

VILLAGE OF  
**PINCKNEY**

## **Planning Commission Bylaws**

The Village of Pinckney Village Council created the Village of Pinckney Planning Commission by resolution with power to make, adopt, extend, add to, or otherwise amend, and to carry out plans for lands within the Village limits. The following rules of procedure are hereby adopted by the Village of Pinckney Planning Commission to facilitate the performance of its duties and responsibilities as outlined in the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 *et. seq.*, as amended, the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 *et. seq.*, as amended, and the Open Meetings Act, Public Act 267 of 1976, MCL 15.261, as amended.

### **SECTION 1: TITLE**

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

### **SECTION 2: DUTIES OF THE PLANNING COMMISSION**

The Planning Commission shall perform the following duties:

- Prepare and periodically update a Village Master Plan as required by law.
- Take action on petitions, staff proposals, and Village Council requests for amendments to the zoning ordinance.
- Take action on petitions, staff proposals, and Village Council requests for amendments to the master land use plan.
- Prepare an annual report to the Village Council on the administration of the zoning ordinance and recommendations for amendments or supplements to the ordinance.
- Take such actions as are required by the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 *et. seq.*, as amended, and the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801 *et. seq.*, as amended.
- Review subdivision proposals and recommend appropriate actions to the Village Council.
- Prepare special studies and plans, as deemed necessary by the Planning Commission or Village Council and for which funds have been appropriated and approved by the Village Council.
- Attend training sessions, conferences, or meetings to properly fulfill the duties of Planning Commissioner and for which funds have been appropriated and approved by the Village Council, as needed.
- Perform other duties, responsibilities, or respond as requested by the Village Council or other appropriate commission or entity.

calendar year, the Commission may enact a resolution of reprimand. In the event that the member's absences continue for more than three regular or special meetings of the Commission, the Commission may enact a resolution of reprimand, or request the commissioner's resignation, or both.

- Members of the Planning Commission may be removed from office by the Village Council for misfeasance, malfeasance, or nonfeasance, upon written charges and after a public hearing.
- A member may resign from the Planning Commission by sending a letter of resignation to the Village President, Village Council, or Planning Commission Chairperson.
- Vacancies shall be appointed promptly by the Village President, with the approval of the Village Council, upon the resignation or removal of a Planning Commission member. Successors shall serve out the unexpired term of the member being replaced.

## **SECTION 6: COMPENSATION**

Members of the Planning Commission may be compensated for their services as provided by resolution of the Village Council.

## **SECTION 7: MEETINGS**

**Open Meetings Act Compliance:** All meetings of the Planning Commission shall comply with the requirements of the Open Meetings Act.

**Regular Meetings:** The Planning Commission shall hold not less than four (4) regular meetings each year. Regular meetings of the Planning Commission will be held on the first Monday of each month beginning at 7:00 p.m. in the Village Hall unless otherwise rescheduled by resolution of the Planning Commission. Other meetings may be held as necessary. When a regular meeting falls on a legal holiday or upon a day resulting in a conflict, the Planning Commission shall, if possible, select a suitable alternate meeting date in the same month as the originally scheduled meeting. Notice of all meetings shall be published in accordance with the Open Meetings Act 1976, Public Act 267, as amended. The date, time and place of all regularly scheduled meetings of the Planning Commission shall be established at a regularly scheduled meeting each December.

**Special Meetings:** Special meetings may be called in compliance with the Open Meetings Act. Public notice shall state the purpose, time, and location of the special meeting and shall be posted in accordance with the Open Meetings Act. No official action shall be taken at any special meeting unless the item has been stated in the notice of such meeting.

**Study Sessions:** Upon the call of the Chairperson, Planning Commission or Zoning Administrator and with the appropriate notice to the Planning Commission members and the public, the Planning commission may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion nor shall any Planning Commission member enter into a formal commitment with another member regarding a vote to be taken subsequently. However, Planning Commission members may express their opinions and indicate their probable votes because of the discussion.

**Agenda:** The Zoning Administrator shall be responsible for preparing an agenda for Planning Commission meetings. Meeting packets shall be distributed to Commissioners on the Thursday before the meeting, if possible, and shall include all items necessary for decisions on agenda items.

It shall be in order for any Planning Commission member voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the Planning Commission. When a motion to reconsider fails, it cannot be renewed.

**Rules & Procedures:** The Chairperson shall be responsible for enforcing the rules of procedure and for enforcing orderly conduct at meetings. In the absence of the Chairperson, the Vice-Chairperson shall become the presiding officer. In the absence of the Chairperson and Vice-Chairperson the Secretary shall preside over the meeting.

**Conflict of Interest:** A member shall disclose that a potential conflict of interest may be present. A conflict of interest exists when a member has a "personal or financial interest" in the outcome of the proposed action. This is a factual question, the answer to which depends upon the circumstances of each particular case. Any member(s) finding a conflict of interest with one or more agenda items shall declare the same and excuse himself/herself, and refrain from discussing and voting on said item(s). Any abstention shall be noted in the minutes of the meeting.

**Parliamentary Practice:** The rules of parliamentary practice as contained in the latest edition of Roberts Rules of Order shall govern the Planning Commission in all cases to which they are applicable, provided they are not in conflict with these rules, the ordinances of the Village of Pinckney, or state statutes applicable to the Village of Pinckney.

**Participation by Communication Equipment:** Planning Commission members must be physically present at a meeting to be considered in attendance or participate in any manner on any matter before the Commission. Village Consultants may participate in a meeting by means of conference telephone or similar communication equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this provision constitutes presence in person at the meeting. Any member of the public who wishes to speak via telephone or communication equipment shall be recognized by the Chairperson and noted in the record.

## **SECTION 8: PUBLIC RECORDS**

All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

## **Section 9: 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. The following rules of procedure shall apply to public hearings held by the Planning Commission:

1. Chairperson opens the public hearing and announces the subject.
2. Chairperson summarizes the procedures/rules to be followed during the hearing.
3. Applicant presents the main points of the application.
4. Staff and/or consultants present review of the application.
5. Persons having comments on the application are recognized.
6. Chairperson closes the public hearing and returns to the regular/special meeting.

- No member shall speak more than once on the same question unless every member desiring to speak to that question has had the opportunity to do so.
- The Chairperson, at his or her discretion, may permit any person from the public to address the Planning Commission during its deliberations. Before speaking to the Planning Commission, said person shall provide their full name and their home address.
- A vote on all recommendations shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call vote is required by law or Village Ordinance.

## Section 11: FISCAL YEAR

The fiscal year of the Authority shall correspond at all times to the fiscal year of the Village of Pinckney.

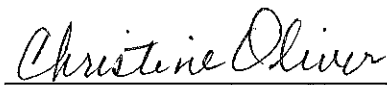
## SECTION 12: ADOPTION, AMENDMENTS

- These Bylaws of the Planning Commission will be reviewed and adopted by a majority vote at the first meeting of the Planning Commission following the seating of the Village Council members elected in November. A copy of the Bylaws adopted shall be distributed to each Planning Commission member.
- These bylaws may be amended at any meeting by a vote of five (5) members of the Planning Commission at any regular meeting, if notice of the proposed amendment 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. Once amendment to be considered is passed by the Planning Commission, said changes will be sent to the Village Council for approval.
- All bylaws and parts thereof which conflict with any of the terms of these bylaws are hereby rescinded. Where a conflict exists between these bylaws and State laws, or Village Ordinances governing Village zoning and planning, such laws and/or ordinances shall govern.

## Section 13: CERTIFICATION

These Bylaws were adopted following a motion by Commissioner Kinczkowski.  
Supported by Commissioner D. Oliver.

Dated: 12/5/2022



Christine Oliver

Chairperson, Planning Commission



Joseph Hartman

Vice-Chairperson, Planning Commission



Deborah Grischke

Secretary, Planning Commission