



**City of Beaverton**

128 Saginaw Street PO Box 477

Beaverton, Michigan MI 48612

989.435.3511

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**PLANNING COMMISSION ORDINANCE ORDINANCE NO. 2019-4**

**An ordinance to establish a Planning Commission under the authority of PA 33 of 2008, the Michigan Planning Enabling Act, MCL 125.3801, et seq. for the purpose of having planning and zoning in the City of Beaverton, to create, organize, and enumerate powers and duties and to provide for the regulation and subdivision of land, coordinated and harmonious development of the City of Beaverton; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas of the State of Michigan.**

Section 1. That there is hereby constituted a planning commission to be known as the "The City of Beaverton Planning Commission", said Commission to have all powers and duties as provided in Act 33 of the Public Acts of 2008 as amended.

Section II. The City of Beaverton Planning Commission shall consist of seven (7) members. The members shall be appointed by the Mayor with the approval of the City of Beaverton Council. The membership of the planning commission shall be a representative of important segments of the City, such as the economic, governmental, educational, and social development of the community, in accordance with the major interests as they exist in the City. The membership shall also be representative of the entire geography of the City to the extent practicable. Up two (2) members of the planning commission may be a non-electer provided they are an electer in another community. Up two (2) of the planning commission may be ex-officio members consisting of the Mayor, a City Council member or the City Manager. Other than provided above, an elected officer or employee of the City is not eligible to be a member of the planning commission.

Section III. Members shall be appointed to the planning commission for three (3) year terms. However, when first appointed, the one third of the members shall be appointed to one (1) year, one third to a two (2) year term, and one third to a three (3) year term, as nearly as possible, such that that the terms of all commission members do not expire in the same year. The terms of elected ex-officio members shall correspond to their term of office. The terms of non-elected ex-officio members shall correspond to the Mayor's term of office.

Section IV. To be qualified to be a member and to remain a member of the planning commission, the individual shall meet the following qualifications: (1) Shall be a qualified elector of the City of Beaverton or another community as allowed in

Section II. (2) Shall not hold any elected office or employment with the local unit of government unless an ex-officio member shall not be a declared candidate for any political office except this condition shall not apply to the City Council representative to the commission.

Section V. The Mayor shall fill any vacancy in the membership of the commission for the unexpired term with the approval of a majority of the members of the Beaverton City Council.

Section VI. The Beaverton City Council may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure of a member to disc conflict of interest as require by Section 17(9) of the Michigan Planning Enabling Act constitutes malfeasance in office. Failure to repeatedly attend commission meetings shall be considered nonfeasance in office.

Section VII. The planning commission shall make an annual written report to the Beaverton City Council concerning its operations and the status of planning activities, including recommendations regarding actions by the Beaverton City Council related to planning and development.

Section VIII. The Beaverton City Council may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by it.

Section IX. Members of a Planning Commission may be compensated for their services as provided by the Beaverton City Council.



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Section X. After preparing the annual report required under Section VII, the planning commission may prepare a detailed budget and submit a budget to the Beaverton City Council for approval or disapproval. The Beaverton City Council annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county, or other local government or private grants, contributions, or endowments.

Section XI. This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clauses is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

City Council of the City of Beaverton, AUTHENTICATED: Gladwin County, Michigan By: 10 JANELLE KEEN, City Clerk RAY NAU, Mayor 1, Janelle Keen, City Clerk of the City of Beaverton, Michigan do hereby certify that I am the Clerk of the City of Beaverton, Gladwin County, and I do hereby certify that this Ordinance was adopted by the City Council of the City of Beaverton at a regular meeting of the City Council held 2019 at the Beaverton Area Community Center.

The vote on said Ordinance, 5 members being present and members being absent, was as follows:

AYES: 5

NAYS: J

JANELLE KEEN, City Clerk 1, Janelle Keen, the City Clerk of the City of Beaverton, do hereby certify that this Ordinance, or a summary of it, was published on the 4TH day of December in Midland Daily News, a newspaper of general circulation in the City of Beaverton, within (30) days after adoption City Clerk