

**BYLAWS
VILLAGE OF LAWTON, MICHIGAN
PLANNING COMMISSION**

ARTICLE I. Bylaws of the Village Planning Commission of the Village of Lawton, Michigan.

This document shall be known as the Bylaws of the Village Planning Commission of the Village of Lawton.

ARTICLE II. Purpose

The purpose of the Lawton Village Planning Commission shall be to oversee the orderly growth of the Village, and to perform the functions of a planning commission as set forth in Public Act No. 33 of 2008 and Public Act 110 of 2006, as amended, to perform other duties assigned to it by the Village Council from time to time. These Bylaws are adopted by the Commission to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, (M.C.L. 125.3801 et seq.), hereinafter "the Planning Act."

ARTICLE III. Membership

Section 3.1 Membership: The Planning Commission shall consist of seven (7) members. An appointment by the Village President shall be subject to approval of the Village Council by majority vote. Six (6) members shall be selected to serve by resolution of the Village Council and one (1) shall be a member of the Village Council to serve on the Planning Commission as an ex officio member. All ex officio members appointed under this subsection shall have full voting rights.

An appointed member shall not hold another municipal office, except that one (1) appointed member may be a member of the zoning board of appeals. The term of the ex officio member shall be determined by the Village Council and shall be stated in the appointment selecting the ex officio member, but the terms shall not exceed the member's term of office as a member of the Village Council. The term of each appointed member shall be three (3) years or until his or her successor takes office.

After a public hearing, a member may be removed by the Village Council for inefficiency, neglect of duty, or malfeasance in office.

Section 3.2 Compensation. There shall be compensation paid to each for a member of the planning commission. Reasonable expenses may also be allowed in case of necessity with prior approval of the Village council.

ARTICLE IV. Officers

Section 4.1 Selection. At the regular meeting in November of each year, the Commission shall select from its membership a Chair, Vice-Chair, and Secretary. All officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. If the

Secretary's office becomes vacant, the Commission shall appoint another member as Secretary. The Commission or Secretary may also designate another person who is not a member of the Commission to be the recording secretary.

- Section 4.2 Tenure. The Chair, Vice-Chair and Secretary shall take office January 1 following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
- Section 4.3 The Chair shall preside at all meetings of the Planning Commission and shall appoint all committees.
- Section 4.4 The Vice-Chair shall assume the duties and authority of the Chair in his absence or incapacity. If the Chair resigns or is removed from the Planning Commission, the Vice-Chair shall assume the position of the Chair for the remainder of the Chair's term of office.
- Section 4.5 The Secretary shall keep the minutes and records, conduct correspondence and perform such other duties as may be assigned by the Chair.

ARTICLE V. Meetings

- Section 5.1 The Planning Commission shall hold its regular monthly meetings in the Village Council Chambers, located at 125 S Main St., Lawton, Michigan on the first Tuesday of each month. All meetings shall begin at 7:00 p.m. Additional meetings may be scheduled on the Village's annual calendar to reflect additional planning needs or conflicts with holidays and other meetings. The Planning Commission shall meet a minimum of four times per year. Notice of all meetings shall be posted at City Hall according to the Open Meetings Act. The notice shall include the date and time of the meeting.
- Section 5.2 Special meetings may be called by the Chair or by 2 other members of the Planning Commission. The Secretary or designated staff person shall post written notice of a special meeting of the Planning Commission members not less than 18 hours in advance of the meeting.
- Section 5.3 An agenda for each meeting shall be prepared at the direction of the Chair or his/her designee and sent to each Commissioner to be delivered in a predetermined format not later than four (4) days before the meeting. This agenda shall indicate any parcels of land for which any action of the Commission is contemplated.
- Section 5.4 A quorum of four (4) Commissioners must be present to officially transact business at any regular or Special Meetings of the Commission.
- Section 5.5 Commissioner's attendance records shall be reviewed as needed with no less than one review completed in each calendar year. The Chair or his/her designees shall prepare a report, said report to be submitted to the Village Council and Commissioners. Action may be taken in accordance with state statute if attendance or duty becomes an issue of concern for the Chair or the Village Council.
- Section 5.6 Parliamentary procedure at all meetings of the Commission shall generally be in accordance with the Robert's Rules of Order.

Section 5.7 Order of Business. The secretary or his designate shall prepare an agenda for each meeting and the order of business therein shall be as follows:

- A. Call to order.
- B. Roll call.
- C. Approval of agenda.
- D. Approval of minutes from previous meeting.
- E. Election of officers, if necessary.
- F. Public comments (not related to an agenda item).
- G. Public hearings
- H. Site plan reviews.
- I. Unfinished Business
- J. New Business
- K. Public Comments (general)
- L. Commissioner comments.
- M. Adjournment.

ARTICLE VI. General Provisions

Section 6.1 Ethical Principles for Planning Commission: The following statement of ethics applies to the practices of the Lawton Planning Commission.

1. Serve the Public Interest. The primary obligation of planners and Planning Commission members is to serve the public interest.
2. Support Citizen Participation in Planning. Because the definition of the public interest is continuously modified, the planning staff and Commission members must recognize the right of citizens to influence planning decisions that affect their wellbeing. They should advocate a forum for meaningful citizen participation and expression in the planning process and assist in the clarification of community goals, objectives, and policies in plan-making.
3. Recognize the Master plan and Long-range Nature of Planning Decisions. The planning staff and Commission members must recognize and have special concern for the comprehensive and long-range nature of planning decisions. The staff and Commission must balance and integrate physical (including historical, cultural, and natural), economic, and social characteristics of the community or area affected by those decisions. The staff and Commission must continuously gather and consider all relevant facts, alternatives, and means of accomplishing them. The staff and Commission should also explicitly evaluate all consequences before making a recommendation or decision.
4. Expand Choice and Opportunity for All Persons. The planning staff and Planning Commission members must strive to expand choice and opportunity for all persons, recognize a special responsibility to plan for the needs of disadvantaged people, and urge changing policies, institutions, and decisions that restrict their choices and opportunities.
5. Facilitate Coordination Through the Planning Process. The planning staff and Planning Commission members must facilitate coordination. The planning

process should enable all those concerned with an issue to learn what other participants are doing, thus permitting coordination of activities and efforts and accommodation of interest. The planner and official must ensure that individuals and public and private agencies possibly affected by a prospective planning decision receive adequate information far enough in advance of the decision.

6. Avoid Conflict of Interest and Incompatibility of Office. To avoid conflict of interest and even the appearance of impropriety, a Planning Commission member who may receive some private benefit from a public planning decision must not participate in that decision. The private benefit may be direct or indirect, create a material personal gain, or provide an advantage to relations, friends, groups, or associations that hold a significant share of the official's loyalty. An official with a conflict of interest must make that interest public, abstain from voting on the matter, and leave any chamber in which such deliberations are to take place. The Planning Commission member must not discuss the matter privately with any other Planning Commission member voting on the matter.
7. Render Thorough and Diligent Planning Service. The planning staff and Planning Commission members must render thorough and diligent planning service. Should the planner or official believe s/he can no longer render such service in a thorough and diligent manner, s/he should resign from the position. If the official has not sufficiently reviewed relevant facts and advice affecting a public planning decision, the official must not participate in that decision.
8. Not Seek or Offer Favors. The planning staff and Planning Commission members must seek no favor. The planner and official must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be of their duties or was intended as a reward for any recommendation or decision on their part.
9. Not Disclose or Improperly Use Confidential Information for Financial Gain. The planning staff and Planning Commission members must not disclose or improperly use confidential information for financial gain. The planner and official must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest. Exceptions to this requirement of non-disclosure may be made only when (a) required by process of law, or (b) required to prevent a clear violation of law, or (c) required to prevent substantial injury to the public. Disclosure pursuant to (b) and (c) must not be made until after the planner or official has verified the facts and issues involved, has exhausted efforts to obtain reconsideration of the matter and has sought separate opinions on the issue from other planners or officials.
10. Ensure Access to Public Planning Reports and Studies on an Equal Basis. The planning staff and Planning Commission must ensure that reports and records of the public planning body are open equally to all members of the public. All non-confidential information available to the official must be made available in the same form to the public in a timely manner at reasonable or no cost.
11. Ensure Full Disclosure at Public Hearings. The Planning Commission must ensure that the presentation of information on behalf of any party to a planning question occurs only at the scheduled public hearing on the question, not in private, unofficially, or with other interested parties absent. The Planning

Commission members must make partisan information regarding the question received in the mail or by telephone or other communication part of the public record.

12. Maintain Public Confidence. The planning staff and Planning Commission members must conduct himself/herself publicly so as to maintain public confidence in the public planning body, the official's unit of government, and the official's performance of the public trust.
13. Respect Professional Codes of Ethics and Conduct. planning staff and Planning Commission must respect the professional codes of ethics and conduct established by the American Institute of Certified Planners (AICP) Commission and by several professions related to the practice of planning. Professional codes commonly establish standards of professional conduct and include provisions that protect the integrity of professional judgment and describe and professional's responsibility to the public, clients, employers, and colleagues.

Section 6.2 Annual Report. The Commission shall, before the 31st day of March of each year, submit to the City Council, a written report of its activities covering the previous year, indicating the status of planning activities including recommendations regarding actions by the City Council related to planning and zoning.

ARTICLE VII. Adoption and Amendments

Section 7.1 These Bylaws are to be adopted by a simple majority of a quorum of the Commission at a regularly scheduled meeting of the Commission. The proposed Bylaws must be presented to the full membership at least four (4) days prior to the meeting when adoption is scheduled on the agenda. Amendments of the original Bylaws may take place at the meeting(s) of their original adoption; thereafter amendments must follow the procedures outlined in Section 7.2 herein.

Section 7.2 These Bylaws must be amended by a majority affirmative vote of the quorum of Commissioners present at a regular or special meeting of the Commission. Proposed amendments must be mailed to all Commission members to be delivered at their address not later than four (4) days before the meeting of the Commission.

Adopted: August 5, 2021