

**MONROE CHARTER TOWNSHIP  
PLANNING COMMISSION BYLAWS**

The following rules of procedure are hereby adopted by the Monroe Charter Township Planning Commission to facilitate the performance of its duties as outlined in 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.

**SECTION 1: Officers**

**A. Selection and Tenure-**At the first regular meeting of each calendar year, the Planning Commission shall select from its membership, a chairperson, vice-chairperson and secretary for a term that will expire on the last day of the year, December 31. All officers shall serve a term of one year, or until their successors are selected and assume office, except as may occur in Paragraph C below. All officers shall be eligible for re-election for consecutive terms for the same office.

**B. Chairperson-**The chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission.

**C. Vice-Chairperson-**The vice-chairperson shall act in the capacity of the chairperson in his/her absence. In the event the office of chairperson becomes vacant, the vice-chairperson shall succeed to this office for the unexpired term, and the Planning Commission shall select a successor to the office of vice-chairperson for the unexpired term.

**D. Secretary-**The secretary shall execute documents in the name of the Planning Commission and shall perform such other duties as the Planning Commission may determine.

**SECTION 2: Meetings**

The business the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings

Act. The Planning Commission may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting, said rules in addition to the ones contained herein.

**A. Regular Meetings-**Regular Meetings of the Planning Commission are to be held 7:00 p.m. on the first Monday of the month at the Monroe Charter Township Hall, or the second Monday if the first Monday falls on a legal holiday. These bylaws and rules shall govern the meetings of the Planning Commission in accordance with any and all conditions provided in the Monroe Charter Township Zoning Ordinance, the laws of the State of Michigan, the Michigan Zoning Enabling Act of 2006, as amended, and the Michigan Planning Enabling Act of 2008, as amended. If there is no business on the agenda, the monthly meeting may be cancelled by the chairperson by giving notice to all members at least 18 hours before the scheduled meeting.

**B. Special Meetings-**Special meetings may be called by the chairperson or upon written request to the secretary by at least two members of the Planning Commission. Notice of any special meeting shall be given to the members of the Planning Commission at least 48 hours prior to the meeting. Such notice shall state the purpose, time and location of the special meeting and shall be posted in accordance with Michigan law and the Open Meetings Act. Only items noticed on the agenda shall be considered at any special meeting.

**C. Notice-**Any notice required for specific planning, zoning or other land use actions will be given in accordance with the Michigan Planning Enabling Act, the Michigan Zoning Enabling Act, the Land Division Act, or other applicable statutes.

All requests to the Planning Commission for consideration or approval shall be filed with the Zoning Department in accordance with

procedures and requirements as set forth in the Monroe Charter Township Zoning Ordinance. Absent any specific requirements in the said Zoning Ordinance, requests shall be submitted to the Township at least 30 days prior to the meeting and shall contain all of the information requested on the application and any other information that may be requested by the Zoning Department. Applicants are put on notice that the Planning Commission may require surveys, plans or other information necessary for proper evaluation and consideration of any request filed. Upon filing, the application shall be considered by the Zoning Department for completeness and accuracy; and if the Zoning Department determines information is lacking or inadequate at the time of filing and the deficiency cannot be remedied forthwith, the Commission may table the matter until such time as the required information has been furnished.

**D. Public Hearings-**All public hearings held by the Planning Commission must be held as part of a regular or special meeting of the Planning Commission. Completed applications shall be considered at said meeting.

**E. Agenda-**The Commission chairperson shall establish the order of the agenda. When a public hearing is required by any law or ordinance, the Commission shall cause notice of the hearing to be posted and/or published as may be required by law. Any agenda prepared by the chairperson may be modified by action of the Commission.

**F. Quorum-**Three members of a five member Commission, four members of a seven member Commission or five members of a nine member Commission shall constitute a quorum for transacting business and taking official action on all matters. No official action of the Commission may be taken without a quorum present.

Any applicant may have an authorized agent appear on the applicant's behalf. On the request of the Commission, the agent shall present evidence to act on behalf of the applicant; and if the applicant is to have an attorney present to represent the applicant or to act on behalf of the applicant or on behalf of any agent, notice shall be given to the Zoning Department at least three days in advance to allow the Commission to decide if the presence of the Township attorney is necessary. Any applicant failing to give proper notice as required herein may have the application tabled until the next regular meeting or special meeting. If there need be a change to any public hearing portion of such meeting, the required provisions for public notice shall be required.

The chairperson shall recognize all persons asking for an opportunity to comment. At the discretion of the chairperson, a reasonable time limit may be set for individual public comments. This time limit shall be between three and five minutes in duration, and all comments and/or questions shall be directed to the chairperson.

Any applicant or agent thereof may, upon written or verbal request, withdraw an application prior to voting by the Commission. The Commission, on its own motion, reserves the right to table any application. If the Commission shall table a motion, it shall thereupon set a date and time to hear the tabled application and will decide if a new public notice is required or if additional fees shall be paid by the applicant.

**G. Voting-**All motions and applications shall be made in a positive format. An affirmative vote of the majority of the members of the Planning Commission is required to approve any part of the master

plan or amendments to the plan or to amend these bylaws. Unless otherwise required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the members present and voting, as long as a quorum is present.

Voting shall be by voice vote, and a roll call vote shall be required if requested by any Commission member or directed by the chairperson. Except in the case of conflict of interest, all Planning Commission members, including the chairperson and ex officio member, shall vote on all matters. Commission voting for a denial of a request shall explain the reason for denial and such reasons shall be made part of the record. All Commission decisions shall be recorded in the Commission meeting minutes.

**H. Minutes-**The Commission minutes shall reflect the basis for the determination or action by the Commission, a summary of the information introduced and the findings made by the Commission. The minutes shall also include a synopsis of the public comments made during the hearing. A draft of the proposed minutes shall be given to each Commission member prior to the meeting at which they are to be considered for approval. If approved, the minutes shall be filed in the official minutes record and with the Zoning Department.

**I. Public Records-**All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open for public inspection in accordance with the Freedom of Information Act, except as may be otherwise provided by law. All applicants requesting Planning Commission action shall receive a copy of these rules and bylaws. The signed application form shall acknowledge agreement with these rules and procedures, and any application which fails to comply

with the procedures and provisions of the Township Zoning Ordinance or other rules, regulations, ordinances or laws shall not be placed on the meeting agenda.

**SECTION 3: Duties of the Planning Commission**

The Planning Commission shall perform the following duties:

A. Prepare, review and update a master plan as a guide for development within the Township's planning jurisdiction.

B. Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.

C. Take such action on petitions, staff proposals and Township Board requests for amendments to the master land use plan as required.

D. Prepare an annual written report to the Township Board of the Planning Commission's operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.

E. Take such actions as authorized or required by the Michigan Planning Enabling Act.

F. Take such actions as required by the Michigan Zoning Enabling Act.

G. Review subdivision proposals and recommend appropriate actions to the Township Board.

H. Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

**Section 4: Absences, Removals, Resignations and Vacancies**

A. To be excused, members of the Planning Commission shall notify the Planning Commission chairperson or other Planning Commission member when they intend to be absent from a meeting. Failure to make

this notification prior to the meeting shall result in an unexcused absence.

B. Members may be removed by the Township Board for misfeasance, malfeasance or nonfeasance in office upon written charges and after a public hearing.

C. A member may resign from the Planning Commission by sending a letter of resignation to the Township Board.

D. Vacancies shall be filled by the Township Supervisor, with the approval of the Township Board. Successors shall serve out the unexpired term of the member being replaced.

**SECTION 5: Conflict of Interest**

Before casting a vote on a matter on which a Planning Commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office.

Conflict of interest is defined as, and a Planning Commission member shall declare a conflict of interest and abstain from participating in Planning Commission deliberations and voting on a request, when:

1. An immediate family member is involved in any request for which the Planning Commission is asked to make a decision. "Immediate family member" is defined as an individual father, mother, son, daughter, brother, sister and spouse and a relative of any degree residing in the same household as that individual.

2. The Planning Commission member has a business or financial interest in the property involved in the request or has a business or

financial interest in the applicant's company, agency or association.

3. The Planning Commission member owns or has a financial interest in neighboring property. Neighboring property shall, for the purposes of this action, be defined as any property falling within the notification radius for the application or proposed development as required by the Zoning Ordinance or other applicable Ordinance.

4. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the Planning Commission.

**SECTION 6: Amendments**

These bylaws may be amended at any meeting by a vote of the majority of the membership of the Planning Commission.

Adopted by the Monroe Charter Township Planning Commission at a regular meeting held on APRIL 1, 2013.



Planning Commission Chairperson  
Dated: APRIL 1, 2013