

VILLAGE OF JONESVILLE PLANNING COMMISSION ORDINANCE of 2010 – NO. 201  
Effective April 1, 2010

WHEREAS, The People of the Village of Jonesville did establish the Village of Jonesville Planning Commission on May 8, 1972 (as documented in the Village of Jonesville Council Minutes) and it is now desired to adopt this ordinance to insure proper record of the action is created, NOW THEREFORE, THE PEOPLE OF THE VILLAGE OF JONESVILLE DO ORDAIN THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

VILLAGE OF JONESVILLE PLANNING COMMISSION ORDINANCE  
April 1, 2010

AN ORDINANCE to create a Planning Commission for the Village of Jonesville as authorized by P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et. seq.* for the purpose of having planning and zoning in the Village of Jonesville, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development of the Village of Jonesville; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the state where the Village of Jonesville exists.

THE PEOPLE OF THE VILLAGE OF JONESVILLE DO ORDAIN:

101. Creation: There shall be a Village of Jonesville 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 Commission with the powers and duties as therein set forth and as hereinafter provided and staffed Planning Department. This ordinance shall be officially known and described as the "Village of Jonesville Planning Commission Ordinance."

102. Membership:

- A. The Commission shall consist of seven (7) members appointed by the Village of Jonesville Council. To be qualified to be a member and remain a member of the Planning Commission, the individual shall meet the following qualifications:
  1. shall be a qualified elector of the Village of Jonesville, except that two members may be a non-qualified elector;
  2. *after an individual's first appointment and before reappointment the Commission member is encouraged to attend planning and zoning related training, pursuant to section 104 of this ordinance;*
  3. shall meet the conditions provided for each individual member in sections 102.C, 102.D, 102.E, and 102.F of this Ordinance, except the geographical location of the individual's residency may be considered optional.
- B. Members shall be appointed for three-year terms. However when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of 1/3 of all commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of 1/3 of all commission members continue to expire each year.
- C. Ex officio members shall include the chief elected official of the Village of Jonesville and one (1) member of the Village of Jonesville Council. The terms of office of ex officio members shall coincide with their elected terms of office on the Village Council.

- D. The membership shall be representative of the important segments and in accordance with the major interests, as they exist in the Village of Jonesville. The interests segments shall be as follows:
    - 1. Natural Resources and Recreation
    - 2. Education
    - 3. Government
    - 4. Economic Development
  - E. The membership shall also be representative of the entire geography of the Village of Jonesville to the extent practicable, and as a secondary consideration to the representation of the major interests.
  - F. The chief elected official and the member of the Village Council appointment to the Village of Jonesville Planning Commission shall not be chair of the Commission.
  - G. Not more than 1/3 of the total membership of the Commission shall consist of members of the Village Council.
103. Training: Appointed members of the Commission shall attend educational programs designed for training members of Michigan planning commissions if the adopted Village of Jonesville budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training. The members shall make every effort to attend a core-training program on planning and zoning before the conclusion of their first term of office. The Commission shall include in its Bylaws what training programs qualify to meet this requirement.
104. Members, Appointment and Terms:
- A. In October of each year the Village of Jonesville Clerk shall determine which members' terms of office expire, shall determine which interest segment they represent and shall place an advertisement(s) in a newspaper with paid circulation in the Village of Jonesville to seek different applications.
  - B. In November of each year the Village of Jonesville Council shall consider the applications and nominations received, and appoint members to the Commission by a majority vote for a three year term of office which shall end December 1, at 9:00 a.m. of the respective year.
105. Removal from Office:
- A. The Village of Jonesville Council may remove a member of the Commission for malfeasance, misfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office.
  - B. Failure to repeatedly attend Commission meetings shall be considered nonfeasance in office and shall be grounds for the Village Council to remove a member from the Planning Commission for nonperformance of duty.
  - C. The secretary of the Planning Commission shall report any member who has missed three (3) regular meetings in a row to the Village of Jonesville Council. A planning commission member may seek special exemption from attending planning commission meetings from the legislative body for personal or medical reasons. The request for exemption and reason(s) for seeking exemption should be documented in a letter addressed to the legislative body. The legislative body will consider the request at their next regular meeting.
106. Membership; Vacancies: The Village of Jonesville shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.
107. Membership;

- A. Transition: The transition from the previous Village of Jonesville Planning Commission and the Commission established in this ordinance shall take place over the next one year. The Village of Jonesville shall continue to make annual appointments, appointing approximately 1/3 of the membership of the Commission as specified in this Ordinance, so that one year from the effective date of this ordinance the membership, membership representation, and number of members have completed the transition to fully comply with this Ordinance.
  - B. All other aspects of this ordinance shall have immediate effect.
108. Membership; Compensation: Members of the Planning Commission may be compensated for their services with compensation equal to, or less than, the per diem of the Village of Jonesville Council per meeting plus mileage.
109. Meetings:
- A. The Commission shall meet at least once every three months or more frequently as needed and a majority of the Commission shall constitute a quorum for the transaction of the ordinary business of said Commission and all questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission.
  - B. The affirmative vote of 2/3 of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.
110. Powers and Duties:
- A. The Commission shall have their 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.*).
    - 1. Undertake studies of existing social, physical and economic conditions and probable growth;
    - 2. Prepare, adopt and maintain a plan for development;
    - 3. Cooperate and coordinate with other local units of government on planning;
    - 4. Review city, village, township (within and adjacent) plans;
    - 5. Review and comment on draft master plans of adjacent communities;
    - 6. Draft zoning ordinance, and amendments and review various zoning proposals.
    - 7. Review and comment on proposed infrastructure physical improvements in the government;
    - 8. Prepare and recommend subdivision regulations and rules to the Village Council for adoption (optional) and advise on proposed plats (if there are adopted subdivision regulations);
    - 9. Prepare annual report for Village Council;
    - 10. Prepare and submit budget for the next year;
    - 11. Prepare annual work program.
  - B. The Commission shall be exempt from M.C.L. 125.3865, the duty to prepare an annual capital improvements program of public structures and improvements. The duty to prepare an annual capital improvements program, as specified in M.C.L. 125.3865, is assigned to the Village of Jonesville Manager, separate from or as part of the annual budget, who shall proceed with the advice and consent of heads of the departments of the Village, the Village of Jonesville Council Members and Village of Jonesville Planning Commission, with final approval by the Village of Jonesville Council.
  - C. The commission shall have the power and duties to do anything else the Michigan Planning Enabling Act (P.A. 33 of 2208) allows a Village Planning Commission to do, and anything else delegated to the Village of Jonesville Planning Commission by the Village of Jonesville Council from time-to-time.

D. The Commission shall have authority to apply for and receive grants from any government agency or the federal government and to receive gifts.

111. Staff:

- E. The Village Manager is delegated the authority to prepare job announcements for hiring a planning director, to be posted at the Village Office and in publications.
- F. The Village Manager is delegated the authority to review all applications and resumes and determine a pool of those to be interviewed for the position of planning director.
- G. At the conclusion of the interview process, the Village Manager shall have final authority regarding the hiring of all employees with the exception of Department Heads. In the case of Department Heads, at the conclusion of the interview process, the Village Manager shall make a recommendation to Council for approval.
- H. The appointment of the planning director and other such employees shall be subject to the same provisions of law, employment policies, employee roster, employee or union contracts, if any, as govern other employees of the Village of Jonesville.
- I. Employees that are assigned to work with the Commission shall follow the directives of the Commission in matters of planning and zoning public policy issues, but shall not be subject to Commission directives concerning employment provisions of law, employment policies, employee roster, employee or union contracts, if any.

112. Meetings; Records: The Commission shall adopt Bylaws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record.

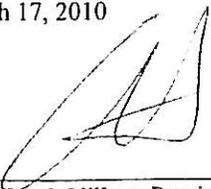
113. Approval, Ratification, and Reconfirmation. All official actions taken by all Village of Jonesville Planning Commission preceding the Commission created by this ordinance are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance 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 Village of Jonesville Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

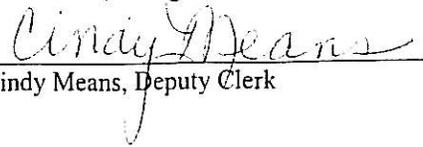
YEAS: David Steel, Gerry Arno, Dana Kyser, Ron Hayes, Jerry Drake, Brenda Guyse and Jim Marks

NAYS: None

ABSENT: None

ORDINANCE DECLARED ADOPTED ON March 17, 2010

  
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David Steel, Village President

  
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Cindy Means, Deputy Clerk

CERTIFICATION

I, Cindy Means, being the Deputy Clerk of the Village of Jonesville, do hereby certify that the foregoing is a true and correct copy of the Village of Jonesville Ordinance No. 201, adopted on the 17th day of March 2010. Further, I certify I caused the same to be published in the Hillsdale Daily News, Hillsdale, Michigan, within fifteen (15) days after adoption by the Village Council of the Village of Jonesville, pursuant to the General Law Village Act.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17<sup>th</sup> day of March 2010.

  
Cindy Means, Deputy Clerk

Publication date: 3/19/10

Effective date: April 1, 2010