

JOINT MUNICIPAL PLANNING ACT (EXCERPT)
Act 226 of 2003

125.135 Joint planning commission; approval of agreement to establish; specifications; phased transfer.

Sec. 5. (1) Subject to section 9, the legislative bodies of 2 or more municipalities may each adopt an ordinance approving an agreement establishing a joint planning commission. The agreement shall specify at least all of the following:

- (a) The composition of the joint planning commission, including any alternate members.
- (b) The qualifications, the selection by election or appointment, and the terms of office of members of the joint planning commission.
- (c) Conditions and procedures for removal from office of members of the joint planning commission and for filling vacancies in the joint planning commission.
- (d) How the operating budget of the joint planning commission will be shared by the participating municipalities.
- (e) The jurisdictional area of the joint planning commission, which may consist of all or part of the combined territory of the participating municipalities.
- (f) Procedures by which a municipality may join or withdraw from the joint planning commission.
- (g) For situations in which the powers, duties, or procedures of a planning commission under the Michigan planning enabling act, 2008 PA 33, MCL 125.3801 to 125.3885, depend on whether the municipality is (i) a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, (ii) a township that did not on September 1, 2008, have a planning commission created under former 1931 PA 285, or (iii) a city or village—a designation of which of these 3 categories of municipalities' powers, duties, and procedures will be applicable to the joint planning commission. A category of municipality shall not be designated under this subdivision unless at least 1 of the participating municipalities falls within that category.
- (h) For situations in which the powers, duties, or procedures under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, applicable to a planning commission depend on whether the municipality is a township or is a city or village, a designation either that the powers, duties, and procedures applicable to a township will be followed by the joint planning commission or that the powers, duties, and procedures applicable to a city or village will be followed by the joint planning commission. Powers, duties, and procedures applicable to a township shall not be designated unless at least 1 of the participating municipalities is a township. Powers, duties, and procedures applicable to a city or village shall not be designated unless at least 1 of the participating municipalities is a city or village.
- (i) Any additional provision concerning the powers or duties of a zoning board or zoning commission that the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, authorizes to be set forth in a zoning ordinance and that is agreed to by the participating municipalities.
- (j) The effective date of the agreement.

(2) The agreement may provide for the phased transfer to the joint planning commission of the powers and duties of existing planning commissions or zoning boards or zoning commissions under section 7.

History: 2003, Act 226, Imd. Eff. Dec. 18, 2003;—Am. 2008, Act 134, Imd. Eff. May 21, 2008.