

Section 16.2 Creation and Membership

A. Establishment and Appointment of Members: The ZBA previously created under the Lake Township Zoning Ordinance adopted on December 18, 2006 shall continue to function under this Ordinance, and each member shall remain in office until such time that the member is not reappointed or otherwise no longer eligible to serve. The ZBA is retained in accordance with Public Act 110 of 2006, as amended. The ZBA shall consist of five (5) members, appointed by the Township Board by majority vote. One (1) of the ZBA members shall be a member of the Planning Commission. One (1) regular or alternate member of a ZBA may be a member of the Township Board but shall not serve as the chairperson of the ZBA. The remaining regular members, and any alternate members, shall be selected from the electors of the Township residing within the Township. The ZBA members shall be representative of the population distribution and of the various interests present in the Township. An employee or contractor of the Township Board may not serve as a member of the ZBA.

B. Alternate Members: The Township Board may appoint not more than two (2) alternate members to the ZBA. The alternate members shall be called on a rotating basis to sit as regular members of the ZBA in the absence of a regular member if the regular member will be unable to attend one (1) or more meetings of the ZBA. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. An alternate member shall serve on a case until a final decision is made. The alternate member shall have the same voting rights as a regular member of the ZBA.

C. Terms of Appointment: ZBA members, including alternate members, shall be appointed for three (3) year terms except in the case of a Planning Commission and/or Township Board member serving on the ZBA, whose terms on the ZBA shall be limited to the time they are members of the Planning Commission or Township Board. A successor shall be appointed not more than one (1) month after the term of the preceding member has expired. Vacancies for unexpired terms shall be filled for the remainder of the term in the same manner as the original appointment. Members may be reappointed.

D. Removal from Office / Conflict of Interest: A member of the ZBA may be removed by the Township Board for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

A member shall disqualify himself or herself from deliberations and a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from deliberations and a vote in which the member has a known conflict of interest constitutes malfeasance in office.