

CLARE COUNTY ORDINANCE #19
CLARE COUNTY PLANNING COMMISSION

STATE OF MICHIGAN

COUNTY OF CLARE

ORDINANCE

An Ordinance to provide for County Planning the creation and appointment, powers and duties of County Planning Commission.

Be it ordained and enacted by the Board of Commissioners of the County of Clare of the State of Michigan:

Section I

That there is hereby created a Planning Commission for the County of Clare with the powers and duties as provided in Public Act 282 of 1945, As Amended.

Section II

That the Commission shall consist of eleven (11) members not more than five (5) of whom shall hold any office or position in the County Government. That the members of such Commission shall be appointed by the Chairman of the Board of Commissioners with the consent of the Board of Commissioners for a term of three (3) years, provided that upon first appointment of members to such Commission the terms of office shall be four (4) for three (3) years; four (4) and two (2) years and three (3) and one (1) year.

Section III

That the Board of Commissioners shall establish the basis for representative membership on the Commission in accordance with the important segments of the economic, governmental, social life and development of the County.

Section IV

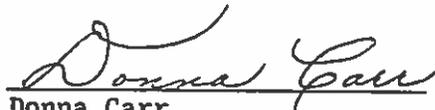
That this Ordinance shall take effect and be in force and effect when notice of the adoption is published in a newspaper of general circulation in the County.

Passed and approved by the Clare County Board of Commissioners on the 1st day of July, 1991.


Ted Krawczynski, Chairman
Board of Commissioners

I, Donna Carr, Clare County Clerk and Clerk of the Board of Commissioners, hereby certify the foregoing to be a full, true and correct copy of the Ordinance as adopted by the Clare County Board of Commissioners on the 1st day of July, 1991.

Seal


Donna Carr
County Clerk and Clerk of
the Board of Commissioners

MAY 05 2011

**CLARE COUNTY PLANNING COMMISSION ORDINANCE # 19-A
OF April 20, 2011**

WHEREAS, the People of Clare County did establish a Clare County Planning Commission Ordinance on July 1, 1991, and it is now desired to repeal the existing ordinance and adopt this ordinance, NOW THEREFORE, THE PEOPLE OF CLARE COUNTY DO ORDAIN AS FOLLOWS:

CLARE COUNTY PLANNING COMMISSION ORDINANCE

AN ORDINANCE to create a Planning Commission for Clare County, Michigan, as authorized by P.A. 33 of 2008, being Michigan Planning Enabling Act MCL 125.3801 et seq., for the purpose of having planning; to create, organize, enumerate powers and duties; to provide for the coordinated and harmonious development of Clare County; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within Clare County.

THE PEOPLE OF CLARE COUNTY DO ORDAIN:

101. Creation.

There shall be a Clare County Planning Commission pursuant to P.A. 33 of 2008, being the Michigan Planning Enabling Act, MCL 125.3801 et seq., hereinafter referred to as the Planning Commission, with the powers and duties as therein set forth and as hereinafter provided. This ordinance shall be officially known and described as the "Clare County Planning Commission Ordinance."

102. Membership.

- A. The Planning Commission shall consist of 7 members appointed by the Clare County Board of Commissioners. In order to be a member and remain a member of the Planning Commission, the individual shall meet the following qualifications:
1. be appointed by the Clare County Board of Commissioners; and
 2. be a qualified elector of Clare County, except that one member may not be a qualified elector; and
 3. with the exception of the two County commissioners, shall not be an elected officer or employee of Clare County.
- B. Members shall be appointed for three-year terms. However, when first appointed, a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of 1/3 of all commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment.
- C. To the extent practicable, actions shall be taken to ensure all geographic areas of Clare County are represented.
- D. Membership shall be representative of the important interest segments of Clare County, as follows.
1. Five members who represent: Agriculture, Natural Resources, Recreation, Education, Public Health, Government, Transportation, Industry and Commerce.

2. Two members of the Clare County Board of Commissioners, whose terms on the Planning Commission shall coincide with their elected terms of office.

103. Removal from Office.

- A. The Clare County Board of Commissioners may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office. Repeated failure to attend Planning Commission meetings shall be considered nonfeasance in office.
- B. The secretary of the Planning Commission shall report any member who has missed three regular meetings in a row to the Clare County Board of Commissioners.

104. Vacancies.

The Clare County Board of Commissioners shall fill any vacancy in the membership of the Planning Commission for the unexpired term in the same manner as the initial appointment.

105. Meetings.

- A. The Planning Commission shall meet at least four times annually. Special meetings may be called as provided in the Bylaws. All meetings of the Planning Commission shall be held in compliance with the Open Meetings Act, MCL 15.261 et seq.
- B. A majority of the Planning Commission shall constitute a quorum for the transaction of ordinary business. All questions which shall arise at the meeting shall be determined by vote of a majority of the members of the Planning Commission present at the meeting.
- C. The affirmative vote of 2/3 of the total number of seats for members of the Planning Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.

106. Powers and Duties.

- A. The Planning Commission shall have the powers and duties as set forth in P.A. 33 of 2008, being the Michigan Planning Enabling Act, MCL 125.3801 et seq.,
- B. The Planning Commission shall be designated as a metropolitan county planning commission, pursuant to Section 37(1) of P.A. 33 of 2008, being the Michigan Planning Enabling Act, MCL 125.3837 (1), The Planning Commission shall serve as a coordinating agency for all planning commissions that are now or may be within the County of Clare.

- C. The Planning Commission is responsible for developing Clare County's annual Capital Improvement Program, subject to the approval of the Clare County Board of Commissioners.
- D. The Planning Commission is responsible for the development of the five year Clare County Master Plan. The Clare County Board of Commissioners has the right to approve or reject the master plan or any amendments to the master plan.

107. Bylaws; Records.

The Planning Commission shall adopt Bylaws for the conduct of meetings and the transaction of business. The Planning Commission shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record, subject to compliance with the Freedom of Information Act, MCL 15.231 et.seq.

108. Approval, Ratification, and Reconfirmation; Repealer.

All official actions taken by all Clare County Planning Commissions preceding the Planning Commission created by this ordinance are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Planning Commission. This Ordinance shall be in full force and affect from and after its adoption and publication. The Clare County Planning Commission Ordinance of July 1, 1991 is hereby repealed.

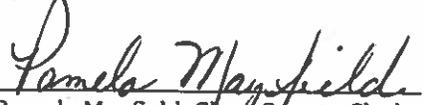
Passed by the Clare County Board of Commissioners on April 20, 2011, at its regular meeting with seven (7) commissioners in attendance, 7 voting aye, 0 nay.

Signed: 
Donald David, Chairperson



STATE OF MICHIGAN)
COUNTY OF CLARE)

CERTIFICATION: The undersigned, being the Clerk of Clare County, does hereby certify that this is a true and correct copy of the Ordinance duly adopted by the Clare County Board of Commissioners on the 20th day of April, 2011.


Pamela Mayfield, Clare County Clerk

**AN ORDINANCE REPEALING CLARE COUNTY ORDINANCES NO. 19 AND 19-A
ESTABLISHING A PLANNING COMMISSION FOR THE COUNTY OF CLARE**

Adopted by Clare County Board of Commissioners on April 19, 2017

Ordinance No. 19-B

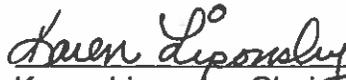
Whereas, the County of Clare created a Planning Commission through Ordinance 19, adopted July 1, 1991, and recreated it through Ordinance No. 19-A, adopted April 20, 2011, pursuant to the then applicable Michigan Planning Enabling Acts, being Public Act 282 of 1945, as amended, and Public Act 33 of 2008, as amended (being MCL 125.3801 *et seq*); and

Whereas, the County Board of Commissioners believes that the land use type functions assigned to the County Planning Commission may be dealt with by the appropriate city, village or township local units of government in a more efficient and cost effective manner, and with more direct accountability to the public electorate within these jurisdictions, and that the balance of the County Planning Commission responsibilities may be handled more efficiently directly by the elected County Board of Commissioners.

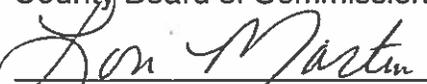
**THEREFORE, THE PEOPLE OF THE COUNTY OF CLARE, MICHIGAN, DO
ORDAIN:**

Section 1. Repeal. Clare County Ordinance 19, adopted July 1, 1991, entitled *Clare County Planning Commission*, and Clare County Ordinance 19-A, adopted April 20, 2011, entitled *Clare County Planning Commission Ordinance*, are hereby repealed in the entirety.

Section 2. Effective Date. This Ordinance shall become effective on the date upon which notice of its adoption is published in a newspaper of general circulation in Clare County.

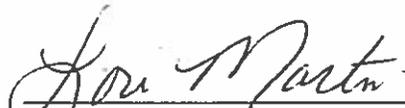


Karen Lipovsky, Chairperson
County Board of Commissioners



Lori Martin, County Clerk

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 19-B adopted by the County Board of Commissioners of the County of Clare at a regular meeting held on April 19, 2017.



Lori Martin, County Clerk