

**BYLAWS**  
**CATO TOWNSHIP PLANNING COMMISSION**

(As adopted January 11, 2011)

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**ARTICLE I – NAME**

The name of this Commission shall be the Cato Township Planning Commission.

**ARTICLE II – OBJECTIVES**

The objectives and purpose of the Commission are these set forth by the Township of Cato, in accordance with PA 33 of 2008, the Michigan Planning Enabling Act, and the amendments and supplements thereto, and PA 110 of 2006, the Michigan Zoning Enabling Act, and the amendments and supplements thereto.

**ARTICLE III – MEMBERSHIP**

**SECTION 1**

The Commission shall consist of five (5) members and be appointed by the Township Supervisor and approved by a majority vote of the Township Board. One (1) member of the Township Board shall be appointed as a member of the Commission as an ex officio member. Commission members shall be qualified electors of Cato Township, except as provided in Section 15 of PA 33 of 2008.

**SECTION 2**

The terms of office as well as the composition of the Commission, and removal from office shall be in conformance with Section 15 of PA 33 of 2008. Commission members shall be appointed for 3-year terms, except for ex officio members whose term shall expire with his or her term on the Township Board. Vacancies are filled for the remainder of the vacant position's term.

**ARTICLE IV – OFFICERS and THEIR DUTIES**

**SECTION 1**

The officers shall be Chairperson, Vice-Chairperson and Secretary. A Recording Secretary may be appointed by the Planning Commission to serve this Commission.

**SECTION 2**

The Chairperson shall preside at all meetings and hearings of the Planning Commission and shall have the duties normally conferred by parliamentary usage on such officers. An ex-officio member of the Planning Commission is not eligible to serve as chairperson.

**SECTION 3**

The Chairperson shall be one of the citizen members of the Commission. The Chairperson shall have the privilege of discussing all matters before the Commission and to vote thereon.

The Chairperson shall be responsible for submitting an annual report each year to the Township Board concerning the Commission's operations, membership composition, the status of planning activities, and recommendations to the Township Board related to planning and development issues.

The Chairperson shall be responsible for overseeing the Commission's review of the master plan at least every five (5) years after adoption to determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting(s) of the Commission. An extension, addition, revision, or other amendment to the master plan must include notice, publishing, or posting of text, and a public hearing, and must be adopted pursuant to statute.

#### **SECTION 4**

The Vice-Chairperson, who shall be a citizen member of the Commission, shall act for the Chairperson in their absence.

#### **SECTION 5**

The Secretary shall keep the minutes and records of the Commission, prepare the agenda of regular and special meetings with the Chairperson, provide notice of special meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a Secretary. Records of the Commission should be maintained at the principal township office and made available for public inspection.

### **ARTICLE V – ELECTION OF OFFICERS**

#### **SECTION 1**

Nomination of officers shall be made from the floor at the annual organization meeting which shall be held on the first meeting each year and elections shall follow immediately thereafter.

#### **SECTION 2**

A candidate receiving a majority vote of the entire membership of the Commission shall be declared elected and shall serve for one (1) year or until their successor shall take office.

#### **SECTION 3**

Vacancies in Offices shall be filled immediately by regular election procedure.

### **ARTICLE VI – MEETINGS**

#### **SECTION 1**

Work meeting dates for the upcoming year will be determined at the regular meeting each year in December. No less than four (4) regular meetings shall be held each year. Notice of regular meetings shall be posted at the principal township office within ten (10) days after the final meeting each year in accordance with the Open Meetings Act.

#### **SECTION 2**

Work meeting dates will be scheduled when needed with proper legal notice given.

#### **SECTION 3**

A quorum of the Commission consists of three (3) members and an affirmative vote of three (3) members shall be necessary to pass any motion involving the adoption of amending of plans or policy statements.

#### **SECTION 4**

Special meetings may be called by the Chairperson. It shall be the duty of the Chairperson to call such a meeting when requested to do so in writing by a majority of the members of the Commission or by the written request of a developer subject to payment of the fee for said special meeting if a majority of the members are able to be present. The notice of such a meeting shall specify the purpose of such a meeting and no other business may be considered except by unanimous consent of the Commission. The Secretary shall notify all members of the Commission in writing not less than five (5) days in advance of such special meeting.

#### **SECTION 5**

All meetings shall be open to the general public and subject to the Open Meetings Act.

#### **SECTION 6**

Absence from two (2) meetings in any calendar year without a resolution of the Commission excusing such absence shall result in a recommendation to the Supervisor or Township Board that the absent member be removed from office and replaced in accordance with provisions of the Township Board.

### **ARTICLE VII – ORDER OF BUSINESS**

#### **SECTION 1**

The order of business at regular meetings shall be:

- a. Opening of meeting by Chair and approval of agenda
- b. Approval of minutes of previous meeting(s)
- c. Public comments for agenda
- d. Public Hearings
- e. Unfinished Business
- f. New Business
- g. Public comments
- h. Adjournment

#### **SECTION 2**

Order of business may be suspended by a vote of two-thirds of those members present.

### **ARTICLE VIII - COMMITTEES**

#### **SECTION 1**

Special committees may be appointed by the Chairperson for purposes and terms, which the Commission approves. The Planning Commission may appoint advisory committees whose members are not members of the Planning Commission.

### **ARTICLE IX – HEARINGS**

#### **SECTION 1**

In addition to those required by law, the Commission may at its discretion hold public hearings when it decides that such hearings will be in the public interest. All public hearings held by the

Commission shall be pursuant to the notice requirements of the zoning ordinance, Michigan Planning Enabling Act, and Michigan Zoning Enabling Act.

## **ARTICLE X – CONFLICTS OF INTEREST**

### **SECTION 1**

Before commencing discussion or casting a vote on a matter or request on which a planning commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. Failure of a member to disclose a potential conflict of interest as required by these bylaws constitutes malfeasance in office. Conflict of interest is defined as, and a planning commission member shall declare a conflict of interest and abstain from participating in planning commission deliberations and voting on a request or matter, when:

1. An immediate family member has a business or financial interest in any request for which the planning commission is asked to make a decision. “Immediate family member” is defined as MCL 211.28: A spouse, mother, father, sister, brother, son, or daughter, including an adopted child. MCL 168.2: An individual’s father, mother, son, daughter, brother, sister, and spouse and a relative of any degree residing in the same household as that individual.
2. The planning commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant’s company, agency or association.
3. The planning commission member owns or has a financial interest in neighboring property. For the purposes of this section, a neighboring property shall include any property immediately adjoining the property involved in the request.
4. The outcome of a matter for which the planning commission is asked to make a decision may result in a direct financial gain to a planning commission member or his/her immediate family member or business. This includes matters of zoning text amendments.
5. A planning commission member or his/her immediate family member or business are subject to any legal contract containing clauses or other language that may limit the member’s ability to fully participate in deliberations and voting.
6. A planning commission member or his/her immediate family member or business has accepted payment from any party that may be reasonably considered to have a business or financial interest in the outcome of a matter or request.
7. There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the planning commission.

If a majority of members are disqualified by reason of a conflict of interest and a quorum does not otherwise exist for the purpose of transacting business of the Planning Commission, then all

members of the Planning Commission will participate in the matter or request, despite the conflict of interest.

## **ARTICLE XI – AMENDMENTS**

### **SECTION 1**

These Bylaws may be amended by a two-thirds vote of the entire membership of the Commission.

Reviewed and approved by Township of Cato – 01/11/11

Reviewed and approved by Cato Township Planning Commission – 04/13/22

Reviewed and approved by Cato Township Planning Commission – 01/11/23