

**City of Tawas City  
Planning Commission  
Rules of Procedures and Policies**

ARTICLE 1 – Name

The name of the Commission shall be the Planning Commission of the City of Tawas City, hereinafter referred to as “Commission.”

ARTICLE 2 – Objectives

The objectives, purposes, powers, and duties of the Commission are those set forth by Section 6.9 of the City Charter, the City Zoning Ordinance, and all subsequent amendments thereto, and pursuant to Public Act 285 of 1931, as amended.

ARTICLE 3 – Membership, Officers, and Their Duties

1. Membership of the Planning Commission shall consist of seven (7) citizens, one of whom is a City Council member acting as an ex officio member of the commission. The ex officio member shall have all the voting rights as appointed members.
2. The officers shall be a Chair, a Vice-Chair, and a Secretary.
3. Such other officers, sub-committees, etc. as are deemed necessary and advisable for the conduct of business shall be appointed as required and provided for by the Commission.
4. The Chair shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers.
5. The Vice Chair shall preside and exercise all the duties of the Chair in his/her absence. Should neither the Chair nor the Vice-Chair be present at a meeting, the Secretary shall call the meeting to order, and a temporary Chair shall be elected by the majority vote of the members present.
6. The Chair, the City Manager, or the Zoning Administrator shall sign all legal documents for the Commission, unless otherwise required.

ARTICLE 4 – Election of Officers

1. The Planning Commission shall elect its Chair and Vice Chair from among the appointed members of the Commission. The Commission may elect a Secretary from among its appointed or ex officio members and may create and fill such other of its offices as it may determine to be necessary. In accordance with State law, the ex officio member is not eligible to serve as the Chair.
2. Nomination of officers shall be made from the floor at the annual organizational meeting which shall be the regular meeting in April each year, and the election shall be immediately thereafter.
3. A candidate receiving a majority vote of the entire Commission shall be declared elected and shall serve a term of one (1) year or until his/her successor shall take the office.
4. Vacancies in office shall be filled by the Planning Commission in a timely factor.

## ARTICLE 5 – Meetings

1. All regular and special meetings, hearings, and records shall be open to the public. Meetings shall be conducted under the Open Meetings Act of the State of Michigan.
2. The regular meetings of the Commission are to be held on the first Tuesday of each month. Changes in the date of a regular meeting may be made by action of the Commission. Regular meetings can be cancelled by the Chair if there is no business for the agenda.
3. A special meeting of the Commission may be called by the Chair, or the Vice-Chair in the event the Chair is unavailable, or any three (3) members of the Commission. Each member of the Commission must receive at least two (2) days of notice as to the time, place, and purpose of the meeting.
4. All inquiries, applications, or matters requiring official action by the Commission shall be submitted in writing to the Zoning Administrator, be properly drafted on official forms necessary, and contain all relevant information regarding the matter upon which the Commission is requested to act. Any petitioners may withdraw a petition at any time by filing a written notice of withdrawal with the Zoning Administrator.
5. The normal order of business at meetings shall be as follows:
  - a. Call to Order
  - b. Roll Call
  - c. Approval of Agenda
  - d. Approval of Minutes
  - e. Correspondence
  - f. Public Hearings
  - g. Public Comments on Agenda Items
  - h. Unfinished Business
  - i. New Business
  - j. Public Comments on Non-Agenda Items
  - k. Staff Reports
  - l. Commissioner Comments
  - m. Adjournment
6. A quorum shall consist of a majority of the seats on the Commission.
7. All proceedings, decisions and resolutions of the Commission shall be initiated by motion.
8. An affirmative vote of a majority of those present shall be necessary to pass any motion.
9. Voting shall be by voice vote and are not be recorded as individual ayes or nays unless requested by a member of the Commission, in which case the Chair shall order the vote to be so recorded except that any member may abstain by so declaring prior to vote.
10. Roberts Rules of Order, as amended, shall govern parliamentary procedure in Commission meetings. The City Clerk or Deputy Clerk shall act as parliamentarian during Planning Commission meetings.
11. Public comments are limited to three (3) minutes per person.

## ARTICLE 6 – Procedures

1. Applications shall be made by the owner or by parties who have substantial interest and

rights in the premises affected, provided that the owner consents to the request. The applicant may appear on his/her own behalf or may be represented by an attorney or agent at the hearing.

Applications and all required supporting documentation are to be submitted by the filing deadline. Applicants are to be provided with instructions, which include the deadline date. Failure to submit a complete application and/or any required component of the application or submission of an inadequate application and/or any required component of the application will result in the application being withdrawn from consideration.

2. The usual order of procedure of a public hearing shall be:
  - a. Chair states the name and nature of the application and explains the public hearing procedure.
  - b. Chair directs all persons present in connection with the application to identify themselves by name and address and present the application.
  - c. Motion to open the public hearing with rollcall vote.
  - d. The public in favor of or opposed to the application are heard.
  - e. Motion to close the public hearing with a rollcall vote.
  - f. City Zoning Administrator presents the official records of the application.
  - g. City Manager or their designee presents staff recommendations.
  - h. Commissioners asks questions of staff.
  - i. Discussion by Commissioners.
  - j. Motion and decision by Commissioners.

#### ARTICLE 7 – Disposition

1. The decision of the Commission shall take effect five (5) working days from the date of determination. However, the Commission may find the immediate effect of such decision is necessary for the preservation of property or personal rights and shall certify with five (5) concurring votes or a majority vote of the members present. The applicant shall be advised of the decision in writing within five (5) working days of the final hearing and decision.
2. Whenever approval of a petition is authorized by resolution of the Commission, a building or occupancy permit shall be obtained within six (6) months from the date of this approval or failure to obtain such permit within six (6) months shall invalidate the approval.

#### ARTICLE 8 – Commission Absences

1. In order to maintain maximum participation of all appointed Planning Commission members at all regularly scheduled meetings of the Tawas City Planning Commission, the following attendance guide and Commissioner replacement policy for “excused” or “unexcused” absences should be implemented:
  - a. When appointed, each Commissioner should state his/her willingness and intention to attend each scheduled monthly meeting of the Planning Commission.
  - b. In the event of unplanned personal matters, business trips, family vacation trips, changes in job requirements, sickness, or other physical disabilities that prohibit the Commissioner from attending the scheduled monthly meeting, the Commission

Chair should be notified as early as possible of the inability to attend the scheduled meeting. The Planning Commission member upon this notification will receive an “excused absence” for the involved scheduled meeting.

- c. There will be a limit of three (3) consecutive excused absences or two (2) consecutive unexcused absences for any member of the Planning Commission. If any member meets the above criteria for consecutive yearly scheduled regular meetings, the Commissioner will be canvassed and be considered for automatic appointment nullification.
- d. If any Planning Commission member is absent from any five (5) scheduled monthly Planning Commission meetings during any one (1) year period, whether consecutive or not, the Commissioner is subject to an automatic appointment nullification immediately after the fifth missed meeting, whether the absences are excused or not. Upon nullification, the Mayor and City Council should replace the Commissioner as soon as possible to maintain the prescribed number of Planning Commission members.
- e. The “appointment nullification” action as required will be initiated by the Planning Commission and City Manager and forwarded on to the City Council for official action.

#### ARTICLE 9 – Miscellaneous

1. These Rules and Regulations may be amended or altered during a regular meeting of the Planning Commission by the affirmative vote of at least four (4) members, or a majority of those on the current roster of the Commission.
2. The provisions of these Rules and Regulations shall be discussed and/or adopted or readopted by the Commissions occasionally.

Moved by Masich, seconded by Bower, CARRIED, to adopt the City of Tawas City Planning Commission Rules of Procedures and Policies as presented on December 6, 2022.

YES: Cook, Doak, Gavenda, Masich, Stevelinck, Wilson, Handy, and Bower

NO: None

ABSENT: None

  
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Nicole Jakobi, Deputy Clerk

Approved by the Planning Commission on March 4, 2008.

Approved by the Planning Commission on March 4, 2014.

Approved by the Planning Commission on December 6, 2022.