

DRAFT
Nininger Township Ordinance No. 15
Planning Commission

Revised: June 1, 2026

The purpose of the Nininger Township Planning Advisory Commission (“Commission”) is to advise and guide the Nininger Township Board of Supervisors (“Board”) in matters related to land use, development and zoning to achieve the long-term vision of the Nininger Township community. This ordinance establishes the bylaws and procedures of how the Commission will conduct its business.

Section 1. Establishment

The Commission for Nininger Township, Minnesota, was established by the Board under Minnesota Statute 368.01 on October 19, 2004.

Section 2. Purpose and Bylaws

The purpose of the Commission is to advise and guide the Board in all matters related to land use; the growth and development of the Township; and zoning to assure that growth and development occur in a planned, orderly manner that promotes the health, safety and general welfare of its residents.

(moved from section 7) The Commission shall adopt the bylaws and rules necessary to operate effectively and achieve the Board’s goals and purpose.

Section 3. Composition

The Commission shall be composed of five (5) to seven (7) voting members. Each member must be a resident of the Township and shall not hold an elected office in the Township. All members of the Board shall be members ex officio of the Commission.

Section 4. Appointment and Attendance

When a seat on the Commission is vacated or a member is unable to fulfill the designated term, the Commission will nominate potential replacement candidates to the Board for consideration and appointment. All members must be residents of Nininger Township.

Attendance at Commission meetings can be in-person or by interactive technology.

Section 5. Member Removal or Replacement

Any member may be removed for cause by a vote of the majority of the Board at any board meeting. In the event any Commission member fails to attend three (3) consecutive regular meetings of the Commission, other than for personal illness or a death in the family, he or she shall be deemed to have resigned from the Commission unless excused by the Chair of the Commission. To be excused, the member must notify the Chair of the Commission at least 24 hours prior to the start of the regular meeting that they are not able to attend, unless the personal illness or death in the family occurs less than 24 hours prior to the start of the meeting, in which event notice shall be provided as soon as practicable. In the event a member is absent in excess of five (5) regular meetings in any calendar year, other than for personal illness or a death in the family, he or she shall be deemed to have resigned from the Commission. If a Commission member vacates their seat or is unable to fulfill their term for any reason, the Board will solicit nominations from the Commission to fill the vacancy and will appoint a new member from among the nominees provided.

Section 6. Member Term

The Board shall appoint one (1) to two (2) members to the Commission each year at their regular meeting in March. Commission members will be appointed to a five (5) year term beginning in April of the year appointed and ending in March of the fifth year. Tenures shall be staggered so only one (1) to two (2) member terms expire in a given year. One (1) member may be appointed when one (1) member term expires, and two (2) members may be appointed when two (2) members' terms expire. Commission membership may not exceed seven (7) members at any given time. If a Commission seat is vacated or a member is unable to fulfill their five-year term, the Board may appoint a new member at any board meeting for a period of less than five (5) years to fulfill the term of the vacated seat. Members may be appointed to consecutive terms.

[*On January 1, 2005, then current members were assigned terms from one (1) to five (5) years by lot. Thereafter, the 5-year member appointments are staggered.]

Section 7. Organization and Annual Meeting

The Commission shall annually, in April, hold an organizational meeting in conjunction with a regular meeting to elect a chair, vice chair, and secretary. Elected officers shall serve for one year and may be reappointed to consecutive terms.

The Chair shall preside over all meetings at which he or she is in attendance and have all powers and duties necessary to carry out that office including calling/holding special meetings/hearings and contacting the Township's legal representative, county commissioner, and other agents, organizations and professionals within or outside the Township as needed. The Chair shall maintain proper liaison with the Board and among Commission members. The Chair shall manage all correspondence for the Commission or direct other members to do so. The Vice Chair shall serve as Chair, with all appropriate powers and duties, in the absence or inability of the Chair.

The Secretary shall transcribe and distribute minutes of all meetings and manage all notices and publications as directed by the Chair.

Section 8. Meetings

The Commission shall hold regular meetings each month at the township hall. All regular meetings shall be open to the public. Special meetings or hearings may be held as needed, and must be public unless an exception is provided by statute or other applicable law. The Commission may meet as a Committee of the Whole or in subcommittees at times and locations agreed upon by the members.

Section 9. Quorum and Voting

When the Commission is comprised of five (5) members, a minimum of three (3) members must be present and voting to constitute a quorum at regular Commission meetings. This minimum increases to four (4) members when the Commission is comprised of six (6) or seven (7) members. A majority of Commission votes is required to amend or suspend Commission rules or to make regulations that supersede the rule. A member shall not vote on items that would create or appear to create a conflict of interest.

Section 10. Compensation and Expenditures; Consultants

Members of the Commission shall receive compensation for their work as determined by the Board. Upon prior authorization of the Board, members may receive reimbursement for expenditures made on behalf of the Commission. The Commission may, upon prior authorization of the Board, employ consultants to aid in the work of the Commission.

Section 11. Commission Duties

The Commission is responsible for the completion of the following duties:

- (A) Interpreting Township ordinances regarding zoning, development and other ordinance topics as needed or requested;
- (B) Advising and guiding the Board on enforcement of zoning, development and other ordinance topics as needed or requested;
- (C) Preparing the Nininger Township Comprehensive Plan for approval by the Board;
- (D) Performing additional duties as assigned or referred by the Board.

Section 12. Township Comprehensive Plan

Every ten (10) years, the Commission shall prepare and recommend a comprehensive plan (“Plan”) for the development of the Township to the Board for adoption. The Plan will include proposed public buildings; street arrangements and improvements; public utility services; parks, playgrounds, and other similar developments; property use; population density; building and housing codes; subdivision codes; and other Township codes and matters relating to the development of the Township. The Plan may be prepared in sections, each of which shall relate to a major subject of the Plan, as outlined in the Commission’s program of work.

Section 13. Adoption of the Comprehensive Plan

Before recommending the Township Plan or any section or substantial amendment of it to the Board for adoption, the Commission, upon request of the Board, shall hold at least one public hearing regarding the Plan or any section or substantial amendment. Notice of the public hearing time and place shall be published in the Township’s official newspaper of record, posted on the Nininger Township website, displayed at the Township Hall, and by other posting as required by law at least ten (10) days before the day of the hearing. The recommendation to the Board to adopt the Township Plan or of any section or amendment thereof shall be by motion of the Commission and passed by no less than two-thirds affirmative votes of the Commission’s total membership.

Section 14. Execution of the Comprehensive Plan

Upon the adoption of the Township Plan or any section or substantial amendment thereof, the Commission will recommend to the Board reasonable and practicable means for putting the Plan or section or substantial amendment thereof into effect for the orderly development of the Township and for the efficient expenditure of funds relating to the Plan. Such means consists of a zoning plan, township codes, control of subdivision plats, future streets plan, public improvements coordination, a long-term capital expenditures program, and other matters to accomplish the goals of the Plan.

Section 15, Procedure to Change the Comprehensive Plan

Upon adoption of the Plan by the Board, no change shall be made to the zoning plan, township codes, control of subdivision plats, future streets plan, public improvements coordination, a long-term capital expenditures program, and other matters until the proposed change has been referred to the Commission for review and a recommendation provided to the Board; and, no ordinance or resolution establishing these plans or regulations shall be adopted by the Board until the ordinance or resolution has been referred to the Commission for review and a recommendation provided to the Board. The Commission will review and provide recommendations on the proposed changes to the Board within a reasonable amount of time.