

**CITY OF GRANT  
ORDINANCE NO. 23-1**

**THE CITY OF GRANT ORDAINS:**

**Ordinance No. 23: "Municipal Planning Commission for the City of Grant adopted September 11, 1978" is hereby repealed.**

**Ordinance No. 23-1: "City of Grant Planning Commission Ordinance" is hereby established as follows:**

**Section 1. Authority**

This ordinance is adopted pursuant to the authority granted the City Commission under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, *et seq.*, to establish a Planning Commission with the powers, duties and limitations provided by those Acts and subject to the terms and conditions of this ordinance and any future amendments to this ordinance.

**Section 2. Purpose**

The purpose of this ordinance is to provide that the Grant City Commission hereby amends and confirms the establishment, under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*, of the Grant Planning Commission, formerly established under the Municipal Planning Act, Public Act 285 of 1931, MCL 125.31, *et seq.*, to establish the appointments, terms, and membership of the Planning Commission; 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 3. Establishment**

There shall be a City of Grant 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 Planning Commission, with the powers and duties as therein set forth and as hereinafter provided. This ordinance shall be officially known and described as the "City of Grant Planning Commission Ordinance."

**Section 4. Membership**

- A. The Mayor shall appoint members of the Planning Commission, subject to the approval by a majority vote of the members of the City Commission elected and serving.
- B. The Planning Commission shall consist of seven members who shall be representatives of important segments of the city in accordance with the major interest as they exist in the city and shall also be representative of the entire territory of the city to the extent practicable.
- C. Members of the Planning Commission shall be qualified electors of the City of Grant, except that two Planning Commission members may be individuals who are not qualified electors of the city but are qualified electors of another local unit of government.
- D. The Mayor, one or more members of the City Commission, or any combination thereof, may be appointed to the Planning Commission, as ex officio members, so long as not more than one-third of the members of the Planning Commission may be ex officio members.

- E. Members of the Planning Commission other than ex officio members shall be appointed to staggered terms of three years such that, as nearly as possible, the terms of one-third of all Planning Commission members will expire each year.
- F. The term of ex officio members of the Planning Commission shall be as follows:
  - 1. The term of the Mayor shall correspond to his or her term of Mayor.
  - 2. The term of a member of the City Commission shall expire with his or her term on the City Commission.
- G. A member shall hold office until his or her successor is appointed.

#### **Section 5. Officers**

- A. The Planning Commission shall elect a chairperson, a vice-chairperson from its members, and may create and fill other offices as it considers advisable. The term of each office shall be one year, with opportunity for reelection as specified in the Planning Commission bylaws.
- B. The Planning Commission may also appoint advisory committees whose members are not members of the Planning Commission.

#### **Section 6. Removal from Office**

The City Commission may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

#### **Section 7. Membership: Vacancies**

The City Commission shall fill any vacancy in the membership of the Planning Commission for the unexpired terms in the same manner as the initial appointment and shall do so within 60 days.

#### **Section 8. Membership: Compensation**

The Planning Commission members may be compensated for their services as provided by City Commission Resolution.

#### **Section 9. Meetings**

- A. The Planning Commission shall hold at least four regular meetings each year, and shall by resolution determine the time and place of the meetings.
- B. Unless otherwise provided in the Planning Commission's bylaws, a special meeting of the Planning Commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws otherwise provide, the secretary or planner shall send written notice of a special meeting to Planning Commission members at least 48 hours before the meeting.
- C. The business that the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261, *et seq.*
- D. The Planning Commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in the possession of, or

retained by a Planning Commission in the performance of an official function 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 10. Powers and Duties**

The Planning Commission shall have the powers and duties as 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.*).

**Section 11. Bylaws**

The Planning Commission shall adopt Bylaws for the transaction of business.

**Section 12. Annual Report**

The Planning Commission shall make an annual written report to the City Commission concerning its operations and the status of the planning activities, including recommendations regarding actions by the City Commission related to planning and development.

**Section 13. Master Plan**

- A. Under the authority of the Michigan Planning Enabling Act, Public Act 3 of 2008, MCL 125.3801, *et seq.*, and other applicable planning statutes, the Planning Commission shall make a master plan as a guide for development within the City's planning jurisdiction.
- B. Final authority to approve a master plan or any amendments thereto shall rest with the Planning Commission unless the City Commission passes a resolution asserting the right to approve or reject the master plan.
- C. Unless rescinded by the City, any plan adopted or amended under the Municipal Planning Act, Public Act 285 of 1931, need not be readopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*

**Section 14. Capital Improvements Program**

The Planning Commission shall annually prepare a capital improvements program of public structures and improvements, showing those structures and improvements in general order of their priority and financial feasibility, for the following 6-year period, in accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, *et seq.*

**Section 15. Subdivision and Land Division Recommendations**

- A. The Planning Commission may recommend to the City Council provisions of an ordinance or rules governing the subdivision of land. Before recommending such an ordinance or rule, the Planning Commission shall hold a public hearing on the proposed ordinance or rule. The Planning Commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the City, or by any other method permitted by law.
- B. The Planning Commission shall review and make recommendation on a proposed plat before action thereon by the City Commission under the Land Division Act, Public Act 288 of 1967, MCL 560.101, *et seq.* Before making its recommendation, the Planning Commission shall hold a public hearing on the proposed plat. A plat submitted to the

Planning Commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the City, or by any other method permitted by law. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

**Section 16. Approval, Ratification, and Reconfirmation**

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

**Section 17. Repealer**

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

**Section 18. Severability**

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**Section 19. Savings**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

**Section 20. Effective Date**

The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Grant.