

HOUSE BILL No. 5395

January 17, 1990, Introduced by Reps. Niederstadt, Hart, Spaniola, Gnodtke, Ouwinga, Randall and Weeks and referred to the Committee on Towns and Counties.

A bill to amend section 11 of Act No. 168 of the Public Acts of 1959, entitled

"An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; and for the regulation and subdivision of land,"

as amended by Act No. 228 of the Public Acts of 1980, being section 125.331 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 11 of Act No. 168 of the Public Acts of
2 1959, as amended by Act No. 228 of the Public Acts of 1980, being
3 section 125.331 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 11. ~~-(+)~~ The township board, by resolution, may
6 transfer to the planning commission all powers and duties
7 provided by THE TOWNSHIP RURAL ZONING ACT, Act No. 184 of the
8 Public Acts of 1943, as amended, being sections 125.271 to

1 125.301 of the Michigan Compiled Laws, for zoning boards created
2 under that act. If the existing zoning board is nearing the com-
3 pletion of its zoning plan, the township board shall postpone the
4 transfer of the zoning board's powers and duties until the com-
5 pletion of the zoning plan, but the postponement shall not exceed
6 1 year. ~~In a township where the powers and duties of the zoning~~
7 ~~board have been transferred to the planning commission, the first~~
8 ~~member of the board of appeals shall be a member of the township~~
9 ~~planning commission.~~ In a county in which a county planning com-
10 mission ~~has been~~ IS established, the township planning commis-
11 sion shall file with the county planning commission a copy of
12 ~~all~~ THE township zoning ordinances and any amendments to the
13 ordinances.

14 ~~(2) A township board may appoint not more than 2 alternate~~
15 ~~members for the same term as regular members to the zoning board~~
16 ~~of appeals. The alternate member may be called as specified in~~
17 ~~the zoning ordinance to sit as regular members of the zoning~~
18 ~~board of appeals in the absence of a regular member if a regular~~
19 ~~member is absent from or unable to attend 2 or more consecutive~~
20 ~~meetings of the zoning board of appeals or for a period of more~~
21 ~~than 30 consecutive days. An alternate member may also be called~~
22 ~~to serve in the place of a regular member for the purpose of~~
23 ~~reaching a decision on a case in which the regular member has~~
24 ~~abstained for reasons of conflict of interest. The alternate~~
25 ~~member having been appointed shall serve in the case until a~~
26 ~~final decision has been made. The alternate member shall have~~

~~1 the same voting rights as a regular member of the zoning board of~~
~~2 appeals.~~

3 Section 2. This amendatory act shall not take effect unless
4 Senate Bill No. _____ or House Bill No. 5394 (request
5 no. 03190'89) of the 85th Legislature is enacted into law.