

**VILLAGE OF NEWBERRY  
COUNTY OF LUCE  
STATE OF MICHIGAN**

**TITLE: PLANNING COMMISSION ORDINANCE**

An Ordinance to provide for a Village Planning Commission.

**THE VILLAGE OF NEWBERRY ORDAINS:**

1. This Ordinance amends the existing Planning Commission Ordinance 26.
2. The Planning Commission Ordinance 26 is amended in its entirety to read as follows:

**“Section 26.1 - Creation:**

There is hereby created a Planning Commission for the Village of Newberry, pursuant to the Michigan Planning Enabling Act, Public Act 33 of 2008 (“Act”). The Commission shall consist of five (5) members. At least three (3) members shall be qualified electors of the Village of Newberry. One (1) of the qualified elector members may be a member of the Village Council and be referred to as an ex-officio member as permitted by Section 15(5) of the Act. No more than two (2) members may be qualified electors of another local unit of government as permitted by Section 15(4) of the Act.

Members shall represent insofar as is possible important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable. The Village President shall appoint members of the Planning Commission, subject to approval by a majority vote of the Village Council.

The term of office of each member of the Planning Commission shall be three (3) years, except that one (1) member of the first Commission to be so appointed shall serve for a term of one (1) year, two (2) for a term of two (2) years, and two (2) for a term of three (3) years. All members shall hold office until their successors are appointed.

**Section 26.2 - Powers and Duties:**

The Planning Commission shall possess and exercise all the powers and duties as are granted, from time to time, to Village Planning Commissions by the statues of

the State of Michigan, including, but not restricted to, those powers and duties provided for in the Act, and such amendments and superseding Acts as may be enacted.

**Section 26.3 - Compensation:**

All members of the Planning Commission shall serve as such without compensation.

**Section 26.4 - Chairperson, Meetings, Rules, Records:**

The Planning Commission shall elect a Chairperson and a Secretary from its members, and may create and fill other offices as it considers advisable. The term of the Chairperson and Secretary shall be one (1) year with eligibility for re-election annually. An ex officio member of the Planning Commission is not eligible to serve as Chairperson.

The Planning Commission shall hold a least four (4) regular meetings in each year. The Planning Commission by resolution shall determine the time and place of said regular meetings. The Chairperson or two (2) other members may call a special meeting upon written request by the Secretary.

The Planning Commission shall conduct all business at a public meeting held in compliance with the Open Meetings Act, Public Act 33 of 2008. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that act.

A writing prepared, owned, used, in the possession of, or retained by the Planning Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976.”

**PUBLICATION AND RECORDING:** A summary of this Ordinance shall be published once in a newspaper of general circulation within the boundaries of the Village of Newberry qualified under State law to publish legal notices immediately after its adoption, and the same shall be recorded in the minutes of the Village of Newberry of the meeting at which this Ordinance was adopted and, in addition shall be recorded in the Ordinance Book of the Village.

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect upon publication.

Ayes: 7

Nays: 0

Absent: 0

ORDINANCE DECLARED ADOPTED.



By: John Dewitt, Village President



By: Terese Schummer, Clerk

Date: 4/18, 2018

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Newberry, County of Luce, State of Michigan, at a regular meeting held on April 18, 2018 that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. I further certify that the foregoing Ordinance was published on 4/25/18 in the following newspaper: Newberry News

**PRINTER'S AFFIDAVIT**

State of Michigan  
County of Luce

ss James Diem, being duly sworn, deposes and says that he is the printer and publisher of the Newberry News, a weekly newspaper printed, published and circulated in the Village of Newberry, Luce County, Michigan.

**Village of Newberry  
County of Luce  
State of Michigan**

**Title: Planning Commission Ordinance**  
of which the annexed notice is a true and complete copy, was duly published in said Newberry News, Inc. once in each week for 1 week(s) and that the publication of said notice was made in said newspaper on the following dates,


APRIL 25, 2018

  
James Diem

Sworn and subscribed before me this 25th day of April A.D. 2018.

My commission expires 3/3/2025.

**JERRY C. STIMAC**  
Notary Public, Luce County, MI  
My Comm. Expires March 3, 2025  
Acting in Luce County  
Newberry, Michigan

  
Jerry C. Stimac  
Notary Public  
County of Luce