

**MUNICIPAL PLANNING (EXCERPT)**  
**Act 285 of 1931**

\*\*\*\*\* 125.38 THIS SECTION IS REPEALED BY ACT 33 OF 2008 EFFECTIVE SEPTEMBER 1, 2008  
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**125.38 Municipal planning commission; public hearing; notice; resolution; submission of plan to legislative body; rejection or approval; final adoption.**

Sec. 8. (1) Before approving a proposed municipal plan, the municipal planning commission shall hold not less than 1 public hearing on the proposed plan. The hearing shall be held after the expiration of the deadline for comment under section 7b(4). The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by 1 publication in a newspaper of general circulation in the municipality and in the official gazette, if any, of the municipality. The planning commission shall also submit notice to each entity described in section 7a(2).

(2) The approval of the plan shall be by resolution of the planning commission carried by the affirmative votes of not less than 2/3 of the members of the planning commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the planning commission to form the plan or part of the plan, and the action taken shall be recorded on the map and plan and descriptive matter and signed by the chairperson or the secretary of the planning commission. Following approval of the proposed plan by the municipal planning commission, the secretary of the planning commission shall submit a copy of the proposed plan to the legislative body of the municipality.

(3) Approval of the plan by the planning commission under subsection (2) is the final step for adoption of the plan, unless the legislative body by resolution has asserted the right to approve or reject the plan. In that case, after approval of the plan by the planning commission, the legislative body shall approve or reject the plan.

(4) If the legislative body rejects the proposed plan, the legislative body shall submit to the planning commission a statement of its objections to the proposed plan. The planning commission shall consider the legislative body's objections and revise the proposed plan so as to address those objections. The procedures provided in subsections (1) to (3) and this subsection shall be repeated until a proposed plan is approved by the legislative body.

(5) Upon final adoption of the plan, copies of the adopted plan shall be submitted in the same manner as provided for submitting copies of the proposed plan under section 7b(3).

**History:** 1931, Act 285, Eff. Sept. 18, 1931;—Am. 1941, Act 297, Eff. Jan. 10, 1942;—CL 1948, 125.38;—Am. 1999, Act 14, Imd. Eff. Apr. 27, 1999;—Am. 2001, Act 265, Imd. Eff. Jan. 9, 2002;—Am. 2006, Act 464, Imd. Eff. Dec. 20, 2006.