

**CITY OF HASTINGS & CHARTER TOWNSHIP OF RUTLAND  
BARRY COUNTY, STATE OF MICHIGAN  
RUTLAND CHARTER TOWNSHIP ORDINANCE NO. 2016-155**

**ADOPTED BY TOWNSHIP: MAY 11, 2016**

**EFFECTIVE DATE: SEE SECTION II**

**CITY OF HASTINGS ORDINANCE NO. (to be assigned)**

**ADOPTED BY CITY: (adoption pending)**

**EFFECTIVE DATE: SEE SECTION II**

**JOINT ORDINANCE TO APPROVE AN AGREEMENT ESTABLISHING A JOINT  
PLANNING COMMISSION, AS AMENDED IN 2016**

An Ordinance enacted pursuant to 2003 Public Act 226, as amended (Joint Municipal Planning Act) to approve an agreement establishing a joint planning commission of the City of Hastings and Rutland Charter Township as specified in said agreement, as amended in 2016.

**THE CITY OF HASTINGS & THE CHARTER TOWNSHIP OF RUTLAND  
BARRY COUNTY, MICHIGAN**

**ORDAIN:**

**SECTION I**

**APPROVAL OF AGREEMENT BY RUTLAND CHARTER TOWNSHIP AND THE CITY OF  
HASTINGS TO ESTABLISH A JOINT PLANNING COMMISSION**

The "Agreement by Rutland Charter Township and the City of Hastings to Establish a Joint Planning Commission, as amended in 2016", approved by the Hastings City Council and the Rutland Charter Township Board, a copy of which is appended hereto, is hereby approved.

**SECTION II**

**EFFECTIVE DATE**

This Ordinance shall take effect on the latter of: (1) 15 days after enactment by both the City and Township, or (2) upon publication of a notice of ordinance adoption as required by law; provided, however, if a notice of intent to file a petition under *MCL 125.139* is timely filed with the Clerk of Rutland Charter Township, and/or the right of referendum under applicable provisions of the charter of the City of Hastings is initiated by a timely filing with the Clerk of the City of Hastings, this ordinance shall then only take effect as provided by applicable provisions of *MCL 125.139* and/or City charter.

Robin Hawthorne, Clerk  
Charter Township of Rutland

Tom Emery, Clerk  
City of Hastings

**RUTLAND CHARTER TOWNSHIP**

**BARRY COUNTY, MICHIGAN**

**NOTICE OF ADOPTION OF JOINT ORDINANCE TO APPROVE AN AGREEMENT  
ESTABLISHING A JOINT PLANNING COMMISSION, AS AMENDED IN 2016**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CITY OF HASTINGS  
AND THE CHARTER TOWNSHIP OF RUTLAND, BARRY COUNTY,  
MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE the following joint ordinance was adopted by the  
Rutland Charter Township Board on May 11, 2016, and is now pending adoption by the  
Hastings City Council:

**CITY OF HASTINGS & CHARTER TOWNSHIP OF RUTLAND**

**BARRY COUNTY, STATE OF MICHIGAN**

**RUTLAND CHARTER TOWNSHIP ORDINANCE NO. 2016-155**

**ADOPTED BY TOWNSHIP: MAY 11, 2016**

**EFFECTIVE DATE: SEE SECTION II**

**CITY OF HASTINGS ORDINANCE NO. (to be assigned)**

**ADOPTED BY CITY: (adoption pending)**

**EFFECTIVE DATE: SEE SECTION II**

**JOINT ORDINANCE TO APPROVE AN AGREEMENT ESTABLISHING A JOINT  
PLANNING COMMISSION**

An Ordinance enacted pursuant to 2003 Public Act 226, as amended (Joint  
Municipal Planning Act) to approve an agreement establishing a joint planning  
commission of the City of Hastings and Rutland Charter Township, as amended in  
2016, as specified in said agreement.

**THE CITY OF HASTINGS & THE CHARTER TOWNSHIP OF RUTLAND**

**BARRY COUNTY, MICHIGAN**

**ORDAIN:**

**SECTION I**

**APPROVAL OF AGREEMENT BY RUTLAND CHARTER TOWNSHIP AND THE CITY  
OF HASTINGS TO ESTABLISH A JOINT PLANNING COMMISSION, AS AMENDED  
IN 2016**

The "Agreement by Rutland Charter Township and the City of Hastings to Establish a Joint Planning Commission, as amended in 2016", approved by the Hastings City Council and the Rutland Charter Township Board, a copy of which is appended hereto, is hereby approved.

## SECTION II

### EFFECTIVE DATE

This Ordinance shall take effect upon publication of a notice of ordinance adoption as required by law; provided, however, if after such publication a notice of intent to file a petition under *MCL 125.139* is timely filed with the Clerk of Rutland Charter Township, and/or the right of referendum under applicable provisions of the charter of the City of Hastings is initiated by a timely filing with the Clerk of the City of Hastings, this ordinance shall then only take effect as provided by applicable provisions of *MCL 125.139*.

Robin Hawthorne, Clerk  
Charter Township of Rutland

Tom Emery, Clerk  
City of Hastings

PLEASE TAKE FURTHER NOTICE of the following summary of the articles of the amended Agreement by Rutland Charter Township and the City of Hastings to Establish a Joint Planning Commission approved by the joint ordinance and appended thereto:

Article 1. Joint Planning Commission Name, Membership Composition and Qualifications, and Other Member Matters---this Article designates the name of the joint planning commission established pursuant to the amended Agreement as the Hastings-Rutland Joint Planning Commission (sometimes referred to as the Joint Planning Commission, or the JPC); and includes provisions on the composition and qualifications of the JPC membership, the terms of office, member removal, member vacancies, and member compensation.

Article 2. Jurisdiction of Joint Planning Commission---the Article includes provisions specifying the jurisdiction area and jurisdiction of the JPC with respect to land use planning functions, and also zoning functions.

Article 3. Powers and Duties of Joint Planning Commission---this Article specifies the duties of the JPC with respect to planning and zoning functions within its jurisdiction, including the role of the JPC with respect to administrative zoning matters and Zoning Ordinance/Map enactments/amendments. This Article also transfers to the JPC the powers and duties of the Rutland Charter Township Planning Commission and the City of Hastings Planning Commission to the extent relevant and necessary to enable the JPC to carry-out its planning and zoning functions within its jurisdictional area pursuant to the amended Agreement.

Article 4. Administrative and Operating Procedures---this Article addresses various subjects relating to the administration and operation of the JPC, including

provisions relating to bylaws/decisions, meetings, open government laws, officers, consultants/staff, administrative tasks, custody of records, and application and escrow fees.

Article 5. Joint Planning Commission Operating Budget---this Article includes provisions relating to the proposed annual budget for the JPC, the funding of the approved JPC budget by the City and Township in equal shares, and the performance of accounting functions relating to the JPC.

Article 6. Joining and Withdrawing from the JPC---this Article addresses the potential opportunity for another municipality to request to participate in the JPC, and specifies the procedure for consideration of any such request. This Article also prohibits the City and Township from withdrawing from the JPC while an Urban Services and Economic Development Agreement between the City and Township remains in effect.

Article 7. Miscellaneous---this Article addresses amendments of the amended Agreement.

Article 8. Effective Date---this Article provides for the amended Agreement to become effective when the Joint Ordinance takes effect.

The original Joint Ordinance and the amended Agreement approved by the ordinance may be inspected or a copy purchased by contacting the Township Clerk as specified below during regular business hours or regular working days, and at such other times as may be arranged:

Robin Hawthorne, Clerk  
Rutland Charter Township  
2461 Heath Road  
Hastings, MI 49058-9665  
(269) 948-2194