

**CITY OF LIVONIA
CITY PLANNING COMMISSION
RULES OF PROCEDURE**

Article I – Officers and their Duties

- Section 1. The Officers of the Planning Commission shall consist of a Chairman, Vice Chairman and a Secretary, all of whom must be members of the Planning Commission.
- Section 2. The Chairman shall preside at all meetings and hearings of the Planning Commission and shall have the duties normally conferred by Parliamentary usage on such Officer. The Chairman shall be one of the citizen members of the Commission. He shall have the privilege of discussing all matters before the Commission and to vote thereon.
- Section 3. The Vice Chairman shall act for the Chairman in his absence.
- Section 4. The Secretary shall cause the minutes and records of the Commission to be recorded, prepare the agenda for regular and special meetings with the Chairman, provide notice of meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Board and such other duties as are normally carried out by a Secretary.

Article II – Election of Officers

- Section 1. Nomination and election of Officers shall be made at the annual organizational meeting which shall be the last regular meeting held in June of each year.
- Section 2. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected and shall serve for one year or until his successor shall take office, the term to commence on the following July 1.
- Section 3. Vacancies in offices shall be filled immediately by regular election procedure.

Article III – Meetings

- Section 1. The Planning Commission shall meet at least once a month within a City building to transact or study Planning Commission business.
- Section 2. Special meetings may be called by the Chairman of the Planning Commission or upon written request of two (2) members, provided twenty-four (24) hours notice has been given to each member before the time set for such meetings and that notice to the public has been given at least eighteen (18) hours before the time set for such meeting.
- Section 3. Four (4) members of the Planning Commission shall constitute a quorum for the conduct of its business.
- Section 4. Every resolution not otherwise provided for shall require a majority vote of the members present and voting at a legally constituted meeting.
- Section 5. Parliamentary procedure shall be governed by “Robert’s Rules of Order” except as may otherwise be provided in these Rules of Procedure.

Article IV – Committees

- Section 1. Various committees shall be appointed by the Chairman to supplement the technical expertise of the Planning staff in studying special problems and making reports to the full Commission and carrying out functions and duties not normally expected of staff personnel.

Article V – Employees

- Section 1. The Planning Commission may employ such permanent staff as necessary to administer a comprehensive planning program for the City.

Article VI – Hearings

- Section 1. Such public hearings as are required by law will be heard by the Commission in the order in which they appear on the agenda except where the Chairman deems a change necessary and a hearing may be postponed or adjourned for

Article VI – Hearings (continued)

hearing by order of the Planning Commission upon good cause shown.

- Section 2. The applicant may appear on his own behalf or may be represented by an attorney or agent at the hearings by the Planning Commission. If the applicant or his representative fails to appear, the arguments of the opposition may be heard and the Planning Commission may adjourn the hearing, or it may take action on the application or petition.
- Section 3. The City Planner, unless otherwise directed by the Secretary, may, at his discretion, establish dates for public hearings and may cause notice of such public hearings to be advertised in the official paper of the City of Livonia and without the necessity of formal action by the Commission.
- Section 4. All applications and petitions requiring action by the Planning Commission shall be stamped so as to indicate upon the petition the date on which such application or petition was received. Applications and petitions shall be given a public hearing by the City Planning Commission in the order in which they are received unless applicant, petitioner or Commission deems additional time is necessary for change or study provided, however, that if the applicant or petitioner can show written reasons indicating that an extreme hardship will be imposed by compliance with the above provisions of this section, then the Director may determine to place such application or petition on an agenda out of the regular order.
- Section 5. A record of the minutes shall be maintained by the Planning Director as directed by the Secretary which shall record all resolutions relating to each case acted upon together with the reasons supporting any resolution of denial. The minutes shall also specify the vote of each member of the Commission.
- Section 6. The Commission may where it deems necessary condition its action (or recommend to the City Council that the latter condition its action).
- Section 7. The Chairman shall have wide discretion in conducting the hearings. He shall have the power to interrupt arguments at any time in the interest of expediting the orderly disposition

Article VI – Hearings (continued)

of the business at hand. He shall be obligated to prevent any party from unduly consuming the Planning Commission's time. The Planning Commission shall take notice of pertinent sections of the Zoning Ordinance or other Ordinances of the City. All written material filed with the Planning Commission will be made a part of the minutes.

- Section 8. The Chairman, or the Planning Director by direction of the Chairman, may transmit letters stating policy or opinions when the majority of Commissioners agree to such action.
- Section 9. The Commission shall act by resolution at all Regular and Special Meetings.
- Section 10. When the Commission acts by resolution, the resolution shall become effective seven (7) days after the adoption of said resolution except as may otherwise be provided in the resolution.
- Section 11. A Commissioner who abstains shall be considered as present but not voting.
- Section 12. If a person chairing a meeting abstains from voting on a motion he shall relinquish all rights to rule on that particular motion.
- Section 13. Any motion or resolution which has already been voted on by the Planning Commission may, nevertheless, be brought back for further consideration by means of a Motion to Reconsider, subject however, to the following:
- a) The Motion to Reconsider may be made only by a member who voted with the prevailing side when the resolution sought to be reconsidered was originally acted upon.
 - b) The Motion to Reconsider may be seconded by any member regardless of how he voted when the resolution sought to be reconsidered was originally acted upon.
 - c) The Motion to Reconsider may be made:
 - 1. At the meeting at which the resolution sought to be reconsidered was originally acted upon, or

Article VI – Hearings (continued)

2. At the next regular meeting following the meeting at which the resolution sought to be reconsidered was originally acted upon;

provided, however, in the event that a Motion to Reconsider has been adopted, said motion shall, nevertheless, be considered a nullity and of no force or effect if subsequent to its adoption the Planning Commission is advised that with respect to the petition identified in said motion the Council of the City of Livonia has prior thereto taken any action by resolution at either a special meeting or a regular meeting.

- d) In order for a Motion to Reconsider to prevail, it shall be adopted by a majority of those present and voting; provided, however, that if any member had abstained from voting on the resolution sought to be reconsidered, then that member shall not vote on either the Motion to Reconsider or on the main motion itself in the event that Motion to Reconsider is adopted.

- e) The Motion to Reconsider may be introduced without notice and shall be debatable.

Article VII – Conduct of Commissioners

Section 1. Until such time as a petition for rezoning or an application for waiver use and/or site plan approval has been advertised in the official newspaper of the City, and notification of public hearing sent to all affected property owners and utility companies, as required by Ordinance and/or State statute, such petition or application shall be considered confidential information within the Planning Commission. In addition, it shall be deemed improper for any Planning Commissioners to discuss with the petitioner, applicant, his agent, or any civic association, neighborhood group, or combination thereof, such petition or application until the advertisement has appeared as aforesaid.

Section 2. In the event that the Chairman or any member of the Planning Commission is requested to attend any civic or neighborhood association meeting, or a combination thereof, or to meet with a petitioner, applicant, or his agent, or

Article VII – Conduct of Commissioners (continued)

initiates action to meet with any civic association, neighborhood association, or combination thereof, or any petitioner, applicant, or his agent for the purpose of discussing policy, a decision of the Commission, or any pending petition and/or application as aforesaid, it shall be the obligation of such Commissioner to immediately inform the balance of the Commission of such request in order that they may arrange to attend such meeting if they so desire.

- Section 3. In the event that any Planning Commissioner shall violate this code of conduct, it shall be his obligation to so inform the Chairman and the other Planning Commissioners and request that his name be stricken from the roll call vote at the regular or special meeting when such petition and/or application is under consideration. Or, the Chairman or any Planning Commissioner may bring notice of such violation to the attention of the Planning Commission at which time the Chairman shall be obligated to request the Planning Commissioner who violated this code of conduct not to participate in the roll call vote at the regular or special meeting when such petition and/or application is under consideration.