

TITLE III: ADMINISTRATION

Chapter

- 30. PERSONNEL POLICIES
- 31. PLANNING COMMISSION

CHAPTER 30: PERSONNEL POLICIES

Section

- 30.01 Employee pension plan
- 30.02 Employee group insurance plans (other than annuity or pension plans)

§ 30.01 EMPLOYEE PENSION PLAN.

(A) *Title.* This section shall be known and cited as the Southfield Township Pension Plan.

(B) *Purpose.* This section is adopted for the purpose of ratifying and providing for a pension plan for officers and employees of Southfield Township, consistent with the authority provided by law. This section is not intended and shall not be construed to require a pension plan to be provided or funded by the township.

(C) *Authority.* This section and the contracts it ratifies or provides for are authorized by Public Act 77 of 1989, previously Public Act 27 of 1960, being specifically M.C.L. § 41.110b, as amended.

(D) *Exercise of authority.* The township hereby exercises its power and authority to contract with a company that grants annuities or pensions for the pensioning of the officers and employees of the township and for these purposes, to pay such portions of the premiums or charges for the annuities or pensions as may be approved by resolution of the Township Board.

(E) *Ratification.* The township hereby ratifies and confirms the validity of its Defined Contribution Pension Plan For Governmental Employees.

(F) *Contract approvals.* Contracts, including amendments, for annuities or pensions pursuant to this section, shall be with companies authorized to transact business within the state, shall be approved by resolution of the Township Board and shall be signed by the Township Supervisor and Township Clerk.

(G) *Contract terms and conditions.* Any contract approved or amended pursuant to this section shall contain all terms and conditions of the pension plan or annuity including but not limited to classes of officers and employees covered, individual eligibility requirements, funding and payment of contributions, premiums or charges,

vesting and payment of benefits and all other matters required or determined to be appropriate under applicable federal and state laws.
(Ord. 183, passed 6-8-93; Am. Ord. 202, passed 9-11-07)

§ 30.02 EMPLOYEE GROUP INSURANCE PLANS (OTHER THAN ANNUITY OR PENSION PLANS).

(A) *Title.* This section shall be known and cited as the Southfield Township Group Insurance Plan.

(B) *Purpose.* This section is adopted for the purpose of ratifying and providing for group insurance plans for officers and employees of Southfield Township, consistent with the authority provided by law. This section is not intended and shall not be construed to require one or more group insurance plans to be provided or funded by the township.

(C) *Authority.* This section and the contracts it ratifies or provides for are authorized by Public Act 77 of 1989, being M.C.L. § 41.110b, as amended.

(D) *Exercise of authority.* The township hereby exercises its power and authority to contract with a company that insures and covers one or more of the following under policies of group insurance or prepayment plan contracts, or both, covering life, accident, dental care, vision care, health, hospitalization, and medical and surgical service and expense insurance, to provide such policies to the officers and employees of the township and for these purposes, to pay such portions of the premiums or charges for the policies as may be approved by resolution of the Township Board.

(E) *Ratification.* The township hereby ratifies and confirms the validity of its group insurance policies as provided in its personnel policies.

(F) *Contract approvals.* Contracts, including amendments, for group insurance policies pursuant to this section, shall be with companies authorized to transact business within the state, shall be approved by resolution of the Township Board and shall be signed by the Township Supervisor and Township Clerk.

(G) *Contract terms and conditions.* Any contract approved or amended pursuant to this section shall contain all terms and conditions of the group insurance policy including but not limited to classes of officers and employees covered, individual eligibility requirements, funding and payment of contributions, premiums or charges, vesting and payment of benefits and all other matters required or determined to be appropriate under applicable federal and state laws.
(Ord. 202, passed 9-11-07)

CHAPTER 31: PLANNING COMMISSION

Section

- 31.01 Authority
- 31.02 Purpose

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- 31.03 Establishment
- 31.04 Membership of the Planning Commission
- 31.05 Officers, committees, and Zoning Board of Appeals member
- 31.06 Procedures of the Planning Commission
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- 31.08 Duties and responsibilities of the Planning Commission
- 31.09 Approval, ratification and reconfirmation

§ 31.01 AUTHORITY.

This chapter is adopted pursuant to the authority granted the Township Board of Trustees under the Michigan Planning Enabling Act, Public Act 33 of 2008, M.C.L. §§ 125.3801 *et seq.*, and the Michigan Zoning Enabling Act, Public Act 110 of 2006, M.C.L. §§ 125.3101 *et seq.*, as amended, to establish a Planning Commission with the powers, duties and limitations provided by those acts.

(Ord. 205, passed 6-14-11)

§ 31.02 PURPOSE.

The purpose of this chapter is for the Township Board of Trustees to confirm the establishment, under the Michigan Planning Enabling Act, Public Act 33 of 2008, M.C.L. §§ 125.3801 *et seq.*, of the Township Planning Commission, formerly established under the Township Planning Act, Public Act 168 of 1959, M.C.L. §§ 125.321 *et seq.*, to establish the appointments, terms, and membership of the Planning Commission, to identify the officers and the minimum number of meetings per year of the Planning Commission, and to prescribe the authority, powers and duties of the Planning Commission as provided in and subject to the terms and conditions of this chapter.

(Ord. 205, passed 6-14-11)

§ 31.03 ESTABLISHMENT.

There shall be a Township Planning Commission in accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, with the powers and duties as therein set forth and as hereinafter provided. This chapter shall be officially known and described as the "Planning Commission Chapter."

(Ord. 205, passed 6-14-11)

§ 31.04 MEMBERSHIP OF THE PLANNING COMMISSION.

(A) The Planning Commission shall consist of seven members. Members of the Planning Commission shall be appointed by the Township Supervisor subject to approval by the majority vote of the members of the Township Board elected and

serving, with the Planning Commission members serving when this chapter takes effect to continue as the members of the Planning Commission hereby established.

(B) The term of each member shall be three years, and until a successor is appointed and qualified, except that any Township Board member appointed as a member of the Planning Commission shall have a term corresponding with that person's term as a member of the Township Board. The duration of the terms of members first appointed to the Planning Commission shall vary, though not exceeding three years, so that terms will expire in different years. Vacancies in office shall be filled for the remainder of the unexpired term. The existing terms of Planning Commission members are continued.

(C) The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the Township, in accordance with the major interests, as they exist in the township, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the township to the extent practical.

(D) Members of the Planning Commission shall be qualified electors of the township, except that one member may be an individual who is not a qualified elector of the township.

(E) The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, as defined in the Planning Commission Bylaws, the member shall disclose the potential conflict of interest to the Planning Commission. The member is disqualified if so provided by the Planning Commission Bylaws. Failure of a member to disclose a potential conflict of interest as required by this division constitutes malfeasance in office.

(Ord. 205, passed 6-14-11)

§ 31.05 OFFICERS, COMMITTEES AND ZONING BOARD OF APPEALS MEMBER.

(A) The Planning Commission shall elect a Chairperson, Vice-Chairperson and Secretary from its members and create and fill other offices, as it considers advisable. The Township Board member of the Planning Commission is not eligible to serve as Chairperson. The term of each officer shall be one year, with opportunity for reelection as specified in the Planning Commission Bylaws.

(B) The Planning Commission may appoint advisory committees whose members are not members of the Planning Commission.

(C) As provided in the Michigan Zoning Enabling Act, M.C.L. § 125.3601, one member of the Planning Commission shall be appointed by the Township Board to serve on the Zoning Board of Appeals, with the term of that appointment to correspond to that member's term as a Planning Commission member.

(Ord. 205, passed 6-14-11)

§ 31.06 PROCEDURES OF THE PLANNING COMMISSION.

(A) The Planning Commission shall adopt bylaws for the transaction of business and shall keep a public record of its resolutions, transactions, findings, and determinations.

(B) The Planning Commission's procedures shall be in conformity with applicable ordinances, resolutions and policies adopted by the Township Board. (Ord. 205, passed 6-14-11)

§ 31.07 MEETINGS OF THE PLANNING COMMISSION.

(A) The Planning Commission shall hold not less than four regular meetings each year. At its first meeting of the calendar year, the Planning Commission shall adopt and provide notice of its regular meetings for the ensuing year in accordance with the Open Meetings Act, Public Act 267 of 1976, as amended. Provided, however, that a meeting need not be held if pending matters do not warrant a meeting.

(B) Special meetings may be called by the Chairperson or upon written request to the Secretary by at least two members of the Planning Commission. Unless the Planning Commission Bylaws provide otherwise, the Secretary shall send written notice of a special meeting to Planning Commission members not less than 48 hours before the meeting. All costs of special meetings held to consider requests of applicants for approvals under the zoning chapter (or for such other purposes as may be necessary) shall be paid by the applicant for such requests.

(C) The business that the Planning Commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, as amended. (Ord. 205, passed 6-14-11)

§ 31.08 DUTIES AND RESPONSIBILITIES OF THE PLANNING COMMISSION.

The Planning Commission shall have the following principal duties and responsibilities, among others:

(A) Prepare, review and update a master plan as a guide for development within the township's planning jurisdiction.

(B) Take such action on petitions, staff proposals and Township Board requests for amendments to the zoning chapter as required.

(C) In accordance with the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended, consider, no less frequently than every five years, whether a revision of the Master Plan or updated amendments in the Master Plan are needed and prepare, consider and approve any such revisions or amendments.

(D) Take such actions as are required by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended.

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(E) Review subdivision and condominium proposals and recommend appropriate actions to the Township Board.

(F) Prepare special studies and plans, as deemed necessary by the Planning Commission or Township Board and for which appropriations of funds have been approved by the Township Board, as needed.

(G) Prepare an annual written report to the Township Board concerning its operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.

(H) Promote understanding of and interest in the Master Plan and the township zoning chapter.

(I) Carry out other duties and responsibilities as set forth in the Michigan Planning Enabling Act, Public Act 33 of 2008, except the annual preparation of a capital improvements program under M.C.L. § 125.3865, from which the Planning Commission is hereby exempted to the extent that such obligation applies to the township, which does not own or operate a water supply or sewage disposal system.

(J) Exercise all powers and duties of a Zoning Board, as previously and hereby confirmed as transferred to the Planning Commission, as provided in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and as permitted in the Township Planning Act, Public Act 168 of 1959, § 11.

(Ord. 205, passed 6-14-11)

§ 31.09 APPROVAL, RATIFICATION AND RECONFIRMATION.

All official actions taken by the Township Planning Commission preceding the Planning Commission established by this chapter are hereby approved, ratified, and reconfirmed. Any project, review, or process taking place at the effective date of this chapter shall continue with the Planning Commission created by this chapter, subject to other requirements of this chapter, and shall be deemed a continuation of any previous Township Planning Commission. This chapter shall be in full force and effect from and after its adoption and publication.

(Ord. 205, passed 6-14-11)