region, southern-region, and coastal region.
3. Every reasonable effort shall be made to ensure that diverse interests of the Township are represented. These include agriculture, natural resources, governmental/municipal, economic/business, engineering/architectural, tourism, and social/recreation interests.

Section 3. Liaisons:

The Planning Commission, in its bylaws, may name "liaisons" to the Planning Commission. The purpose of liaisons shall be to provide certain township officials the ability to participate in discussions with the Planning Commission in addition to speaking at its meetings. At a minimum, liaisons shall include:

1. Emmet County Planning Department staff, and their agents and consultants.
2. Michigan State University extension, and Coastal water authorities.

Section 4. Training:

Appointed members of the Planning Commission are encouraged to attend educational programs designed for Michigan planning commissions. Training by Michigan State University Extension will be provided to the commission at a regular meeting.

Section 5. Members, Appointment and Terms:

- A. In September of each year the Cross Village Township Clerk shall determine which members' terms of office expire, and shall determine those members' eligibility and desire to continue to serve.
- B. If a vacancy is expected, then in November of each year, the Clerk shall place an advertisement(s) in a newspaper with general circulation in Cross Village Township to seek applications or nominations.
- C. In January of each year the Cross Village Township Board of Trustees shall consider the applications and nominations received and appoint members to the Planning Commission by a majority vote for a three year term of office which shall end December 31, at 11:59 PM of the respective year.

Section 6. Removal from Office:

- A. The Township Board may remove a member of the Planning 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 Planning Commission meetings shall be considered nonfeasance in office.
- B. The secretary of the Planning Commission shall report any member who has missed three consecutive regular meetings to the Township Board of Trustees.

Section 7. Membership; Vacancies:

The Board shall fill any vacancy in the membership of the Planning Commission for the unexpired term in the same manner as the initial appointment.

Section 8. Membership; Transition:

- C. The transition from the previous Cross Village Township Planning Commission and the Planning Commission established in this Ordinance shall have immediate effect. The Township Board of Trustees shall make an initial appointment of all nine (9) members to

serve out the remainder of their staggered three (3) year terms. Appointments shall then follow the requirements outlined in Section 2. of this Ordinance.

- B. All other aspects of this Ordinance shall have immediate effect.

A. Section 9. Membership; Compensation: All members of the Planning Commission compensated determined by the Board of Trustees for meeting attendance plus mileage if funds are available.

B. Section 10. Meetings:

- A. The Planning Commission shall meet at least four times a year and a majority of the Planning Commission shall constitute a quorum for the transaction of the ordinary business of said Planning 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 present.
- B. The affirmative vote of the majority of the members of the Planning Commission, regardless whether vacancies or absences exist, shall be necessary for the adoption, or recommendation for adoption, of any plan, or amendment to a plan.

C. Section 11. Powers and Duties:

- A. The Planning Commission shall have the powers and duties set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*).
- B. The Planning Commission shall be designated as a township planning commission, pursuant to section 37(1) of P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3837(1);
- C. The Planning Commission shall have authority to apply for and receive grants from any government agency or the federal government and to receive gifts as permitted by 3823 (23)(3).

Section 12. Meetings; Records:

The Planning 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 made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231 *et seq.*

Section 13. Approval, Ratification, and Reconfirmation:

All official actions taken by all Cross Village Township Planning Commissions preceding the Planning 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 Planning Commission created by this Ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of any previous Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

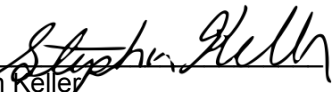
Section 14. Severability:

The invalidity of any clause, sentence, paragraph, or part of this Ordinance shall not affect the validity of the remaining parts of this Ordinance.

Section 15. Effective Date:

This Ordinance shall take effect upon its publication.

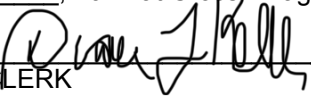
Passed by the Cross Village Township Board of Trustees on July 2, 2024 at its regular meeting with Cross Village Community in attendance, 4 voting aye, 0 nay.

Signed: 
Stephen Keller
Supervisor, Cross Village Town Council

CROSS VILLAGE TOWNSHIP, STATE OF MICHIGAN)
COUNTY OF EMMET)

I, Diane Keller, Clerk of the Cross Village Township Board of Trustees, do hereby certify that the foregoing was duly adopted by a majority vote of the Board on the 2nd day of July, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of July, 2024 at Cross Village, Michigan.


DIANE KELLER, CLERK