

**CITY OF ITHACA  
CODE OF ORDINANCES**

**Chapter 2: Administration  
Article IV. Boards and Commissions  
Division 2: Planning Commission  
Section 2-162: Powers and Duties  
and**

**Section 2-163: Composition; compensation**

An Ordinance to Amend Chapter 2 of the Code of Ordinances of the City of Ithaca, by Amending Article IV. Boards and Commissions, Sections 2-162 and 2-163 to continue the existence and authority of the city planning commission, but in accordance with the provisions of the Michigan Planning Enabling Act (MPEA), being P.A. No. 33 of 2008.

**THE PEOPLE OF THE CITY OF ITHACA, MICHIGAN DO ORDAIN:**

That Chapter 2, Article IV, Section 2-162 be amended to read as follows:

**Section 2-162. Powers and Duties\***

The planning commission shall have the powers and duties prescribed in Public Act No. 33 of 2008, the Michigan Planning Enabling Act (MCL 125.3801 - 125.3885 et seq.), as amended, including the preparation and presentation to the city council of a master plan, and a zoning ordinance, or amendments thereto, in conformity with the power of cities to adopt such ordinances as provided in Public Act No. 110 of 2006, the Michigan Zoning Enabling Act (MCL 125.3101 - 125.3702 et seq.), as amended.

That Chapter 2, Article IV, Section 2-163 be amended to read as follows:

**Sec. 2-163. Composition; compensation.\***

(a) The planning commission shall be composed of the mayor and six members. The six members shall each be appointed by the mayor, subject to a confirmation vote of the members of the city council then elected and serving. The terms of the six members shall be for three years. The term of the mayor shall correspond to his or her term as mayor. If a vacancy occurs on the planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(b) The membership of the planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the city, in accordance with the major interests as they exist in the city, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geographic territory of the city to the extent practicable.

(c) Members of the planning commission shall be qualified electors of the city, except that as long as the city has a population under 5,000 persons, up to two members may be individuals who are not qualified electors of the city but are qualified electors of another local unit of government. Should the city population increase above 5,000 persons, only one member may be an individual who is not a qualified elector of the city.

(d) The city council may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the city council, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(e) Members of a planning commission may be compensated for their services as provided by a resolution of the city council and subject to available budget appropriations by the city council. The planning commission may adopt bylaws relative to compensation and expenses of its members for travel when engaged in the performance of activities authorized by the city council, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings.

\*Charter references: Chapter VI: The Administrative Service; Section M: Planning Department

\*State law references: Michigan Planning Enabling Act, Act No. 33 of 2008 (MCL 125.3801 - 125.3885 et seq.); and Michigan Zoning Enabling Act, Act No. 110 of 2006 (MCL 125.3101 - 125.3702 et seq.)

This Ordinance Amendment is hereby adopted by the following recorded vote:

Ayes: (6) Timmons, Gruesbeck, Henderson, Koppleberger, Schafer, Palmer

Nays: (0) None

Absent: (1) Baublitz

Abstain: (0) None

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Barbara Fandell, Clerk-Treasurer

Introduced: September 5, 2017

Adopted: September 19, 2017

Published: September 28, 2017

Effective: October 9, 2017