

Conway Township

Policy No. 21

PLANNING COMMISSION MEETING AND PUBLIC HEARING NOTICES

The Conway Township Board desires to establish an administrative policy to formalize and clarify who is responsible for posting, publication, and mailing of the Planning Commission meeting and public hearing notices and does hereby adopt the following policy.

1. Background. The Conway Township Planning Commission Bylaws (“Bylaws”) and the Michigan Zoning Enabling Act, MCL 125.3301 *et seq.* (“MZEA”) provide that the Planning Commission shall conduct public hearings as required by the MZEA, in connection with certain zoning applications during the course its regular and/or special meetings. The Bylaws and MZEA also require that notice be given as required to the public and certain property owners regarding public hearings. The Open Meeting Act, MCL 15.261 *et seq.* (“OMA”) has additional requirements relating to notices for meetings and special meetings. The Bylaws provide that the Planning Commission Secretary’s duties include the provision of notice to the public and members of the Planning Commission for all regular and special meetings pursuant to the OMA. The Township Board would like to assign the responsibility of public hearing notices to the Planning Commission Secretary as well, and develop procedures outlining how best to ensure the Planning Commission Secretary is provided all the information and support needed to accomplish these tasks. The Township Board further wishes to put procedures in place to ensure statutory requirements are followed and records are retained by the Township, consistent with its retention schedules.
2. The Planning Commission Secretary shall be primarily responsible for posting, mailing, and publication of all Planning Commission meetings and public hearings in compliance with the MZEA and the OMA with assistance from the Township Clerk, Township Assessor, and Township staff as needed and requested. The Township Clerk shall provide the Planning Commission Secretary with forms previously used for all posted, mailed, or published notices. The Planning Commission Secretary may consult the Township Attorney as needed.
3. All meeting notices shall comply with the OMA and include the following actions:
 - a. Posting within 10 days after the first meeting of the Planning Commission in each calendar year a public notice stating the new dates, times, and places of the meetings for that year.
 - b. For a change in schedule of regular meetings of a public body, public notice shall be posted within 3 days after the meeting at which the change is made stating the new dates, times, and places of its regular meetings.
 - c. For a rescheduled regular or a special meeting, public notice shall be posted stating the date, time, and place of the meeting at least 18 hours before the meeting.
4. All public hearing notices shall comply with the MZEA and include the following actions:
 - a. For all zoning related matters requiring a public hearing, public notice shall be given by publication in the *Fowlerville News & Views* at least 15 days in advance of the meeting where the zoning issue is to be considered.
 - b. Determine additional notice required to applicants, property owners, or others entitled to notice as required by MCL 125.3103 or otherwise in the MZEA.
 - c. Ensure the contents of the notice are compliant with the MZEA with input from the Township Attorney.
5. All notices shall be provided to the office staff for posting on the Township website.

6. All records related to actions taken pursuant to this Policy shall be retained by the Planning Commission Secretary until turned over to the Township Clerk or their designee for retention and storage in accordance with applicable records retention policies.
7. This policy is meant to be compliant at all times with the MZEA and OMA and should either of those statutes change, be amended, or be interpreted in contravention to this Policy, those statutes shall govern.

I, Elizabeth Whitt, do hereby certify that this Policy No. 21 was approved at the regular meeting of the Conway Township Board of Trustees on March 14, 2022.


Elizabeth Whitt, Clerk