

**Part 6**

**6.000 AN ORDINANCE TO ESTABLISH THE PORTER TOWNSHIP**

**PLANNING COMMISSION**

**THE TOWNSHIP OF PORTER ORDAINS:**

- 6.001 Purpose.** The purpose of the Township Planning Commission shall be: to promote public health, safety and general welfare; to encourage the use of resources in accordance with their character and adaptability; to avoid the overcrowding of land by buildings or people; to lessen congestion on public roads and streets; to facilitate provision for a system of transportation, sewage disposal, adequate water supply, recreation and other public improvements; and to consider the character of the township and the suitability for particular uses judged in terms of such factors as the trend in land and population development.
- 6.002 Powers and Duties.** The powers and duties of the Township Planning Commission shall be to make, adopt, extend, and add or to otherwise amend, and to carry out plans for the unincorporated portions of the Township as provided in M.C.L.A. 125.321 et. Seq
- 6.003 Members.**
- (A) Pursuant to M.C.L.A. 125. 324 Section 4, eight (8) persons, representative of major interests in the township such as agriculture, recreation, education, public health, government, commerce, transportation and industry, shall make up the Porter Township Planning Commission.
- (B) All members shall be qualified electors. One member shall be a member of the Township Board, appointed by the Supervisor with the approval of the Board. All other members shall be appointed by the Supervisor with the approval of the Township Board.
- (C) Members may be removed by the Township Supervisor, after a hearing, with the approval of the Township Board.
- 6.004 Term of Members.** The term of the members of the Township Planning Commission shall be three (3) years with the terms expiring March 31, on an annual basis so that approximately one-third (1/3) of the terms will expire each year; except that of the members first appointed, 1/3 shall serve for one year, 1/3 for 2 years and 1/3 for 3 years. A successor shall be appointed not more than one (1) month after the term of the preceding commission member has expired. All vacancies for unexpired terms shall be filled for the remainder of such term.
- 6.005 Compensation.** Members of the Township Planning Commission may be compensated as determined by the Township Board.
- 6.006 Officers of the Planning Commission.** The members of the Township Planning Commission shall elect from its members a chairman, vice-chairman and secretary and fill other offices of committees as they deem advisory. The Planning Commission may also appoint advisory committees outside its membership. All terms of office pertaining to this section shall be for one year.

- 6.007 Meetings.** The Township Planning Commission must have at least four regular planning meetings each year. The time and place to be determined by resolution of the Commission. The Commission shall adopt rules for the transaction of business and keep a public record of its resolutions, transaction, etc. The Planning Commission shall give an annual report to the Township Board. A special meeting may be called by 2 members upon written request to the secretary or by the chairperson. The business which the planning commission may perform shall be conducted at a public meeting of the planning commission and public notice of the time, date, and place of a regular or special meeting shall be given.
- 6.008 Basic Plan.** The Planning Commission shall make, amend and adopt a basic plan as a guide for the development of unincorporated portions of the township. As a basis for the plan, the Planning Commission is hereby empowered to:
- (A) Make inquiries, investigations and surveys of all the resources of the township; and
  - (B) Assemble and analyze data and formulate plans for the proper conservation and uses of all resources, including a determination of the extent of probable future need for the most advantageous designation of lands having various use potentials and for services, facilities and utilities required to equip such lands. The Planning Commission may consult, in respect to its planning, with representatives of adjacent townships; with the County Planning Commission; with any representatives of incorporated municipalities within the township. The Planning Commission is authorized to make use of expert advice and information agencies having information, maps, and data pertinent to township planning.
- 6.009 Contents.**
- (A) The basic plan and amendments shall include maps, plats, charts and descriptive, explanatory and other related matter and shall show the Planning Commission's recommendations for the physical development of the unincorporated areas of the township.
  - (B) The basic plan and amendments shall include those of the following subjects which reasonably can be considered as pertinent to the future development of the township:
    - 1.A land use plan and program, in part consisting of a classification and allocation of land for agriculture, residence, commerce, industry, recreation, public ways and grounds, public buildings, schools, soil conservation, forest, wild life refuges and other uses and purposes.
    - 2.The general location, character and extent of streets, roads, highways, railroads, bridges, waterways and water front developments; flood prevention works, drainage, sanitary sewers and water supply systems, works for preventing pollution and works for maintaining water levels; and public utilities and structures.
    - 3.Recommendations as to the general character, extent and layout for the redevelopment or rehabilitation or blighted districts and slum areas; and the removal, relocation, widening, narrowing, vacating, abandonment, changes or use of extension of public ways, grounds, open spaces, buildings, utilities or other facilities.
    - 4.Recommendations or implementing any of its proposals.
- 6.110 Adoption Procedure. Approval by County Planning Commission.** The Planning Commission by majority vote of its membership may adopt the basic plan as a whole by a single

resolution, or may by successive resolutions adopt successive parts of the plan, the parts corresponding with major geographical sections or divisions of the township, or with functional subdivisions of the subject matter of the basic plan, and may adopt any amendment of extension thereof or addition thereto as herein provided. The plan or parts thereof shall be referred to the County Planning Commission of Cass County for its approval. The County Planning Commission shall approve or disapprove the plans within forty-five (45) days after the date of receipt. In the even of disapproval, a notice of such disapproval shall be forwarded to the Township Clerk within fifteen (15) days after the disapproval.

- 6.011 Hearing, Publication of Notice.** Before the adoption of the plan of any part, amendment, extension or addition, the Planning Commission shall hold at least one public hearing thereof. Thirty (30) days notice of public hearing shall be given by two publications at least two weeks apart and not less than seven (7) days before the hearing, in a newspaper having a general circulation in the township. Following the adoption of the basic plan or any part thereof by the Planning Commission, copies of the plan shall be transmitted to the Township Board and to the County Planning Commission.
- 6.012 Definitions.** The definitions contained in M.C.L.A. 1948 Section 125.321 are hereby adopted by reference.
- 6.013** The Township Clerk shall, within forty (40) days after the adoption of the resolution for this ordinance, transmit copies of the same to the Secretary of State for the State of Michigan, and to the County Planning Commission exercising planning jurisdiction within the Township and shall further secure the newspaper publication of the same as herein set forth within forty (40) days of said adoption date, and prepare and secure affidavits for the foregoing as evidence of their accomplishment.
- 6.014** This ordinance and resolution shall take effect 60 days following publication of the same in a newspaper having general circulation in the Township, unless a legal referendum petition is filed in connection therewith, and then at such time as the same has been approved by a majority of the electors voting thereon, at a subsequent regular or special election, the Township Board reserves the right to amend or repeal this ordinance and/or resolution at any time hereafter by a majority vote of the membership on the Township Board.
- 6.015 Inconsistent Acts.** Insofar as the provisions of this ordinance are inconsistent with the provisions of any other law or ordinance, the provisions of this ordinance shall be controlling except that this ordinance shall not supersede those acts and laws enumerated in Michigan Compiled Laws Annotated, Section 125.333., et seq
- 6.016 Effective Date.** This act shall be effective July 3, 2006.