

## CONWAY TOWNSHIP POLICY NO. 2

### PROCEDURES FOR ADOPTING A NONZONING ORDINANCE

The Conway Township Board has adopted this administrative policy to formalize and clarify procedures that are to be followed when adopting a new or amending an existing non-zoning ordinance and to ensure compliance with applicable statutes.

1. **Authority.** Determine whether the Township has authority to enact ordinance regarding specific subject matter.
2. **Third Party Review.** The Township Board shall provide a proposed ordinance to the Township Attorney for review. The Clerk should send to the attorney a Word copy of the proposed ordinance and minutes from meetings were the proposed ordinance was discussed, if applicable.
3. **Public Hearing.** Schedule public hearing before the Board.
4. **Notice.** Prepare notice of public hearing and meeting of Township Board on proposed ordinance. The Notice should:
  - a. Provide the complete text of the ordinance.
  - b. State the time and place the amendment will be considered.
  - c. State the time and place written comments will be received.
  - d. State the time and places the proposed text may be examined. A copy should be available at the Conway Township Hall.
  - e. Include name of Conway Township, address, telephone number.
5. **Publish Notice.** Publish notice of public hearing and meeting in newspaper of general circulation in Township at least 15 days before the date of public hearing and meeting.
6. **Adoption.** Adopt ordinance by motion approved by majority of the members elect of the Board on a roll call vote at any regular meeting or proper special meeting. The minutes must reflect the decision and vote.
  - a. Can send back to Attorney if any major changes.
7. **Publication.** Publish complete ordinance, or proper summary of ordinance where directed by the Board, in newspaper that is circulated within the Township within 30 days after ordinance adoption.
  - a. Each section shall be preceded by a "catch line."
  - b. Requirements for a proper summary, if applicable:
    - i. It may be prepared by the person who drafted the ordinance, the Township Board, or attorney.
    - ii. Each section shall be preceded by a "catch line."
    - iii. Must be written in clear and non-technical language.
    - iv. Must contain the effective date.
    - v. Include location where full text of the ordinance may be reviewed and hours. The text should be made available at the Township Hall and with the County Clerk.
  - c. Have attorney review and approve proper summary.

8. **Filing:** The following shall be filed and recorded by the Township Clerk within 1 week after publication, unless an alternative time is noted:
  - a. An attested copy of the ordinance shall be filed with the County Clerk.
  - b. In a separate file or book of ordinance adoption records, the following:
    - i. A complete copy of the ordinance with the Clerk's certification of the names of Board members and how they voted, date of publication and name of newspaper, and date of filing of ordinance with the County Clerk.
    - ii. Minutes from the meeting(s) where the Board conducted the public hearing and voted for adoption.
    - iii. Affidavit of Publication from the newspaper (when it becomes available).
9. **Ordinance Book.** A complete and attested copy of the ordinance shall be recorded in an official Township Book of Ordinances, which shall be maintained by the Clerk in numerical order as determined by the Township Board.
10. **Amendments:** The same process shall apply to amendments of existing ordinances.
11. **Administrative Effect.** The Township Board should address any policy or procedures affected by or necessary for administration and enforcement of the new ordinance.

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I, Cindy Dickerson, Conway Township Clerk, hereby certify that this administrative Conway Township Policy No. 2 was approved by Resolution Roll Call vote by the Conway Township Board at a regular meeting held on July 20, 2010. Presented by Parsons, Supported by West.

DeMarais – Aye  
Parsons – Aye  
Rife – Aye  
West – Aye  
Dickerson – Aye

Resolution Number 2010-07-20-1

/s/ \_\_\_\_\_  
Cindy Dickerson  
Conway Township Clerk