

AN ORDINANCE

of the Council of the City of Berkley, Michigan
amending, Chapter 90 Planning Commission, Article II Planning Commission
of the Berkley City Code

THE CITY OF BERKLEY ORDAINS:

SECTION 1: That Chapter 90 Planning Commission, Article II Planning Commission of the Berkley City Code be and hereby is amended as follows:

ARTICLE II. PLANNING COMMISSION

Sec. 90-16. Creation; composition.

There shall be a city planning commission which shall consist of nine members.

Sec. 90-17. Appointment; qualifications.

The nine members of the planning commission shall be appointed by the mayor with the approval of the council, and the members of the planning commission shall not hold any other municipal office except that one of the members may be a member of the zoning board of adjustment or appeals. No person shall be eligible to appointment who is not a resident of the city and a citizen of the United States. Members shall be representative of important segments of the community such as the economic, educational, and social development of the local unit of government in accordance with the major interests as they exist in Berkley such as recreation, education, transportation, industry and commerce. The membership shall also be representative of the entire geography of the City of Berkley to the extent practicable.

Sec. 90-18. Term of office.

The terms of office of the members of the planning commission, subject to the provisions of this article relative to removal shall be as follows: The term of each member of the planning commission shall be for three years, except that three members of the first planning commission to be so appointed shall serve for the term of one year, three for a term of two years, and three for a term of three years. The term of office in each instance shall begin on July 1 in each year. All members of the planning commission shall hold office until their successors are appointed.

Sec. 90-19. Compensation.

Members of the planning commission shall receive no compensation.

Sec. 90-20. Removal of members.

Members of the planning commission may, after a public hearing, be removed by the council for nonfeasance, misfeasance, or malfeasance in office. Refer to Code of Ethics ordinance.

Sec. 90-21. Filling of vacancies.

Vacancies occurring on the planning commission by other than through the expiration of a term shall be filled for the unexpired term by the council consistent with the provisions of section 90-17.

Sec. 90-22. Chairperson; meetings; rules; records.

The planning commission shall elect its chairperson from among the appointed members and create and fill such other of its offices as it may determine. The term of chairperson shall be one year, with eligibility for reelection. The planning commission shall hold at least one regular meeting in each month. It shall adopt by laws and rules of procedure and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

Sec. 90-23. Employees; contracts for special services; source and limit on expenditures.

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

Sec. 90-24. Annual estimate of funds required.

On or before March 1 of each year, the planning commission shall transmit in duplicate to the city manager its estimate of the amount of money required for its purposes for the ensuing fiscal year.

Sec. 90-25. Annual report.

The planning commission shall, on or before August 1 of each year, make a written report to the council of the work of the planning commission during the preceding year. The report shall be certified by the planning commission and entered of record by the city clerk, and published in such manner as the council may direct. The planning commission shall also make such other reports as the council may from time to time require.

SECTION 2: That the City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991 and Section 6.5 of the Berkley City Charter.

Introduced on the First Reading at the Regular City Council Meeting on Monday, September 21, 2009.

Approved on the Second Reading at the Regular City Council Meeting on Monday, October 5, 2009.

Marilyn V. Stephan
Mayor

Attest:
Mary V. Hughes
City Clerk