

**BY-LAWS**  
**for**  
**CITY OF NORTHVILLE PLANNING COMMISSION**

**ARTICLE I - PREAMBLE**

**SECTION I**

Pursuant to the Michigan Planning Enabling Act, Act 33 of Public Acts of 2008 as amended, the Northville City Council created the City of Northville Planning Commission by resolution with power to make, adopt, extend, add to, or otherwise amend, and to carry out plans for the incorporated portions within the City corporate limits.

**SECTION 2**

The official title of this Commission shall be the City of Northville Planning Commission, hereafter referred to as the "Planning Commission".

**ARTICLE II - AREA**

The area served by the Planning Commission shall include all lands legally within the corporate limits of the City of Northville, as now or hereafter established.

**ARTICLE III - PURPOSES**

The Purposes of the Planning Commission shall be those stated in; Chapter 58 of the City of Northville Ordinances; and Sections 1.02 and 19.01 of the Zoning Ordinance for the City of Northville.

**ARTICLE IV - MEMBERSHIP**

The Planning Commission shall be composed of nine (9) members appointed by the City Council. Members may, after a public hearing, be removed by the Council for inefficiency, neglect of duty or malfeasance in office. No member shall hold any other municipal office, except as provided by City Ordinance.

**ARTICLE V – REMOVAL FROM OFFICE**

The City Council may remove a member of the Planning Commission for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing. Failure of a member to disclose a potential conflict of interest as required herein constitutes malfeasance in office.

Members of the Planning Commission who are absent from three (3) consecutive un-excused Planning Commission meetings shall be subject to review and/or removal from the Planning Commission by action of the City Council.

## **ARTICLE V - OFFICES**

### **SECTION 1**

At its first regularly scheduled January meeting, the Planning Commission shall select from its members, a Chairperson and Vice-Chairperson. The term of all officers shall be one year and each officer shall be eligible for re-election. Such officers shall be elected by a majority vote of the membership of the Planning Commission.

### **SECTION 2**

The Chairperson shall be the chief executive officer of the Planning Commission, shall preside at all meetings of the Planning Commission and shall conduct all meetings in accordance with adopted rules. The Chairperson shall appoint all advisory committees established by the Planning Commission, and shall be an ex-officio member of all committees. The Chairperson shall sign all contracts and legal documents authorized by the Planning Commission. The Chairperson shall recognize members of the audience during the audience comments and during public hearings, and may also recognize members of the audience during other agenda items at the Chair's discretion.

### **SECTION 3**

In the absence of the Chairperson, or the Chairperson's inability to act, the Vice-Chairperson, shall preside at all meetings of the Planning Commission, shall otherwise carry out the duties of the Chairperson in the Chairperson's absence and shall succeed to the office of Chairperson in the event of a vacancy in the office, in which case the Planning Commission shall select a successor to the office of Vice-Chairperson at the earliest practical time.

### **SECTION 4**

The City Clerk shall be ex-officio recording Secretary of the Planning Commission. The Secretary or designated appointee shall attend all meetings of the Planning Commission. The Secretary or designated appointee shall be responsible for the preparation of minutes pertaining to meetings (such record shall be a public record), the keeping of other pertinent public records, the delivering of communications, petitions, reports and related items of business and administration of duties to assure efficient and informed Planning Commission operations.

## **SECTION 5**

The officers shall take office immediately following their election.

## **ARTICLE VI - MEETINGS**

### **SECTION 1**

The dates of the regular monthly meetings of the Planning Commission shall be established at the annual organization meeting (the meeting at which the officers are elected). Notice of all meetings shall be posted at City Hall. Such meeting notices shall include the date and time of all regularly scheduled meetings. Any changes in the date or time of the regular meetings shall be posted in a like manner as above.

In the event that there are no items for Planning Commission business or action at a regularly scheduled meeting, the Planning Commission Chairman, Building Official, City Manager or person designated by the City Manager may cancel one or both of the scheduled monthly meetings. Notice of cancellation shall be posted at City Hall. In the event that a quorum is not established, the procedures for cancellation of a meeting shall be followed in accordance with Article VI-Section 4 of these Bylaws.

### **SECTION 2**

Special meetings may be held, subject to the call by either the Chairperson or two (2) members, upon written request to the Secretary, who shall notify all members at least forty-eight (48) hours in advance. The business which the Planning Commission may perform shall be conducted at a public meeting in compliance with the Open Meetings Act.

### **SECTION 3**

The order of business for regular meetings shall be:

1. Call to order by the Chairperson or Vice-Chairperson
2. Roll call and determination of quorum
3. Approval of the minutes of the previous meeting
4. Audience comments (limited to brief presentations on matters not on agenda)
5. Reports from City Administration, City Council, Planning Commissioners and Liaisons from other community and governmental agencies.
6. Approval of the agenda

7. Public hearings
8. Site plan and zoning change applications
9. Other Planning Commission business
10. Adjournment

This order of business may be revised by a majority vote of the members present. A written agenda for special meetings shall be prepared and followed, however the form as enumerated above shall not be necessary.

#### **SECTION 4**

In order for the Planning Commission to conduct business or take any official action, a quorum consisting of five (5) voting members of the Planning Commission shall be present. When a quorum is not present, no official action, except for rescheduling and closing of the meeting, may take place. The members of the Planning Commission may discuss matters of interest. Public hearings without a quorum may be scheduled for the next regular or special meeting and no additional public notice is necessary.

#### **SECTION 5**

Hearings shall be scheduled and due notice given in accordance with PA 110 of 2006, as amended.

Public hearings conducted by the Planning Commission shall be run in an orderly and timely fashion.

#### **SECTION 6**

Motions shall be restated by the Secretary, at the request of any member of the Commission, before a vote is taken. The name of the maker and supporter of the motion shall be recorded.

#### **SECTION 7**

An affirmative vote of a majority of those members present, unless otherwise required, shall be required for the approval of any requested action or motion placed before the Planning Commission. Voting shall ordinarily be by a roll call vote. All members of the Planning Commission including the Chairperson shall vote on all matters. Any member may be excused from voting only if that person has a bonafide conflict of interest as determined by a majority vote of the remaining members present. The excused member(s) shall not participate as a Commissioner in the discussion of an agenda item but may speak as an authorized agent for the applicant as part of the applicant's presentation.

## **SECTION 8**

A member of the Planning Commission should only abstain from voting on a motion if he/she has a bonafide conflict of interest. A conflict of interest shall include:

- a. Issuing, deliberating on, voting on, or review a case concerning work on land owned by him or her.
- b. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
- c. Issuing, deliberating on, voting on, or reviewing a case involving a close relative or family member and where the relationship impairs an objective review of the case.
- d. Issuing, deliberating on, voting on, or reviewing a case which results in pecuniary benefit to him or her.
- e. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is (1) an applicant or agent for an applicant; or (2) has a direct interest in the outcome.
- f. A reasonable appearance of a conflict of interest. An example of this includes a situation where the Planning Commission member is on the Board of Directors of an applicant association.

The Planning Commission member disclosing the potential for a conflict of interest should state the nature of the potential conflict and whether he/she believes he/she could impartially consider the request before the Commission. Should the member disclosing the potential conflict of interest choose not to remove him/herself from the dais, the remaining members of the Planning Commission shall evaluate the nature of the potential conflict and determine, by way of a vote, whether or not the member in question should be removed from the dais while the Commission discusses or deliberates on the request. In the event that Planning Commissioner is removed from the dais due to a conflict of interest, either of his/her own volition or by a vote of the Planning Commission, that individual shall not participate as a Commissioner in the discussion of an agenda item but may speak as an authorized agent for the applicant as part of the applicant's presentation.

## **SECTION 9**

A written notice containing the decision of the Planning Commission will be sent by the Secretary to petitioner and originators of a request.

## **ARTICLE VII - MINUTES**

Planning Commission minutes shall be prepared by the Secretary of the Planning Commission. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording of votes; complete statement of the conditions or recommendations made on any action; and recording of attendance. All Planning Commission documents shall be maintained by the Secretary as a public record in accordance with State Law.

## **ARTICLE VIII - OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS**

All meetings of the Planning Commission shall be open to the public and held in a place available to the general public.

All deliberations and decisions of the Planning Commission shall be made at meetings open to the public.

A person shall be permitted to address a hearing of the Planning Commission, to address the Planning Commission concerning non-agenda matters during the audience comments, and to address the Planning Commission concerning other agenda items at the discretion of the Chairperson.

All records, files, Publications, correspondence, and other materials are available to the public for reading, copying, and other Purposes as governed by the Freedom of Information Act.

## **ARTICLE IX - FISCAL YEAR**

The fiscal year of the Planning Commission shall be the same as that of the City of Northville.

## **ARTICLE X - COMPENSATION**

Members of the Planning Commission shall be compensated for their services as provided by the City Council.

## **ARTICLE: XI - AMENDMENTS**

The rules of procedure, may be amended, by an affirmative vote of at least five (5) members of the Planning Commission at any regular meeting provided that notice of the proposed amendment, or repeal shall be delivered to all members of the Planning Commission at least seven (7) days before the regular meeting at which they are to be considered.

## **ARTICLE XII - PARLIAMENTARY PRACTICE**

For meetings of the Planning Commission and the advisory committees, the rules of parliamentary practice as set forth in the most current edition of "Roberts' Rules of Order" shall govern in all cases in which they are not inconsistent with the standing rules and order of the Planning Commission and not contrary, to any existing laws of the State of Michigan.

## **ARTICLE XIII - EFFECTIVE DATE**

**Approved by the Planning Commission on October 18, 2011**  
**Adopted by the Northville City Council on November 7, 2011**

The foregoing *Planning Commission Bylaws* were adopted by the Northville City Council at their regular meeting of November 7, 2011, held at the City of Northville Council Chambers, 215 W. Main Street, Northville, Michigan, 48167.

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Christopher J. Johnson, Mayor

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Dianne Massa  
City Clerk