

**VILLAGE OF LAURIUM PLANNING
COMMISSION BYLAWS
March 1, 2022**

These bylaws of the Planning Commission of the Village of Laurium, Houghton County, Michigan, are adopted in accordance with the Michigan Planning Enabling Act (Act 33 of 2008 as amended), which states, "a planning commission shall adopt bylaws for the transaction of business and shall keep a public record of its resolutions, transactions, findings and determinations."

• **AUTHORIZATION**

The Planning Commission, hereinafter called the Commission, is established pursuant to the Michigan Planning Enabling Act (Act 33 of 2008 as amended), and the Village of Laurium's Planning Commission Ordinance #112, as restated.

• **OFFICERS & COMMISSIONERS**

- Selection. At the first regular meeting in October, the Commission shall select from its members a chair, vice-chair and secretary.
- Terms. Term of office shall commence from the date of selection for a period of one year, or until a successor has been selected. Officers shall be eligible for re-election, but shall not serve more than two successive full terms in an office.
- Duties of Officers & Commissioners.
 - The chair shall preside at all meetings, appoint committees and liaisons to other groups with concurrence from the Commission, authorize calls for special meetings and perform such other duties as may be specified by the Commission.
 - The vice-chair shall act in the capacity of the chair in the chair's absence.
 - 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.
 - The secretary shall perform those duties assigned to the secretary under these bylaws, and such other duties as may be assigned from time to time by the Commission.
 - Members of the Commission who are absent from more than three (3) consecutive, regularly scheduled Commission meetings and work sessions or more than thirty (30) percent of the regularly scheduled Commission meetings and work sessions in a calendar year shall be subject to review and possible recommendation for removal to the Village Council.

Exceptions may be made if absences are due to the conduct of other business as authorized by the Commission.

- Members shall comply with the Michigan statute governing “Contracts of Public Servants with Public Entities,” MCL 15.321, et. seq. Failure of a member to comply with this statute constitutes malfeasance in office.
- Members who have a conflict of interest shall not vote or participate in any consideration of that matter, such action to be recorded in the meeting record. Failure of a member to disclose a potential conflict constitutes malfeasance in office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - Issuing, deliberating on, voting on, or reviewing a case concerning the member
 - Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by the member or which is adjacent to land owned by the member
 - Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which the member is part owner, or any other relationship where the member may stand to have a financial gain or loss
 - Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to the member
 - Issuing, deliberating on, voting on, or reviewing a case where the member’s employee or employer is:
 - an applicant or agent for an applicant, or
 - has a direct interest in the outcome.

• **RESPONSIBILITIES AND AUTHORITY**

The Commission shall assume the responsibilities and authorities set forth in Ordinance #112 and any zoning ordinance adopted by the Village, and shall conduct activities needed to carry out such responsibilities and authorities.

• **COMMITTEES**

- Purpose. The Commission may establish committees and/or designate liaisons to other Village bodies necessary to assist it in fulfilling its responsibilities and goals.
- Appointment. Committee members or liaison members shall be appointed by the chair, with concurrence from the Commission.

- Assignment of Duties. The Commission shall define the purpose, functions, tenure, selection of the chair, meeting and reporting requirements for its committees. A committee may be discharged from its responsibilities by the Commission.
- Public Participation. Committees shall meet requirements for public participation and access to records as provided for in these bylaws.

- **MEETINGS**

- Regular Meetings. The Commission shall hold no fewer than four regular meetings each year. In addition, work sessions may be scheduled for informal consideration of business, providing no official actions or decisions are taken at these sessions. All meetings and work sessions shall comply with the provisions of the Freedom of Information Act.
- Special Meetings. Special meetings may be called by the chair. The chair shall call a special meeting at the written request of two or more members of the Commission. Commission members shall be notified at least 48 hours prior to the meeting. Notification may be by e-mail or telephone and shall include the purpose of the meeting. Public notice of special meetings shall be in accordance with the Open Meetings Act (Act 267 of 1976 as amended).
- Meeting Schedule. A schedule of the Commission's regular meetings including date, time and place shall be established for each calendar year in accordance with the Open Meetings Act (Act 267 of 1976 as amended). Notice of such schedule shall be available to the public no later than ten days after the first meeting of the Commission in each calendar year. A change in the regular meeting schedule shall be posted within three days after the meeting at which the change is made.
- Quorum. A majority of members shall constitute a quorum for the transaction of business at meetings unless otherwise specified in these bylaws. The chairperson may postpone or reschedule a meeting in the event a quorum will not be present upon proper notification in accordance with the Open Meetings Act (Act 267 of 1976 as amended).
- Resolutions and Motions. All resolutions and motions of a substantive nature shall be made verbally. The name of the originator and seconder, the findings of fact, and the rationale for action shall be recorded in the minutes.
- Voting. Voting shall be by voice except that a roll call vote will be taken and recorded for all decisions made by resolution, or when requested by a member of the Commission, or whenever otherwise required by law.
- Decisions. Providing a quorum is present, a simple majority of those present and voting shall be required for Commission action. Exceptions shall include:

- Adoption of the Master Plan, or any part thereof, including extensions, additions, revisions or other amendments all of which shall require the affirmative vote of at least six members.
- Any other action which by law, Village ordinance or parliamentary authority requires otherwise.
- Agenda.
 - An agenda shall be established for each meeting of the Commission by the chair, and shall be made available to Commission members and the public in advance of the meeting. The chair shall determine the order of business, unless otherwise amended by the Commission.
 - Agenda items to be considered at a special meeting shall be limited to those included in the call to meeting unless all members are present and vote otherwise.
 - No more than three public hearings may be scheduled for a regular meeting of the Commission. The chair may approve exceptions when this bylaw would cause substantial backlog in Commission business.
 - A typical agenda may include:
 - Call to order
 - Approval of agenda
 - Approval of Minutes
 - Communications
 - Public Remarks
 - Public Hearings
 - Unfinished Business
 - Other Business (as applicable)
 - Announcements
 - Adjournment
- Public Participation.
 - All regular and special meetings, work sessions, and committee meetings shall be open to the public subject to the provisions of the Open Meetings Act (Act 267, 1976 as amended).

- Opportunity shall be provided for public comment at meetings in accordance with established Commission and Village policies and procedures, which include:
 - The number of persons admitted to a meeting room will be in keeping with public safety requirements and availability of space. Efforts will be made to provide adequate room to accommodate those in attendance.
 - Established protocols for public participation will be announced at the beginning of the meeting.
 - Opportunity to speak will be granted either under Public Remarks, or during a public hearing, as most appropriate.
 - Members of the public will identify themselves by name and address prior to presenting their comments.
 - A member of the public will be provided no less than three minutes to speak. Reasonable time limits may be imposed to ensure everyone desiring to speak, has an opportunity to speak.
 - All written communications will become part of the Commission record.
 - The chair may invite members of the public to participate in informal discussion on all or selected agenda items during Commission work sessions.
- The chair may call to order any person, including other committee members, who disrupts the orderly conduct of a meeting.
- Records. The secretary of the Planning Commission shall take the meeting minutes. At a minimum, the minutes must show the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes must include all roll call votes taken at the meeting.

Proposed minutes must be made available for public inspection within eight days after the applicable meeting. Proposed minutes must be made available for public inspection within eight days after the applicable meeting. Approved minutes must be made available for public inspection within five days after the public body's approval.

Minutes must be approved at the Commission's next meeting. Corrected minutes must show both the original entry and the correction (for example, using a "strikethrough" word processing feature).

Designated Village staff shall be responsible for minutes and other official records of all Commission meetings and actions, including supporting documentation. Notice of meetings, minutes and records shall be available to the public in accordance with the Freedom of Information Act (Act 442 of 1976 as amended).

- Reporting Requirements. The Commission shall provide for timely transmission of such reports or recommendations as are required by State law, Village ordinance or Village Council policy. Examples of reporting requirements include:
 - Planning.
 - The secretary of the Commission shall prepare and distribute a notice the Commission intends to prepare a Master Plan and requesting cooperation and comment to:
 - Each municipality contiguous to the Village of Laurium
 - Keweenaw Economic Development Alliance
 - Houghton County Planning Commission
 - The secretary of the Commission shall distribute the completed Master Plan draft after receiving Village Council authorization to:
 - Each municipality contiguous to the Village of Laurium
 - Keweenaw Economic Development Alliance
 - Houghton County Planning Commission
 - Each entity which received a copy of the draft Master Plan.
 - Zoning. Following the hearing on a proposed Zoning Ordinance, or its amendment, the Commission shall submit any comments received at the hearing and its proposed zoning ordinance including any maps and recommendations to the Village Council for final action thereon, as specified in the Michigan Zoning Enabling Act (Act 110 of 2006 as amended)
 - Annual Report. The Commission shall make an annual written report concerning its operations and the status of planning activities, including recommendations regarding actions by the Village Council related to planning and development; and on the administration and enforcement of the zoning ordinance and recommendations for amendments or supplements to the

ordinance. The secretary of the Commission shall transmit the report to the Village Council

- Limit on Introduction of Agenda Items. Agenda items shall not be introduced for discussion or a public hearing opened after 10:00 p.m. The chair may approve exceptions when this bylaw would cause substantial backlog in Commission business.

- **PUBLIC HEARINGS**

- Purpose.
 - Public hearings shall be held as required by the Michigan Zoning Enabling Act, the Michigan Planning Enabling Act, these bylaws, and other applicable provisions of state law:
 - Public hearings may also be held for informational purposes.
- Notice.
 - Notice of public hearings, including time, place, and purpose shall be made in conformance with applicable statutes and ordinances.
- Format. Public hearings shall be part of regular Commission meetings and shall be conducted according to established written procedures. An example of a typical public hearing format is:
 - Introduction by the chair (Open public hearing, announcement of procedures, time limits, and protocols for participation by the public, applicants, and their designated representatives).
 - Summary of subject matter.
 - Presentation by the petitioner (applicant) or designated representative(s).
 - Public comments.
 - Discussion and questioning by Commission members.
 - Close public hearing.
- Decisions.
 - Written notice of a Commission decision will be sent to the parties directly concerned with the purpose of the hearing, including petitioners or originators of the request for the hearing.

- **PARLIAMENTARY AUTHORITY**

Robert's Rules of Order Newly Revised, shall generally govern all questions of procedure not otherwise provided for in these bylaws or by state or federal law, or Village ordinance or policy; except, the Planning Commission shall not reconsider a decision without prior authorization from the Village Council.

- **AMENDMENT AND SUSPENSION OF BYLAWS**

- Amendment. Bylaws not required by state or federal law or Village ordinance may be amended by a two-thirds vote of the Commission, provided fifteen days notice and an opportunity for comment is given to the public.
- Suspension. A bylaw may be suspended by a two-thirds vote of Commission members present and voting at a meeting, provided said action is in accordance with established state or federal law, Village ordinance and parliamentary authority.