

12.180

**ADVISORY PLANNING COMMISSION
CITY OF GAYLORD, MICHIGAN
ord. eff. Sept. 16, 1979
amend. eff. Jan. 3, 2010**

An ordinance to provide for an Advisory Planning Commission; provide for its membership; and to set forth the powers, duties and authority of said Planning Commission.

THE CITY OF GAYLORD ORDAINS:

12.181

Sec. 1. **SHORT TITLE.**

This ordinance shall be known and may be cited as the "**Planning Commission Ordinance for the City of Gaylord.**"
(ord. eff. Sept. 16, 1979)

12.182

Sec. 2. **CONTINUATION OF PLANNING COMMISSION.**

The Planning Commission of the City of Gaylord has heretofore established pursuant to the provisions of Act 285 of the Public Acts of 1931, is hereby continued pursuant to the provisions of Act 33 of the Public Acts of 2008 (the Michigan Planning Enabling Act), and this Ordinance is enacted pursuant to and in compliance with Act 33 of the Public Acts of 2008 being Michigan Compiled Laws 125.3801 et seq. (hereinafter the "Act").
(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.183

Sec. 3. **MEMBERSHIP.**

The Planning Commission shall consist of five (5), seven (7), or nine (9) members as determined from time to time by the Gaylord City Council. The membership of the Planning Commission shall be representative of important segments of the community, such as economic, governmental, educational, and social. Members of the Planning Commission shall be qualified electors of the City of Gaylord except that two (2) members may be individuals who are not qualified electors of the City of Gaylord. The mayor may also appoint such ex-officio members as approved by the City Council and in compliance with the Act.
(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.184

Sec. 4. **APPOINTMENT AND COMPENSATION OF MEMBERS.**

The members of the Planning Commission shall be appointed by the mayor subject to approval by a majority vote of the members of the City Council elected and serving. Members of the Planning Commission may be compensated at a rate to be determined by the City Council. Other than ex-officio members, an elected

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officer or an employee of the City of Gaylord is not eligible to be a member of the Planning Commission.
(ord. amend. eff. Sept. 29, 1991, amend. eff. Jan. 3, 2010)

12.185 **Sec. 5. TERMS OF OFFICE.**

The terms of office for each member shall be three (3) years, with the terms to be staggered so that no more than one-third (1/3) of the members shall have terms expiring in the same year.
(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.186 **Sec. 6. 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 before the City Council
(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.187 **Sec. 7. VACANCIES.**

Vacancies occurring on the Planning Commission shall be filled for the unexpired term by appointed by the Mayor, subject to approval by a majority vote of the members of the City Council elected and serving.
(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.188 **Sec. 8. OFFICERS.**

The Planning Commission shall elect a Chairperson and Secretary from its members and create and fill other offices as it deems advisable. An ex-officio member of the Planning Commission is not eligible to serve as Chairperson. The term of each officer shall be one (1) year, with opportunity for re-election as specified in the bylaws.
(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.189 **Sec. 9. BYLAWS.**

The Planning Commission shall adopt bylaws for the transaction of business and keep a public record of its resolutions, transactions, findings and determinations.
(ord. amend. eff. Jan. 3, 2010)

12.190 **Sec. 10. REPORTING.**

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

development.
(ord. amend. eff. Jan. 3, 2010)

12.191 **Sec. 11. MEETINGS.**

- A. The Planning Commission shall not hold less than four (4) regular meetings each year, and shall by resolution determine the time and place of such meetings.

- B. Special meetings of the Planning Commission may be called by the Chairperson or by any two (2) members, upon written request to the Secretary. The Secretary shall send written notice of a special meeting to all Planning Commission members not less than forty-eight (48) hours before the meeting.

- C. All business that the Planning Commission performs shall be conducted at a public meeting of the Planning Commission held in compliance with the Open Meetings Act, being Act 267 of Public Acts of 1976. Public notice of the time, date and place of any regular or special meetings shall be given as required by the Open Meetings Act.

(ord. amend. eff. Jan. 3, 2010)

12.192 **Sec. 12. EFFECT OF ABSENCE FROM MEETINGS.**

Unexcused absence from two (2) consecutive or special meetings shall be deemed to constitute a retirement of the member from the Planning Commission and a successor shall be appointed to fill the unexpired term of such retired member.

(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.193 **Sec. 13. POWERS AND DUTIES.**

The Planning Commission shall have the duties and authority necessary to perform and carry out its functions as provided by this Ordinance or the Zoning Ordinance of the City of Gaylord. The Planning Commission shall act in an advisory capacity only, except as otherwise provided by the Act or by ordinance. The Planning Commission shall have the duties and authority as specified in the Act and all duties of the Planning Commission are subject to the requirements of the Act. In the event of any inconsistency between the provisions of this ordinance and the Act, the provisions of the Act shall control.

(ord. eff. Sept. 16, 1979, amend. eff. Jan. 3, 2010)

12.194 **Sec. 14. EXPENDITURES, APPROPRIATIONS.**

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Expenditures of the Planning Commission, exclusive of gifts, shall be within the amounts made available by appropriation by the City Council, which said Council shall determine the funds necessary for the Planning Commission work. Neither the Planning Commission, nor any member thereof, shall incur any financial liability in the name of the City.

12.194

Sec. 14. EFFECTIVE DATE.

Amended Ordinance declared adopted, with effective date to be Jan. 3, 2010, which is in accordance with the City Charter.

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