

ARTICLE 16

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

SECTION 16.01. RULES APPLYING TO TEXT.

The following rules of construction apply to text of this Ordinance.

- A. The word “shall” is always mandatory and not discretionary.
- B. The word “may” is permissive.
- C. Words used in the present tense shall include the future, words used in the singular number shall include the plural, and the plural, the singular, unless the context clearly indicates the contrary.
- D. The word “building” includes the word “structure.”
- E. A “building” or “structure” includes any part thereof.
- F. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied.”
- G. Any word or term not defined herein shall be used with a meaning of common or standard utilization.

SECTION 16.02. DEFINITIONS.

For the purposes of this Ordinance, the following terms and words are defined as follows:

- 1. **Accessory building.** A subordinate building, the use of which is clearly incidental to that of the principle building or to the use of the land and which is attached securely to a masonry foundation or similar permanent footings.
- 2. **Accessory use.** A use subordinate to the principle use on a lot and used for the purpose clearly incidental to those of the main use.
- 3. **Agricultural.** Includes purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry.
- 4. **Alley.** A public or legally established private thoroughfare, other than a street, which affords a secondary means of abutting property and not more than twenty (20) feet wide.
- 5. **Alterations.** Any change, addition, or modification in construction, any change in the structural members of a building, such as walls or partitions, columns, beams, or girders, the consummated act of which may be referred to herein as “altered” or “reconstructed.”

6. **Animated signs.** Any sign having a conspicuous and intermittent variation in the illumination of the physical position of any part of the sign.
7. **Area, net site.** The total area within the property lines of a project, excluding external streets.
8. **Automobile or trailer sales area.** Any space used for display, sale, or rental of motor vehicles or trailers in new or used and operable condition.
9. **Automotive repair; general repair.** Engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair, overall painting and undercoating of automobiles when carried on in a completely enclosed room or building.
10. **Basement.** That portion of a building which is below the first story and the ceiling of which is less than five (5) feet above the surrounding ground elevation at all points.
11. **Billboard.** Any construction or portion thereof upon which a sign or advertisement used as an outdoor display for the purpose of making anything known to the general public is affixed. This definition does not include any bulletin boards used to display official court or public office notices.
12. **Building.** Any structure, either temporary or permanent, erected on site, including a mobile home or mobile-structure above or below ground, having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents and awnings.
13. **Building coverage.** That percentage of the plot or lot area covered by the building area.
14. **Building height.** The vertical distance measured from the established sidewalk grade to the highest point of the roof surface for flat roofs, to the deck line of mansard roofs, and to the average height between eaves and ridge for gable, hip, and gambrel roof. Where a building is set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building, provided such average elevation shall not exceed the established sidewalk grade at the center of the front of the building by more than one (1) inch for each front foot that the building sets back from the front line.
15. **Building permit.** A permit for commencing construction issued in accordance with a plan for construction that complies with all the provisions of this Zoning Ordinance.
16. **Church.** A building wherein people regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such principal purpose.

17. **Club or lodge, private.** A non-profit association of persons who are bona fide members paying annual or periodic dues which owns, hires, or leases a building or portion therein, the use of such premises being restricted to members and their guests. The affairs and management of such "private club or lodge" are conducted by a board of directors, executive committee, or similar body chosen by the members at a meeting. It shall be permissible to serve food and meats on such premises, provided adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed, provided it is secondary and incidental to the promotion of some other common objective by the organization and further provided that such sale of the alcoholic beverage is in compliance with the applicable federal, state, and municipal laws.
18. **Conditional use.** A use which is subject to approval by the Township Board. A conditional use may be granted when specified by this Ordinance and for those uses not specifically mentioned. A permitted conditional use is not to be a non-conforming use.
19. **Curtilage.** An unoccupied open space, other than a yard, on the same lot with a building which is bounded on two (2) or more sides by the walls of such building.
20. **Curtilage, outer.** A curtilage enclosed on not more than three (3) sides by exterior walls of a building or by external walls and lot lines on which walls are allowable with one side or end open to a street, driveway, alley, or yard.
21. **District.** A portion of the incorporated part of the Township within which certain regulations and requirements or various combinations thereof apply under the provision of this Ordinance.
22. **Drive-in.** An establishment of the "drive-in" type is one which accommodates the patrons while remaining in their automobiles in an off-street parking area accessory to the business from which the occupants may receive a service or obtain a product which may be used or consumed on the same premises.
23. **Dwelling unit.** A building or portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.
24. **Dwelling unit, one family. "Dwelling. Single-family."** A building containing not more than one (1) dwelling unit designed for residential use complying with the following standards:
 - a. It complies with the minimum square footage requirements of this Ordinance for the zone in which it is located.

- b. It has a minimum width across any front. Side or rear elevation of twenty (20) feet and complies in all respects with the Michigan State Construction Code as promulgated by the Michigan State Construction Code Commission under the provisions of PA 230 of 1972, as amended, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Michigan State Construction Code, then and in that event, such federal or state standard or regulation shall apply.
- c. It is firmly attached to a permanent foundation constructed on the site in accordance with the Michigan State Construction Code, shall have a wall of the same perimeter dimensions of the dwelling, and be constructed of such materials and type as required in the applicable building code for single-family dwellings. In the event the dwelling is a mobile home as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
- d. In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have any exposed towing mechanism under carriage or chassis.
- e. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- f. The dwelling contains a storage capacity area in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling which storage area shall be equal to ten (10) percent of the square footage of the dwelling or one hundred (100) square feet, whichever shall be less.
- g. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity with either a roof over-hang of not less than six (6) inches on all sides or alternatively with window sills and roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling, has not less than two (2) exterior doors with the second one being in either the rear or side of the dwelling, and contains permanently attached steps connected to said exterior door areas or to porches connected to said door areas where a difference in elevation requires the same. The compatibility of design and appearance shall be determined in the first instance by the Township Zoning Administrator upon review of the plans submitted for a particular dwelling subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of fifteen (15) days from the receipt of notice of said zoning administrator's decision. Any determination of compatibility shall be based upon the standards set forth in this definition of "dwelling," as well as the character, design, and appearance of one or more residential dwellings located outside of mobile home parks within two thousand (2,000) feet of the subject dwelling where such area is developed with dwellings

to the extent of not less than twenty (20) percent of the lots situated within said area; or, where said area is not so developed, by the character, design, and appearance of one or more residential dwellings located outside of mobile home construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

- h. The dwelling contains no additions, rooms, or other areas which are not constructed with similar quality and workmanship as the original structure, including permanent attachment to the principal structure and construction of a foundation as required herein.
- i. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and plumbing, electrical apparatus, and insulation within and connected to said mobile home shall be of a type and quality conforming to the "mobile home construction and safety standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- j. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park, except to the extent required by state or federal law or otherwise specifically required in the ordinance of the township pertaining to such parks.
- k. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Michigan State Construction Code provisions and requirements.

25. **Dwelling unit, two family.** A building containing not more than two (2) separate dwelling units designed for residential use and conforming in all other respects to the standards set forth in Section 16.02(24).

26. **Dwelling, multi-family.** A building containing three (3) or more dwelling units designed for residential use and conforming in all other respects to the standards set forth in Section 16.02(24).

27. **Essential services.** The phrase "essential services" means the erection, construction and alteration of maintenance by public utilities or municipal department or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply, or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessory in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health, safety, or general welfare.

28. **Family.** One person, or group of two or more persons living together who may or may not be interrelated by bonds of consanguinity, marriage, or legal adoption, occupying the whole or part of a dwelling as a separate housekeeping unit with a common and a single set of culinary facilities. The person thus constituting a family may also include foster children, and domestic servants. This definition does not include the occupants of a rooming or boarding house as a family unit.
29. **Farm.** All of the contiguous neighboring or associated land operated as a single unit on which benefited agriculture is carried on directly by the owner/operator, manager, or tenant farmer, by his own labor or with the assistance of members of his household or hired employees, provided however, that land be considered a farm hereunder shall include a continuous parcel of ten (10) acres or more in area.
30. **Flood plain.** That portion of land adjacent to a water body or water course which is subject to periodic inundation.
31. **Floor area.** The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The "floor area" of a building shall include the area of any floor when more than one-half (1/2) of the room height is above the established curb level or above the finished lot grade level where curb levels have not been established. The "floor area" shall include elevator shafts and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof), penthouses, attic spaces having headroom of seven (7) feet, six (6) inches or more, interior balconies, and mezzanines. Any space devoted to off-street parking or loading shall not be included in "floor area."
32. **Frontage.** All the property fronting one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary measured along the street frontage of the side of the street which it intercepts.
33. **Garage, commercial.** Any garage, other than a private garage, available to the public, operated for gain, and used for storage, repair, rental, greasing, washing, sales, servicing, adjusting, or equipment of automobiles or other motor vehicles.
34. **Garage, private.** An accessory building not over one (1) story or fifteen (15) feet in height used for parking or storage of vehicles as may be required in connection with the permitted use of the principal building.
35. **Gasoline service station.** Any building or premises used for the dispensation, sale, or offering for sale at retail of any motor fuels, oils, or lubricants. When the dispensing sale or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.
36. **Grade.** The ground elevation established for the purpose of regulating the number of stories and the height of buildings. The building grade shall be the level of the ground adjacent to the walls of the building, if the finished grade is level. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

37. **Greenbelt buffer.** A strip or parcel of land privately restricted or publicly dedicated as open space located between land uses for the purpose of protecting the character of adjacent residential or other uses. Said greenbelt buffer shall include, but not be limited to, the following materials: open space with maintained grass cover, evergreens, deciduous trees, shrubs, and bushes.
38. **Group child care home (also “Family child care home”).** These terms shall have the meaning ascribed to them in Section 1 of 1973 PA 116, MCL 722.111, and only apply to the bona fide private residence of the operator of the family or group child care home.
39. **High density animal feeding operation.** An animal feeding operation that houses or confines animals whose number total one thousand (1,000) or more animal units, as defined in Section 10.16.
40. **Highway.** See “street major.”
41. **Home occupation.** An occupation that is traditionally or customarily carried on in the home, including the giving of instruction in a craft or fine art within the residence, provided:
- a. That such occupation is incidental to the residential use in the extent that not more than thirty (30) percent of usable floor area of the principal building or not more than five hundred (500) square feet of an accessory building shall be occupied by such occupation.
 - b. That no article or service be sold or offered for sale on the premises, except as is produced by such occupations.
 - c. That such occupation shall not require equipment or machinery not customarily located in residential areas.
 - d. That there be no more than one (1) employee, other than members of the resident family.
42. **Hospital.** An institution providing health services primarily for in-patients and medical or surgical care of the sick or injured, including as an integral part of the institution, such facilities, central services facilities, and staff offices.
43. **Hotel, motel.** A building containing primarily rooming units with the number of dwelling units being not greater than ten (10) percent of the total number of rooming units and with the exception of the unit occupied by the management staff used only for the accommodation of transients.
44. **Junkyard.** Any land or building where waste, used or second hand, materials are bought and sold, exchanged, stored, baled, parked, disassembled, or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires, and bottles. A "junkyard" includes automobile wrecking yards and includes any area of more than fifty (50) square feet for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

45. **Living space.** That area within a structure intended, designed, erected, or used for human occupancy; that is, the sum of the gross horizontal area of the floor in question of the building used for occupancy, measured from the exterior faces of the exterior walls, from the centerlines of walls separating two (2) buildings, from the center lines of interior walls, excluding porches, garages, and breezeways not usable year around.
46. **Lot.** A parcel of land occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) principal building, together with its accessory buildings, and providing the open spaces, parking, and loading spaces required by this Ordinance. Said parcel of land may consist of one (1) or more lots of record according to any recorded plat, but for the purpose of this Ordinance shall be deemed one (1) parcel or lot, if title to the property is held under one (1) deed.
47. **Lot, corner.** A lot where the interior angle of two (2) adjacent sides at the intersection of the two streets is less than one hundred thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot for the purposes of this Ordinance if the arc is of less radius than one hundred fifty (150) feet and the tangents to the curve at the two points where the lot lines meet the curve or the straight street line extended from an interior angle of less than one hundred thirty-five (135) degrees.
48. **Lot, interior.** Any lot, other than a corner lot.
49. **Lot lines.** The lines bounding a lot defined herein:
- l. **Front lot lines.** In the case of an interior lot, the line separating said lot from the street, in the case of a corner lot or double frontage lot, the line separating said lot from that street which is designated as the front street in the plot and request for zoning compliance permit. In the case of lots bordering on a lake, river, or canal, the established water or shore line shall be designated as the rear of such lots.
 - m. **Rear lot lines.** The lot line opposite the front lot line. In the case of a lot irregularly shaped at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.
 - n. **Side lot lines.** Any lot lines other than the front lot lines or the rear lot lines.
50. **Lot area.** The total horizontal area within the lot lines of a lot.
51. **Lot coverage.** That part of percent of the lot occupied by buildings or structures, including accessory buildings or structures.
52. **Lot depth.** The horizontal distance between the front and rear lot lines measured along the median between the side lot lines.

53. **Lot of record.** A lot or parcel existing prior to the adoption of this Ordinance and recorded in office of the county register of deeds. For the purposes of this Ordinance, land contracts and purchase options not recorded in the county register of deeds office but dated and executed prior to the effective date of this Ordinance shall also constitute a lot of record.
54. **Lot width.** The horizontal distance between the side lot lines measured at the two points where the building line or setback intersects the side lot lines.
55. **Master plan.** The statement of policy by the Township Planning Commission relative to the agreed upon desirable physical pattern of future community development consisting of a series of maps, charts, and written materials representing in summary how the community should grow in order to bring about the very best community living conditions.
56. **Mobile home.** A vehicular, portable structure built on a chassis and designed to be used without a permanent foundation as a dwelling when connected to required utilities and which is, or is intended to be, attached to the ground or another structure or to a utility system on the same premises for more than thirty (30) consecutive days.
57. **Mobile home park.** Any subdivision, however designated, that is occupied or designated for occupancy by more than one (1) mobile home which conforms to the provisions of the Mobile Home Commission Act, 1987 PA 96, as amended (MCL 125.2301, et seq.).
58. **Modular housing unit.** A unit constructed solely within the factory in various sized modules which are then transported by flatbed or other means to the site where they are assembled on permanent foundations, to form single family dwellings which are either attached (in rows or clusters), stacked or detached.
59. **Non-conforming building.** A building, or portion thereof, existing at the effective date of this Ordinance or amendments thereto and which does not conform to the provisions of the ordinance nor to the use regulations of the district which it is located.
60. **Non-conforming use.** A use which lawfully occupied a building or land at the time of this Ordinance or amendments thereto became effective which does not conform to the use regulations of the district in which it is located.
61. **Nursing or convalescent home.** A structure with sleeping rooms where persons are housed or lodged and furnished meals and nursing for hire.
62. **Off-street parking lot.** A facility providing vehicular parking spaces, along with adequate drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking of more than two (2) automobiles.
63. **Open space.** Any space suitable for recreation, gardens, or household service activities, such as clothes drying. Such open space must be at least seventy-five (75) percent open to the sky free of automotive traffic, parking, and undue hazard and readily accessible by all those for whom it is required.

64. **Parking space.** A land area of not less than ten (10) by twenty (20) feet, exclusive of driveways and aisles, and so prepared as to be usable for the parking of a motor vehicle and so located as to be readily accessible to a public street or alley.
65. **Principal use.** The main use to which the premises are devoted and the main purpose for which the premises exist.
66. **Public park.** Any park, playground, beach, outdoor swimming pool, or parkway within the jurisdiction and control of a governmental agency authorized by state statutes to own and maintain parks.
67. **Public sewer system.** A public sewer system shall be defined as a central or community sanitary sewage and collection system of pipes and structures, including pipes, conduits, manholes, pumping stations, sewage and waste water treatment works, diversion and regulatory devices, and outfall structures, collectively or singularly, actually used or intended for use by the general public or a segment thereof for the purpose of collection, conveying, transporting, treating, or otherwise handling sanitary sewage or industrial liquid wastes of such a nature as to be capable of adversely affecting the public health, operated and maintained by the general public.
68. **Public utility.** Any person, firm, or corporation, municipal department, board, or commission duly authorized to furnish and furnishing under state or municipal regulations to the public gas, steam, electricity, sewage disposal, communication, telegraph, transportation, or water.
69. **Recreational area, private.** All lands and structures which are owned and operated by private individuals, a business or corporation which are predominately intended to accommodate recreational vehicles and provide for outdoor recreation activities.
70. **Recreational vehicle.** A small mobile unit principally designed for recreation pastime, such a motor homes, camper trailers, pick-up campers, pop-up campers, pop-up tent, trailers, and similar camping type vehicles or trailers.
71. **Retail and rental store.** Any building or structure in which goods, wares, or merchandise are sold or rented to the ultimate consumer for direct consumption or use and not for resale.
72. **Right-of-way.** A street, alley, or other thoroughfare or easement permanently established for passage of persons or vehicles.
73. **Roadside stand.** A permanent structure which is used seasonally for the sale of produce. The use of a roadside stand shall not constitute a commercial district.
74. **Rooming house.** A building, or part thereof, other than a hotel, where sleeping accommodations are provided for hire and meals may be regularly furnished.
75. **Rooming unit.** Any room or group of rooms forming a single habitable unit used for living and sleeping which does not contain cooking or eating facilities.

76. **Sanitary landfill.** A method of disposing of refuse on land without creating nuisances or hazards to public health or safety by utilizing principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover at the conclusion of each day's operation or at more frequent intervals as necessary and maintained in accordance with the provisions of Act 641 of Public Acts of 1978, as amended.
77. **Setback.** The minimum horizontal distance between the street, rear, or side lines of the lot and the front, rear, or side lines of the building. When two or more lots under one ownership are used, the exterior property lines so grouped shall be used in determining offsets.
78. **School.** A building used for the purpose of elementary or secondary education which meets all requirements of compulsory laws of the State of Michigan and not providing residential accommodations.
79. **Shopping center.** A group of commercial establishments, planned, developed, owned, and managed as a unit with off-street parking provided on the property and related in its location, size, and type of shops to the trade area which the unit served.
80. **Signs.** Any words, numbers, figures, devices, or trademarks by which anything is made known, other than billboards, such as are used to show an individual firm, professional business, and are visible from the exterior of the structure.
81. **State licensed residential facility.** A structure constructed for residential purposes that is licensed by the state under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides residential services for six (6) or fewer individuals under twenty-four (24) hour supervision or care.
82. **Story.** That part of a building, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above.
83. **Street.** A thoroughfare which affords the principal means of access to abutting property.
84. **Street major.** A public way, the principal use of which is to provide an arterial route for through traffic and as its secondary use the provision of access to abutting properties.
85. **Street minor.** A public way, the principal use of which is to give access to abutting properties.
86. **Structure.** Anything constructed or erected, the use of which required location on the ground or attached to something having location on the ground.
87. **Structure alteration.** The erection, strengthening, removal, or other change of the supporting elements of a building, such as footings, bearing walls, beams, columns, and the like.
88. **Swimming pool.** Any artificially constructed, portable, or non-portable pool capable of being used for swimming or bathing having a depth of three (3) feet or more at any point.

89. **Undevelopable land.** Land which has soil types of a high water condition which presents severe limitations on septic tank and tile fields.
90. **Usable floor area.** The area for the purpose of computing parking and off-street loading and unloading space, is that area used for or intended to be used for the sale of merchandise or services or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise or utilities shall be excluded from this computation of "usable floor area." Measurement of floor area shall be sum of the gross horizontal areas of the several floors of the building measured from the interior faces of the exterior walls.
91. **Use.** The purpose for which land or premises of a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.
92. **Variance.** A modification of the literal provisions of this Ordinance which the Zoning Board of Appeals is permitted to grant when strict enforcement of said provisions would cause practical difficulties owing to circumstances unique to the individual property on which the variance is sought.
93. **Yard.** An open space on the same lot with the main building, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Ordinance.
- o. Front yard: a yard extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest line of the main building.
 - p. Rear yard: a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and nearest line of the main building.
 - q. Side yard: a yard between the main building and the side lot line extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line to the nearest point of the main building.
94. **Zoning district.** (See district).

Section 2. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Severability of Invalid Provisions. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Section 4. Savings Clause. A prosecution which is pending on the effective date of this Ordinance and which arose from a violation of an ordinance repealed by this Ordinance, or a prosecution which is started within one (1) year after the effective date of this Ordinance arising from a violation of an ordinance repealed by this Ordinance and which was committed prior to the effective date of this Ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

Section 5. Effective Date. This Ordinance shall take effect seven (7) days after the date of publication pursuant to MCL 125.3401, which publication shall take place within fifteen (15) days from the date of adoption and shall be in a local newspaper of general circulation. Publication of a summary the regulatory effect of this Ordinance in compliance with MCL 125.3401 shall constitute publication of the ordinance.

This Ordinance is hereby declared to have been passed and adopted by the Clarendon Township, County of Calhoun, State of Michigan, at a regularly scheduled meeting thereof duly called and held on this day of _____, 2018.

Steve R. Schrock, Supervisor

ATTEST:

Sharla Vincent, Township Clerk

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