

VILLAGE OF DRYDEN
PLANNING COMMISSION AND DOWNTOWN DEVELOPMENT
AUTHORITY BOARD ORDINANCE

ORDINANCE NO. 55.1

An ordinance to re-authorize the joint Dryden Village Planning Commission and Downtown Development Authority Board pursuant to Michigan Public Act 33 of 2008 and Act 197 of 1975; to enumerate powers and duties of the Planning Commission/DDA Board; to provide for the appointment, term of office, compensation and removal of members; to establish meeting requirements; to provide for the appropriation of funds for the operation of the Planning Commission/DDA Board; and to repeal the former ordinance.

THE VILLAGE OF DRYDEN ORDAINS:

Section 1. Authorization.

In accordance with the Michigan Planning Enabling Act (Public Act 33 of 2008) and the Downtown Development Authority Act (Public Act 197 of 1975), the combined Dryden Village Planning Commission and Downtown Development Authority Board of Directors previously established are hereby continued, with the powers and duties set forth in this Ordinance.

Section 2. Membership and Appointment.

The Planning Commission/DDA Board shall consist of nine (9) members. Members shall be appointed by the Village President with the approval of the Village Council. One of the members shall be an ex-officio member who shall be a member of the Village Council; one of the members shall be an ex-officio member who shall be a Village administrative official; and one of the members shall be an ex-officio member who shall be the Village President. All members, including ex-officio members, shall have full voting rights. Vacancies occurring for any reason shall be filled for the remainder of the unexpired term by appointment of the Village President with the approval of the Village Council. The membership shall be representative of important segments of the community, such as industry, natural resources, recreation, education, public health, government, transportation and commerce. No employee of the Village, other than the ex-officio members, shall be a member of the Planning Commission/DDA Board.

Section 3. Terms of Office.

Each appointed member, except ex-officio members, shall serve for a three (3) year term. Terms shall be staggered so that no more than two (2) of the members' terms (not counting ex-officio members' terms) shall expire in any one (1) year. Members may be eligible for reappointment at the discretion of the Village Council. Current members shall serve until their current terms expire, unless they are removed in accordance with Section 6 or they resign. The terms of office of the ex-officio members who serve on the Planning Commission/DDA Board shall correspond to their elected or appointed terms of office.

Section 4. Officers.

During the first meeting of each year, members shall elect a Chairperson, Vice Chairperson, and a Secretary for terms of one (1) year. The ex-officio members may not serve as the Chairperson of the Planning Commission/DDA Board.

Section 5. Compensation and Expenses.

Members shall be compensated for their services and reimbursed for expenses as provided by the Village Council.

Section 6. Removal for Cause.

A member may be removed by the Village Council, after written charges and a public hearing, for nonfeasance, misfeasance, or malfeasance in office. Failure to disclose a potential conflict of interest as defined in the Bylaws shall be considered malfeasance. Failure to repeatedly attend meetings shall be considered nonfeasance.

Section 7. Meetings.

The Planning Commission/DDA Board shall meet each month, if there is business to be conducted. In no event shall there be less than four (4) regular meetings during each calendar year. A majority of the members shall constitute a quorum for the transaction of ordinary business. All questions which shall arise at meetings shall be determined by a vote of the majority of the members present, except for approval of a proposed Master Plan or Master Plan Amendment which shall be by affirmative vote of a majority of all members.

Section 8. Annual Report and Budget.

The Planning Commission/DDA Board shall submit an annual report to the Village Council which shall include a proposed budget. The Village Council shall annually appropriate the funds necessary, in its judgment, for the operation of the Planning Commission/DDA Board during the fiscal year.

Section 9. Statutory and Ordinance Authority of Planning Commission.

The Planning Commission shall have all of the powers and duties set forth in the Michigan Planning Enabling Act (Public Act 33 of 2008, as amended) and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), which shall include the following:

- a. Preparation of a Village Master Plan and any necessary amendments for recommendation to the Village Council;
- b. Preparation of a Village Zoning Ordinance and any necessary text amendments for recommendation to the Village Council;
- c. Consideration of requested rezonings of property and recommendation to the Village Council;

- d. Consideration of proposed subdivision plats and recommendation to the Village Council;
- e. Hear and decide any requests for special land use approvals;
- f. Review and decide any requests for site plan approval;
- g. Prepare and adopt Bylaws for the Planning Commission;
- h. Perform any other duties as may be assigned to it by the Village Council or pursuant to Village ordinances or State statutes.

Section 10. Downtown Development Authority Board. The Planning Commission shall serve as the Board of Directors of the Dryden Downtown Development Authority as authorized by Section 4(8) of Public Act 197 of 1975 and shall have all authority and responsibilities provided by that statute.

Section 11. Bylaws and Records.

The Planning Commission/DDA Board shall adopt Bylaws for transaction of business. It shall also keep a record of its resolutions, findings, and determinations, all of which shall be public records.

Section 12. Repeal of Conflicting Provisions.

The former Downtown Development Authority Board and Planning Commission Ordinance No. 55, adopted on October 4, 1999, is hereby repealed. All other resolutions or ordinance provisions in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

The undersigned President and Clerk of the Village of Dryden hereby certify that this Ordinance was duly adopted by the Dryden Village Council on the 6th day of April, 2009 and was published in the Tri-City Times on the 22nd day of April, 2009. This Ordinance shall take effect sixty-three (63) days after said date of publication.

Patrick Betcher, Village President

LeAnn Brewer, Village Clerk