



Village of Freeport
Ordinance # 37

An Ordinance to establish a Village Planning Commission in the Village of Freeport, Barry County Michigan, pursuant to Act 285, Public Acts of Michigan, 1931, as amended, to provide for the appointment of Commission Members, to define the responsibilities of the Planning Commission and to provide for all other matters.

The Village of Freeport, Barry County, Michigan hereby

Ordains:

At a regular meeting of the Freeport Village Council, Barry County Michigan, held in the Village hall on the 14th day of September, 1998 at 7:00 pm, local time:

Present: Kathy Kunde, Lisa Andrus, Harold Andrus, Lyle Blough, Charles Blough

Absent: Mary Eaton and one vacant seat from resignation.

The following ordinance was offered by Kathy Kunde and seconded by Lisa Andrus

Section 1 Title of Ordinance

This ordinance shall be known and may be cited as "Village of Freeport Planning Commission Ordinance"

Section 2 Definitions

The terms used in this ordinance shall have the same meaning a given to them in P.A. 1931, No 285, or as hereinafter in this section provided unless the context indicates to the contrary. As used in the ordinance:

'Commission' means the Village of Freeport Planning Commission created by this Ordinance.

'Commission members' or 'Commissioners' means the members of the Village Planning Commission.

'Village' means the Village of Freeport

'Plan' means the basic plan designated by P.A. 19312 Act no 285, as now existing or hereafter amended

'Council' or 'Village Council' means the chief legislative body of the Village of Freeport, Barry County Michigan.

Section 3: Determination of Necessity

The Village Council hereby determines that it is necessary for the best interest of the Village to promote public health, safety and general welfare to encourage the use of resources according to their character and adaptability; to avoid the overcrowding of land by buildings or people; to lesson congestion on public roads and streets; to facilitate provision for a system of transportation, sewage disposal, safe and adequate water supply, recreation and for other public improvements; and to consider the character of the Village and its suitability for particular uses judged as to such factors as the trend in land and population development establishing a Village Planning Commission pursuant to P.A No 285 as amended.

Section 4: Establishment of Commission

There is hereby established pursuant to P.A No 285, a Village Planning Commission for the village of Freeport, Barry County, Michigan. The Commission shall be a public body and will be known and exercise its powers under the title ' Village Planning Commission'. The Commission shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations which record shall be a public record. The Commission shall hold its meetings at least once a month.

Section 5: Description of Master Plan

The Planning Commission will make and adopt a master plan for the physical development of the Village, including any areas outside the boundaries which, in the Commissions judgment, bear relation to the planning of the Village.

A. The plan, with accompanying maps, plats, charts and descriptive matter will show the Planning Commissions recommendations for the development of the Village.

B. The plan will include those of the following subjects which reasonably can be considered as pertinent to the future development of the Village:

1. The general location, character and the extent of streets, viaducts, subways, bridges, waterways, flood plains, water fronts, boulevards, parkways, open spaces, public buildings and other public property.

2. The general location and extent of public utilities and terminals for water, light, sanitation, transportation, communication, power and other purposes.

3. The removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities or terminals.

4. The general location, character, layout and extent of community centers and neighborhood units.

5. The general character, extent and layout of the re-planning and redevelopment of blighted districts and slum areas.

6. A zoning plan for the control of the height, area, bulk, location and use of buildings and premises.

Section 6: Members, Appointments, Terms, Removal, Vacancy

The Planning Commission shall consist of the president, one of the administrative officials selected by the president, one member of the council to be selected by the council as

members ex officio, and six members who shall be appointed by the president with the approval of the Village Council and shall represent, insofar as possible, different professions or occupations. All members must be qualified electors or property owners of the Village. An appointment member shall not hold another municipal office except that one of the appointed members may be a member of the Zoning Board of adjustment or appeals or a member of a joint fire administrative board. The terms of ex officio members shall correspond to their respective official tenures, except that the term of the administrative official selected by the president shall terminate with the term of the president. The term of each appointed member shall be three years or until his or her successor takes office except that the respective terms of two of the members first appointed shall be for one year and two for two years. All members are eligible for reappointment. After public hearing, a member other than the member selected by the council may be removed by the president for inefficiency, neglect of duty or malfeasance in office. The council may, for like cause, remove the member selected by the council. All ex officio members appointed shall have full voting rights. All vacancies for unexpired terms will be filled for the remainder of such term. The Commission shall select from their membership a chairperson, vice chairperson and secretary. The Village President shall not serve as an officer of the Commission. The officers shall serve a term of one year with eligibility for reelection.

Section 7: Compensation

All appointed members of the commission may be compensated at a rate to be determined by the Village Council.

Section 8: Powers of the Commission

Except as specifically otherwise provided in this ordinance, the Commission will have all powers provided by law subject to the limitations imposed by law and herein.

Section 9: Fiscal Year, Adoption of Budget

A. The fiscal year of the Commission shall be the same as that currently used by the Village, or such other fiscal year as may hereafter be adopted by the Village.

B. The Commission will annually prepare a detailed budget and submit it to the Village Council on the same date that the proposed budget for the Village is submitted to the Village Council. The Commission will not finally adopt a budget for any fiscal year until the budget has been approved by the Village Council.

Section 10: Employees, Contracts for Services, Expenditures

The Commission may appoint such employees as it may deem necessary for its work whose appointment, promotion, demotion, and removal will be subject to the same provision of law as govern other corresponding civil employees of the Village. The Commission may also contract with city planners, engineers, architects and other consultants for such services as it may require. The expenditures of the Commission, exclusive of gifts, will be within the amounts appropriated for the purpose by the Village Council, which will provide the funds, equipment, and accommodations necessary for the Commission's work.

Section 11: Section Headings, Severability, Repealer

Section heading are provided for convenience only and are not intended to be part of this Ordinance. If any portion of this ordinance will be held to be unlawful, the remaining portions will remain in full force and effect. All ordinances, resolutions and parts of same in conflict herewith are hereby repealed.

Section 12: Recording and Filing

The Village Clerk will transmit copies of the ordinance to the secretary of State and to the Barry County Planning Commission within 10 days after adoption.

Section 13: Effective Date

This ordinance will be effective upon publication.

Approved and adopted by the Village Council, village of Freeport, Barry County, Michigan on September 14/1998.

Ayes: Kathy Kunde, Lisa Andrus, Harold Andrus, Lyle Blough, Charles Blough

Nays: None

Section V
Effective Date

This ordinance shall take effect twenty (20) days from after its passage.

Passed and adopted by the Freeport Village Council, Barry County, Michigan on the:

second day of June, 1997.

Charles A Blough
Margaret Nicholson
Clerk

Village of Freeport
Barry County, Michigan
Amendment to Ordinance # 37

This is an amendment to the Village of Freeport Planning Commission ordinance. This amendment is for the purpose of changing the number of members and their appointment. It changes the first three sentences of the original ordinance and leaves the balance of that section and all other sections as originally adopted.

Village of Freeport, Barry County, Michigan hereby
AMENDS ORDINANCE # 37

Section 6: Members Appointments

The Planning Commission shall consist of five members as authorized by the provisions of Act 285, public Acts of Michigan, 1931 section 3 (4). One member of the Council to be selected as member ex officio, and four members who shall be appointed by the president with the approval of the Village Council and shall represent, insofar as possible, different professions or occupations. All members must be qualified electors or property owners of the Village. An appointed member shall not hold another municipal office except that one appointed member may be a member of the Zoning Board of Adjustment or appeals. The balance of this section remains the same.

Section 14: Recording and Filing

The Village Clerk will transmit copies of this Amendment to the Secretary of State and to the Barry County Planning Commission within ten (10) days after adoption.

Section 15: Effective Date

This amendment will be in effect upon publication.

Approved and adopted by the Village Council, Village of Freeport, Barry County, Michigan, on
Aug 16, 1999.

AYES: 6 One member absent

NAYS: 0

STATE OF MICHIGAN)

) ss.

BARRY COUNTY)

I hereby certify that the foregoing is a true and complete copy of an Amendment adopted by the Village of Freeport, County of Barry, State of Michigan, at a special meeting held on July 16, 1999, and that public notice of said meeting was given pursuant to Act No. 267 of the Public Acts of Michigan of 1976 including, for a special or rescheduled meeting, notice by publication or posting at least 18 hours before the time set for the meeting.

I further certify that said Amendment has been recorded and such recording has been authenticated by the signatures of the Village Clerk and President.

Charles Blough, President

Dawn Yarger, Village Clerk

Joni Morey

Joni Morey, Clerk

Joni Morey, Clerk

Charles H. Blough President

Charles Blough, President

Charles Blough, President