RESOLUTION ESTABLISHING TOWNSHIP PLANNING COMMISSION AND TRANSFERRING POWERS AND DUTIES OF TOWNSHIP ZONING BOARD

WHEREAS, the Township Board of Elk Rapids Township, Antrim County, Michigan desires to proceed under the terms and provisions of Michigan Public Act 168 of 1959, as amended, The Township Planning Act, and create thereunder a planning commission for said Township,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Township Board does hereby create a Township Planning Commission consisting of seven (7) qualified electors and property owners of the Township, under the authority of and subject to the powers, duties and limitations provided in Michigan Public Act 168 of 1959, as amended, and further subject to the terms and conditions of the within resolution and any amendments thereto, which might hereafter be adopted.

2. The members of the Township Planning Commission shall be appointed by the Supervisor of the Township, with the approval of the Township Board for terms of three years each, except that of the members first appointed, one-third shall serve for one year, one-third for two years, and one-third for three years. Successors shall be appointed not more than one month after the term of the proceeding commission member has expired. Vacancies shall be filled for the remainder of the term by action of the Township Board.

3. The members first appointed to the Township Planning Commission shall be appointed not sooner than 60 days following the publication of the within resolution and shall be representative of major interests as they exist in the Township, such as agriculture, recreation, education, public health, government, commerce, transportation, and industry. One member of the Township Board shall be appointed to the Planning Commission whose terms of office shall be commensurate with his term on the Township Board.

4. The members of the Township Planning Commission shall receive as compensation for their services such sum or sums as shall be determined from time to time by resolution of the Township Board.

5. After appointment, said Planning Commission shall meet to elect a chairman, vice-chairman, and secretary from its members and create and fill such other offices or committees as it may deem advisable. It may appoint advisory committees outside of its membership. The terms of all officers shall be one year. It shall meet at least four times each year, and such additional times as are determined to be necessary to accomplish the functions of the Commission.

6. In accordance with said Public Act 168 of 1959, as amended, said Planning Commission shall make and adopt a basic plan as a guide for the development of unincorporated portions of the Township, and conduct the necessary public hearings in connection therewith. It shall further make recommendations concerning new plats and other land development matters referred to it by the Township Board.

7. All final decisions of said Planning Commission other than those involving the election of its own officers and the adoption of its rules of procedure shall be subject to the approval of the Township Board before the same shall become effective.

8. Any amendments which may hereafter be made to said Public Act 168 of 1959 (as currently amended) shall hereby be declared to automatically control the activities and function of the Township Planning Commission created hereunder.

9. This 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 with the within resolution at any time hereafter by a majority vote of the membership on the Township Board.

10. The Township Clerk shall, within 10 days after the adoption of the within resolution, transmit copies of the same to the Secretary of State for the State of Michigan, and to the County Planning Commission and Regional Planning Commission, exercising planning jurisdiction within the Township, and shall further secure the newspaper publication of the same as herein set forth within 30 days of said adoption date, and prepare and secure affidavits of the foregoing as evidence of their accomplishment.

11. All powers, duties, responsibilities provided by the Township Rural Zoning Act (Michigan Public Act 184 of 1943, as amended) for zoning boards created thereunder are hereby transferred to the Township Planning Commission as of the effective date of the within resolution, unless the zoning board is nearing the completion of its zoning plans, in which case the within transfer of functions shall be postponed until the completion of such zoning plans or for a period of one year, whichever shall first occur. Any existing zoning ordinance shall remain in full force and effect until otherwise amended, altered or repealed by the Township Board.

CERTIFICATE

The undersigned, as the duly elected and acting clerk of the Township, hereby certifies that the within resolution was duly adopted by the Township Board at a regular meeting of said Board, at which a quorum was present, held on May 9, 1989, and that copies of the same were transmitted and published as directed therein.

Mary E. Pozolo, Township Clerk

Printed Town Meeting May 24, 1989