

ORDINANCE NO. 1

JUNK YARDS

Licensing and regulating junk yards and the place of dismantling, wrecking and disposing of junk and/or refuse material of automobiles.

The following rules are hereby enacted by the Township Board of Maple Valley, Montcalm County, Michigan authority of Act 12 of the Public Acts of the State of Michigan of 1929, as amended:

Section 1. Operation of Junk Yard. A person, firm or corporation shall be deemed to be operating and maintaining a junk yard or place for dismantling automobiles when he or they so use their premises that they are buying, selling and dismantling junk, refuse and scrap, or junk automobiles, for the purpose of making a profit therefrom, or when their premises consistently have stored and located thereon not less than three junk automobiles, or the equivalent thereof, or other types of junk materials.

Section 2. Application for License. Any person, firm or corporation desiring to operate, establish or maintain a junk yard or place for dismantling automobiles in the Township of Maple Valley, shall before undertaking to establish, operate or maintain the same, first procure a license from the Township Board of said Township for that purpose.

Section 3. Issuance of License. The Township Board, after being reasonably certain that the applicant has complied with all regulations and restrictions as hereinafter provided, shall approve said application. Each person, firm or corporation, before carrying on any of the businesses set forth in Section 2 hereof, shall pay to the Township Clerk a license fee as determined by resolution of the Township Board, upon the approval of the application by the Township Board; and on January 1 of each year thereafter, subject only to the limitation of Section 4 hereof. The receipt by the Township Clerk of such payments shall be deemed to be the license of such applicant for any calendar year in which such receipt is issued.

Section 4. Revocation and Cancellation of License. In the event the Township Board is reasonably certain that any licensee under this Ordinance shall have violated any of the provisions hereof, the Township Board shall cancel and revoke the license of such licensee forthwith. Such licensee may, at any time thereafter, reapply for a new license under the same conditions and regulations applicable to any other applicant.

Section 5. Location. No person, firm or corporation licensed under this Ordinance, or any other person, shall operate, establish or maintain a junk yard or place for dismantling automobiles within one thousand (1,000) feet of a church, school, park, cemetery or zoned residential district, or within fifty (50) feet of the edge of a right-of-way of any traveled street or thoroughfare. Any person, firm or corporation operating, establishing or maintaining a junk yard or place for dismantling automobiles shall have available for such purposes at least one acre of land.

Section 6. Fence. Any junk yard, or place for dismantling automobiles operated or maintained within two hundred fifty (250) feet of the right-of-way of any traveled street or thoroughfare shall be enclosed by a fence no less than six (6) feet in height, constructed of a good grade of lumber so as to leave no cracks of a greater width than one-half (1/2) inch, to be painted and kept painted white and to be kept in good repair and sightly condition. No advertising shall be affixed in any way upon such fence other than the advertising of the person, firm or corporation operating, establishing or maintaining such place of business. No junk, dismantled automobiles or automobiles to be dismantled shall be placed or displayed outside boundaries of such fence. Persons operating any junk yard or other place for dismantling automobiles on the effective date of this Ordinance shall have sixty (60) days within which to comply with the provisions of this Section of the Ordinance.

Section 7. Fires. Any licensee under this Ordinance, or any other person, firm or firms, corporation or corporations operating a junk yard or place for dismantling automobiles within the limits of either the unincorporated plat of Trufant or the unincorporated plat of Coral shall not burn or cause to be burned any junk, refuse, scrap, or junk cars, by means of an open fire whereby smoke, fire and debris are exposed to the view and smell of the residents of these two areas, nor shall any other person or persons burn or cause to be burned any junk, refuse or scrap or junk cars in such a way as to be so offensive as to constitute a nuisance to the residents of the Township.

Section 8. Abandonment of Premises. Any licensee under this Ordinance, or any other person who elects to cease operating, establishing or maintaining a junk yard or place for dismantling automobiles, either temporarily or permanently, shall first remove from his premises all junk, automobiles and parts of automobiles and debris of any kind whatsoever, and shall leave said premises in a clean and orderly condition.

Section 9. Penalty. Any person, firm or corporation establishing, operating or maintaining a junkyard or place for dismantling automobiles without a license, or in violation of any of the provisions of this Ordinance, shall be deemed to be guilty of a misdemeanor. Each day that such violations occur shall constitute a separate offense.

Section 10. Unconstitutionality. Should the provision of any Section of this Ordinance be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance, which shall stand notwithstanding the invalidity of any other provisions or sections.

Section 11. Posting of Ordinance. Within five (5) days after the adoption of this Ordinance by the Township Board, and before it shall take effect, the Township Clerk shall post, or cause to be posted, copies of this Ordinance certified by said Clerk to be true and correct copies of said Ordinance in three (3) public places in Maple Valley Township. A sworn statement shall be made by the persons so posting copies of this Ordinance setting forth the time and place of such posting, and such statement shall be filed with the Township Clerk.

Section 12. Effective Date. This Ordinance shall take effect on the 25th day of July, 1957. Maple Valley Township Board.

ORDINANCE NO. 2

LIQUOR CONTROL ORDINANCE

Adopted February 26, 1960.

Effective March 28, 1960.

An Ordinance to secure the public peace, health and safety of the residents and property owners of the Township of Maple Valley, Montcalm County, Michigan, a municipal corporation, for the regulation of alcoholic liquor traffic within said Township, through the enforcement of the Michigan Liquor Control Act of the State of Michigan within said Township; to provide penalties for the violation of said Ordinance; and to repeal all ordinances and parts of ordinances in conflict therewith.

The Township Board of Maple Valley Township, Montcalm County, Michigan, ordains:

Section 1. Title. This Ordinance shall be known and cited as the MAPLE VALLEY TOWNSHIP LIQUOR CONTROL ORDINANCE.

Section 2. Liquor Control Act of the State of Michigan. All alcoholic liquor traffic, including among other things, the manufacture, sale, offer for sale, storage for sale, possession and/or transportation thereof within Maple Valley Township, Montcalm County, Michigan, shall comply with the provisions of the Michigan Liquor Control Act, being Act No. 8 of the Michigan Public Acts of 1933, as amended.

Section 3. Enforcement. For the purpose of the enforcement of said Michigan Liquor Control Act within said Township, there is hereby established a Liquor Control Enforcement Department with full power, authority and duty to see that the provisions of said Act and the rules and regulations of the Michigan Liquor Control Commission, adopted pursuant to said Act, are enforced within said Township. Such Department shall consist of not less than one Constable or Deputy Sheriff appointed by the Township Board and such other personnel as the Township Board may, in its discretion, appoint. The personnel in such Department shall be entitled to such compensation as the Township Board may determine. Such Department or a member thereof shall be available at all times to investigate complaints received under this Ordinance, and enforce the provisions hereof.

Section 4. Inspection. The Township Liquor Control Enforcement Department may inspect monthly all liquor establishments licensed under the Liquor Control Act of the State of Michigan and report the results of all inspections promptly to the Township Board. The Township Liquor Control Enforcement Department shall further promptly investigate all complaints received by it concerning violations of the Michigan Liquor Control Act, or improper operations and practices concerning alcoholic liquor traffic within the Township, and report the same to the Township Board and, where appropriate under the Michigan Liquor Control Act, to the Michigan Liquor Control Commission for appropriate proceedings against the violator.

ALL INSPECTORS SHALL CARRY APPROPRIATE CARDS issued by the Township Clerk, clearly identifying them as Township Liquor Control Inspectors and shall present said cards to the owner or manager of every place inspected by them when making an inspection, upon demand for identification by such owner or manager. Inspectors shall have the right to inspect any place in the Township where alcoholic liquor is manufactured, sold, offered for sale, kept for sale, possessed or transported, or where the Inspector suspects the same is being thus manufactured, sold, offered for sale, kept for sale, possessed or transported. Whenever possible, all inspection reports shall be made on Liquor Law Enforcement Inspection forms furnished by the Michigan Liquor Control Commission or on similar forms otherwise obtained by the Township Liquor Control Enforcement Department.

Section 5. Appropriation. For the purpose of carrying out the provisions of this Ordinance and establishing the Liquor Control Enforcement Department herein provided for, the Township Board hereby appropriates the sum of \$750.00 for such use and is hereby authorized and directed to annually appropriate such an amount at will, in its discretion, be sufficient to maintain and operate such Liquor Control Enforcement Department for the ensuing fiscal year of the Township, not exceeding, however, ten (10) mills of the assessed valuation of the Township in any one (1) year for vehicles, apparatus and equipment and housing for the same, and not exceeding two and one-half (2-1/2) mills of the assessed valuation of the Township per year for the maintenance and operation of the Department.

Section 6. Penalties. Any person, other than persons required to be licensed under the Michigan Liquor Control Act, who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor. Any licensee who shall violate any of the provisions of the Michigan Liquor Control Act or any rule or regulation of the Michigan Liquor Control Commission promulgated thereunder, or who shall violate any of the provisions or interfere with the authorized inspection of a member of the Township Liquor Control Enforcement Department shall be guilty of a misdemeanor, punishable by imprisonment in the County jail not more than ninety (90) days or by a fine of not more than One Hundred Dollars (\$100.00), or both, in the discretion of the court. Each day that a violation continues to exist shall constitute a separate offense. It is the intent of the Township Board that the court, in imposing punishment under the provisions of this Ordinance, should discriminate between casual or slight violations and habitual sales of alcoholic liquor or attempts to commercialize violations of this Ordinance or any of the rules or regulations of the Michigan Liquor Control Commission promulgated under the Michigan Liquor Control Act.

Section 7. Effective Date. This Ordinance shall take effect on the 28th day of March, 1960. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

ORDINANCE NO. 3

Ordinance Prohibiting the Parking of Vehicles on Township Streets Between Designated Hours

The Township of Maple Valley ordains:

Section 1. Conduct. No motor vehicle, motorcycle, motor home, trailer or semi-trailer, whether the same be licensed or unlicensed, shall be parked on any public street in the Township between the hours of 2:00 a.m. and 5:00 a.m. of any day.

Section 2. Removal of Vehicle. Any vehicle parked on any public street contrary to the provisions of Section 1 of this Ordinance may be removed from such street under the supervision of any Township, County or other law enforcement officer. The cost of removing such vehicle shall be borne by the owner of the same.

Section 3. Penalty. Any person who violates, disobeys, neglects or refuses to comply with the provisions of this Ordinance shall be punished for each offense upon conviction by a fine of not more than Five Hundred Dollars (\$500.00) and costs of prosecution, or by imprisonment in the County jail for a period not to exceed ninety (90) days, or both, such fine and imprisonment in the discretion of the Court.

Section 4. Effective Date. The effective date of this Ordinance shall be thirty (30) days after adoption by the Township Board.

Section 5. Enacting clause. This Ordinance is made pursuant to the provisions of MCL 41.181, MSA 5.45.

Adopted by the Maple Valley Township Board on July 20, 1985.

ORDINANCE NO. 4

MICHIGAN CONSOLIDATED GAS COMPANY

The Township of Maple Valley ordains:

Section 1. Subject to all the terms and conditions mentioned in this Ordinance, consent is hereby given to Michigan Consolidated Gas Company, a corporation organized under the laws of the State of Michigan, and to its successors and assigns, to lay, maintain, operate and use gas pipes, mains, conductors, service pipes and other necessary equipment in the highways, streets, alleys and other public places in the Township of Maple Valley, Montcalm County, Michigan, and a franchise is hereby granted to Michigan Consolidated Gas Company, its successors and assigns, to transact a local business in said Township of Maple Valley for the purpose of conveying gas into and through, and supplying and selling gas in said Township and all other matters incidental thereto.

Section 2. This franchise is conditioned upon the commencement of construction by Michigan Consolidated Gas Company of a gas main within the boundaries of the Township of Maple Valley, on or before October 1, 1966. If such construction does not commence on or before that date, this franchise shall terminate as more specifically provided in Section 6 hereof. Upon commencement of the installation of a gas main within the time specified, the Company shall proceed to complete the same as soon thereafter as reasonable practicable; provided, however, that the Company shall not be held responsible for delays due to weather or labor conditions, inability to procure necessary materials, or other causes beyond its control; and provided further that such initial installation and all extensions shall be subject to the Main Extension provisions contained in the Company's Rules and Regulations for Gas Service as approved by the Michigan Public Service Commission.

Section 3. Michigan Consolidated Gas Company, its successors and assigns, shall not unnecessarily obstruct the passage of any of the highways, streets, alleys or other public places within said Township and shall within a reasonable time after making an opening or excavation, repair the same and leave it in as good condition as before the opening or excavation was made. The Company, its successors and assigns, shall use due care in exercising the privileges herein contained and shall be liable to said Township for all damages and costs which may be recovered against said Township arising from the default, carelessness or negligence of the Company or its officers, agents and servants. No road, street, alley or highway shall be opened for the laying of trunk lines or lateral mains except upon application to the Highway Commissioner or Township Board, or other authority having jurisdiction on the premises, stating the nature of the proposed work and the route. Upon receipt of such application, it shall be the duty of the Highway Commissioner or Township Board, or such other authority as may have jurisdiction, to issue a permit to the Company to do the work proposed.

Section 4. The Company is now under the jurisdiction of the Michigan Public Service Commission to the extent provided by statute, and the rates to be charged for gas and the standards and conditions of service hereunder shall be the same as now set forth in the Company's Schedule of Rules, Regulations and Rates as applicable in the City of Greenville, or that shall hereafter be validly prescribed for the Township of Maple Valley under the orders, rules and regulations of the Michigan Public Service Commission or other authority having jurisdiction in the premises.

Section 5. The words "Michigan Consolidated Gas Company" and "the Company," wherever used herein, are intended and shall be held and construed to mean and include both Michigan Consolidated Gas Company and its successors and assigns, whether so expressed or not.

Section 6. This Ordinance shall take effect immediately after the date of publication thereof, which shall be within ten (10) days after the date of its adoption, and shall continue in effect for a period of thirty (30) years thereafter, subject to revocation at the will of the Township at any time during said thirty (30) year period and subject to the condition that if the Company shall fail to commence the installation of a gas main in the Township within the time provided in Section 2 hereof, then this Ordinance and the franchise hereby granted shall, without further action on the part of the Township, become null and void and of no further force or effect; provided, however, that when this Ordinance shall become effective, the Township Clerk shall deliver to the Company a certified copy of the Ordinance accompanied by written evidence of publication and recording thereof as required by law and that Michigan Consolidated Gas Company shall, within sixty (60) days after the date of the adoption of this Ordinance, file with the Township Clerk its written acceptance of the terms and provisions hereof.

Adopted by the Township Board December 1, 1965.

ORDINANCE NO. 5

CONSUMERS POWER COMPANY ELECTRIC FRANCHISE ORDINANCE

An Ordinance granting to Consumers Power Company, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, cross arms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the Township of Maple Valley, Montcalm County, Michigan.

The Township of Maple Valley ordains:

Section 1. The Township of Maple Valley, Montcalm County, Michigan, hereby grants the right, power and authority to the Consumers Power Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," to construct, maintain and commercially use electric lines consisting of towers, masts, poles, cross arms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances, for the purpose of transmitting, transforming and distributing electricity on, under, along and across the highways, streets, alleys, bridges, and other public places, and to do a local electric business in the Township of Maple Valley, Montcalm County, Michigan.

Section 2. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

Section 3. All of the Grantee's towers, masts and poles shall be neat and sightly, and so placed on either side of the highways, streets, alleys and bridge as not to unnecessarily interfere with the use thereof for highway, street and alley purposes. All of Grantee's wires carrying electricity shall be securely fastened so as not to endanger or injure persons or property in said highways, streets and alleys. All work performed by said Grantee in said highways, streets and alleys shall be done so as not to interfere with the use thereof, and when completed, the same shall be left in as good condition as when work was commenced. The Grantee shall have the right to trim trees if necessary in the conducting of such business, subject, however, to the supervision of the highway authorities.

Section 4. Said Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures hereby authorized. In case any action is commenced against the Township on account of the permission herein granted, said Grantee shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

Section 5. Said Grantee shall be entitled to charge the inhabitants of said Township for electric energy furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate electric rates and rules regulating such service in said Township, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefore being made by either said Township, acting by its Township Board, or by said Grantee.

Section 6. The rights, power and authority herein granted are not exclusive.

Section 7. The franchise granted by this Ordinance is subject to revocation upon sixty (60) days' written notice by the party desiring such revocation.

Section 8. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to the electric service in said Township.

Section 9. This Ordinance shall take effect upon the day after the date of publication thereof, provided, it shall cease and be of no effect after thirty (30) days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Township Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said Township and said Grantee.

**THE FOREGOING ORDINANCE WAS DULY ADOPTED AND PASSED BY THE TOWNSHIP BOARD OF MAPLE VALLEY TOWNSHIP,
MONTCALM COUNTY, MICHIGAN, ON THE 17TH DAY OF MAY, 1986.**

ORDINANCE NO. 5A

WOLVERINE POWER SUPPLY

ELECTRIC SERVICE FRANCHISE ORDINANCE

An ordinance granting unto Wolverine Power Supply Cooperative, Inc., its successors and assigns, the right, power and franchise for a period of thirty (30) years from and after the adoption and approval thereof, to acquire, construct, operate and maintain in Maple Valley Township, Montcalm County, the necessary facilities for the production, transmission, and sale of electric energy at wholesale to its member-distribution cooperatives and between Wolverine and other parties pursuant to wholesale power agreements, and to use and occupy the highways, streets, alleys, and other public places of the township to set poles, string wires, lay pipes or conduits, and to transact an electric business.

BE IT ORDAINED:

Section 1. That Wolverine Power Supply Cooperative, Inc., its successors and assigns, be and it is hereby granted and vested with the right, power, and franchise for a period of thirty (30) years from and after the adoption and approval hereof, as provided by law, to acquire, construct, maintain or operate in the Township of Maple Valley the necessary facilities for the production, transmission, and sale of electric energy at wholesale to its member-distribution cooperatives and between wolverine and other parties pursuant to wholesale power agreements, and to construct and maintain along, upon, across or under the highways, streets, alleys and other public places of the township to set poles, string wires, lay pipes or conduit and other necessary fixtures and equipment for such purposes within Maple Valley Township.

Section 2. The Grantee shall save the Township harmless from any liability or judgment that may be made or recovered against the Township as a result of the construction or maintenance of the Grantee's electric transmission system.

Section 3. The franchise granted herein is subject to confirmation at a special election by a majority of the Maple Valley Township electors voting upon the question in the affirmative.

Section 4. This ordinance will take effect upon publication of the ordinance.

Clerk's Certificate

The Undersigned, Josephine Sears, Clerk of Maple Valley Township certifies that the above ordinance No. 5A entitled "Electric Service Franchise Ordinance" was adopted by the Maple Valley Township Board at a Regular meeting held June 20, 1992 and that the vote was as follows:

For: 5

Against: 0

Josephine Sears

Clerk Maple Valley Township

Ordinance No. 6

O&A Electric Cooperative

October 18, 1986

The Township of Maple Valley Ordains:

Section 1. Permission is hereby granted to O&A Electric Cooperative, a Michigan Non-Profit Corporation, Its successors and assigns, to construct, maintain and operate in the public streets, highways, alleys and other public places in the Township of Maple Valley, Montcalm County, Michigan, all needful and proper poles, towers, mains, wires, pipes, conduits and other apparatus requisite for the transmission and distribution of electricity and to transact a local business within said Township subject, however, to all conditions and restrictions hereinafter contained.

Section 2. The conditions of the foregoing grant are as follows:

- A. The grantee shall do no injury to any street, highway, alley or other public place, or in any manner disturb or interfere with any water or gas pipes, or with any public or private sewer, now or hereafter laid or constructed by any authorized person or corporation.
- B. The Board of County Road Commissioners or other proper authority, may in its discretion grant permission for the control of trees when necessary to make the lines safe and accessible.
- C. The said grantee before entering upon any street, highway, alley or other public place for the purpose of erecting and constructing any poles, wires, mains, pipes, conduits or other apparatus, shall in writing notify the Board of County Road Commissioners or the Superintendent of said Board, or other proper authority, of the proposed construction, and obtain approval thereof, and shall, if the said Board so requires, file with it a sufficient plan and specification showing the nature and extent of the proposed erection and construction.
- D. No street, highway, alley or public place shall be allowed to remain encumbered by the construction work of the said grantee for a longer period than shall be necessary to execute the said work, and the Board of County Road Commissioners shall determine the questions of such necessity, and the grantee shall at all times conform to all ordinances of the Township now or hereafter in force relative to the fencing and lighting of obstructions and excavations.
- E. The grantee shall save the Township harmless from any judgment that may be recovered against the Township by reason of the wrongdoing or negligence of said grantee in the erection and maintenance of said poles, mains, wires and other apparatus or construction.
- F. Said grantee shall make due provision upon forty-eight hours notice in writing for raising its wires, or otherwise, for the passage of any barn, building or other structure on or over any street, highway or public place occupied by the mains, wires, poles and apparatus of said grantee.

Section 3. This grant shall take effect, if said grantee shall within sixty days from the date of the passage of this ordinance, file with the Township Clerk its written acceptance of the terms of said grant and said franchise shall thereafter be favorably acted upon by a vote of the registered electors. If not so accepted in writing this ordinance shall be null and void.

Section 4. This Franchise and Ordinance shall be and remain in force for thirty (30) years from and after the date of its acceptance, as aforesaid.

Section 5. Nothing in this grant shall be construed to alienate the title or the public in and to any street, highway, alley or public place or any portion thereof, neither shall anything herein be construed in any manner as a surrender by the Township of its legislative power with respect to the subject matter what so ever; nor as in any manner limiting the right of the said Township to regulate the use of any street, alley, or public place, or any avenue or highway within its jurisdiction. Dated this 18th day of October 1986.

ORDINANCE NO. 7

UNIFORM TRAFFIC CODE FOR MICHIGAN CITIES, TOWNSHIPS AND VILLAGES

An Ordinance to adopt by reference the Uniform Traffic Code for Michigan Cities, Townships and Villages.

Section 1. Code Adopted. The Uniform Traffic Code for cities, townships and villages promulgated by the Commissioner of State Police on February 14, 1958 and published in Supplement No. 13, and as amended both on February 14, 1961 and published in Supplement No. 25, and on February 26, 1968 and published in Supplement No. 54, to the 1954 Michigan Administrative Code, in accordance with Public Act 62 of 1956, State of Michigan, is hereby adopted by reference as in this modified Ordinance.

Section 2. References in Code. References in the Uniform Traffic Code for Michigan Cities, Townships and Villages to “governmental unit” shall mean the Township of Maple Valley.

Section 3. Notice to be Published. The Township Clerk shall publish this Ordinance in the manner required by law and shall at the same time publish a supplementary notice setting forth the purpose of the said Uniform Traffic Code and of the fact that complete copies of the Code are available at the office of the Clerk for inspection by and distribution to the public at all times.

Section 4. When Effective. The Uniform Traffic Code will be in effect in this governmental unit 30 days after the passage of this adopting Ordinance.

Adopted: December 23, 1968.

December 20, 1986 - Uniform Traffic Code, 1979 Addition for Cities and Townships.

ORDINANCE NO. 8

MOTOR VEHICLE PARKING REGULATIONS

An Ordinance establishing motor vehicle parking regulations for the Township of Maple Valley.
The Township of Maple Valley ordains:

Section 1. Only angle parking shall be lawful on the northwesterly side of Second Street, between the intersection of A Street and B Street in unincorporated plat of Trufant (also see Ordinance No. 3 regarding parking hours).

Section 2. Only angle parking shall be lawful on the west side of Main Street between the intersection of Sherman Street and Grant Street in the unincorporated plat of Coral.

Section 3. Any person shall be convicted of a violation of any of the provisions of this Ordinance and shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or imprisonment of not more than ninety (90) days, or by both such fine and imprisonment.

Section 4. This Ordinance shall take effect and be enforced from and after the 15th day of September, 1973.

Adopted by the Maple Valley Township Board.

Ordinance No. 8a
MAPLE VALLEY TOWNSHIP
ZONING ORDINANCE
Montcalm County, Michigan

An Ordinance to establish zoning districts and provisions governing the unincorporated portions of Maple Valley Township, Montcalm County, State of Michigan, in accordance with the provisions of Act 184 of the Public Acts of 1943, as amended.

The Township Board of Maple Valley Township, Montcalm County, Michigan, herewith ordains:

ARTICLE ONE
PREAMBLE

Section 1.01. Title. This Ordinance shall be known as the "Maple Valley Township Zoning Ordinance."

Section 1.02. Purpose. The purpose of this Ordinance shall be: to promote the health, safety, security and general welfare of the inhabitants of the Township; to encourage the use of lands and resources of the Township in accordance with their character and adaptability; to protect the agricultural areas, residential areas, resorts, commercial areas, and other areas naturally suited to particular uses; to provide for the orderly and wholesome development of the Township; to reduce hazards to life and property; to create and preserve safe and favorable conditions for living, economic progress and recreational activities in the Township; to provide, in the interest of health and safety, desirable standards under which certain buildings and structures may hereafter be erected and used; to protect, stabilize and enhance property and civic values; to facilitate the development of adequate systems of transportation, fire protection, education, recreation, waste disposal, safe and adequate water supplies and other public requirements; and to conserve the use of public funds for public services and improvements to conform with the most advantageous uses of land, resources and properties.

Section 1.03. Limitations of Ordinance.

1.03 A. Existing Uses of Lands, Buildings and Structures. At the discretion of the property owner, the lawful use of any parcel of land or premises, and of any dwelling, building or structure as existing and lawful at the time of enactment of this Ordinance may be continued, although such use does not conform with the provisions of this Ordinance or, in the case of an Amendment, then at the time of Amendment.

1.03 B. Exemption of Accessory Farm Buildings and Structures. Except for farm dwellings, the provisions of this Ordinance shall not apply to accessory farm buildings and structures when erected on farms and used for customary farming operations; provided, however, that no building or structure other than open fences shall hereafter be erected less than forty (40) feet from any abutting highway right-of-way line, and not less than twenty (20) feet from any interior property line, except for road corners, and then upon special approval of the Planning Board only.

ARTICLE TWO
ZONING DISTRICTS

Section 2.01. Classification of Districts. To achieve the purposes set forth in the Preamble, Maple Valley Township is hereby divided into the following Zoning Districts:

- (a) Residential, R
- (b) Agricultural - Residential, A-R
- (c) Commercial, C

Section 2.02. Location of Districts. The areas assigned to Residential Districts, R, and to Commercial Districts, C, are shown on the two accompanying maps respectively entitled, "Zoning Districts Map of Coral, Michigan," and "Zoning Districts Map of Trufant, Michigan," which are hereby made a part of this Ordinance, including all pertinent notations thereon. All remaining areas not included in the aforesaid maps shall constitute the Agricultural-Residential Districts, A-R, of the Township. A copy of such maps shall be on file in the Office of the Township Clerk, which maps shall constitute the official copy of the zoning maps, and be identified as such by the signature of the Township Supervisor, attested by the Township Clerk, including the date. All changes in the Ordinance involving change of boundaries shall be entered on such maps, signed by the Township Supervisor and attested to by the Township Clerk, including date of entry. No amendment shall become effective until so entered.

Section 2.03. Boundaries of Zoning Districts. Unless otherwise specified, the boundary lines of zoning districts shall be interpreted as following along section lines, or lines of customary subdivisions of sections; or the centerline of highways or waterways; or the boundary lines of recorded plats or subdivisions; or property lines on legal record at the office of the Register of Deeds on the date of enactment of this Ordinance. All questions concerning the exact location of boundary lines shall be determined by the Zoning Board of Appeals consistent with the purposes of this Ordinance.

**ARTICLE THREE
RESIDENTIAL DISTRICTS, R**

The following provisions shall apply to all Residential Districts, R.

Section 3.01. Purpose. The purpose of creating Residential Districts, R, is to provide areas primarily dedicated to residential use consisting of one-family and two-family dwellings, each dwelling to be located on individual lots or premises, herein after more specifically described, adequate in size to provide for potable water supplies and for a safe sewage disposal system on the premises, reasonably spaced to diminish spread of fire, and set back from the public thoroughfare to facilitate safe exit from and entrance to the premises.

The requirements are intended to protect and stabilize the basic qualities of each Residential District, and to provide suitable and safe conditions for family living. Each district is established in conformity with existing areas, and areas in which it appears desirable that such developments take place. Since certain other property uses are generally accepted as compatible with residential developments, if properly integrated, the inclusion of such uses is provided for by special approval.

Section 3.02. Property Uses. The use and occupancy of all lands and premises, and the erection, use and occupancy of all buildings and structures, shall hereafter be limited to the following, except as may subsequently be provided by amendments to this Ordinance.

Section 3.02A. Primary Uses.

1. One-family and two-family dwellings, including summer and all year cottages.
2. Publicly-owned and operated libraries, parks and playgrounds.
3. Churches and other buildings of a religious nature, including facilities normally incidental thereto.
4. Public, parochial and private elementary, intermediate and high schools offering courses in general education.

Section 3.02B. Uses by Special Approval, as provided by Section 6.07.

1. Hospitals, clinics, sanatoria, convalescent homes and similar buildings and structures for human care.
2. Home occupations; provided, however, that such occupations are conducted in their entirety within the dwelling, and only by persons maintaining a dwelling therein, except for employees as necessary in the case of a doctor, dentist or similar practitioner; provided further that there be no external display of stock, goods or facilities relating to the occupation on the premises; that no more than one (1) name plate not exceeding thirty-two (32) square feet in area containing the name and occupation of the person be displayed; and that no such use shall constitute a parking nuisance to the neighborhood.
3. Home-operated enterprises, such as machine shops, crafts, woodworking shops, furniture refinishing, welding and food service. Food service shall constitute commercial preparation of food not to be consumed on the premises.
4. Country clubs, lodges and similar social, recreational and community-centered buildings, when not operated for profit.
5. Privately-owned playgrounds, parks, swimming pools and similar lands for outdoor recreation and exercise, when not operated for profit.

Section 3.02C. Accessory Uses.

1. Accessory buildings, structures and uses customarily incidental to any primary or approved use.
2. Signs (see Section 6.06) not over twenty (20) square feet in area advertising the sale, rental or lease of the premises when located on the premises. A sign not over thirty-two (32) square feet in area stating the existence of any enterprise or activity permitted on the premises may be erected on the main building so utilized. No other sign shall be considered accessory structures.

Section 3.03. Area Regulations. No building or structure, nor any enlargement thereof, shall be hereafter erected except on conformance with the following yard, lot area and building coverage requirements:

- (a) Front Yard – There shall be a front yard of not less than fifty (50) feet nor less than fifty feet from the known high water shoreline of any water body upon which the premises abut. On lake lots, the front yard shall be facing the lake.
- (b) Side Yard – For all buildings and structures, there shall be total side yards of not less than twenty (20) feet; provided, however, that no side yard shall be less than ten (10) feet.
- (c) Rear Yard – For all buildings and structures, there shall be a rear yard of ten (10) feet. On lake lots, the rear yard shall be twenty-five (25) feet.
- (d) Lot Areas and Width – The minimum lot area and width for all uses in this district shall be twenty thousand (20,000) square feet and one hundred (100) feet at the building line, respectively.

Section 3.04. Minimum Floor Area. Each dwelling unit shall have a minimum of eight hundred (800) square feet of usable floor area at the first floor and must have a width of at least fourteen (14) feet. This shall also apply to each unit in a two-family

structure. The usable floor area shall be exclusive of any area in an attached garage, carport, open porch or other open attached structure. See Section 6.04, Minimum Requirements for Dwellings Located Outside of Mobile Home Parks.

Section 3.05. Factory Built Dwellings. Mobile or factory built dwellings must be set on a concrete slab or stable foundation. The bottom must be totally enclosed with concrete or durable building material approved by the zoning administrator. Mobile or factory built dwellings, are subject to all other provisions of this Ordinance under dwellings.

Section 3.06. Accessory Buildings New Section 3.06 is added to the Zoning Ordinance so as to indicate that certain accessory buildings shall be stick built or the equivalent of new building construction No Mobile home, trailer or motor vehicle may be utilized as an accessory building or storage structure in any platted area. Such requirements on accessory buildings would not apply, however, to bona fide agricultural storage buildings or to tool sheds in connection with the structure of a building.

TOWNSHIP MOBILE AND MANUFACTURED HOME PARK ORDINANCE

Section 3.07. Intent. The regulations are intended to promote and provide the adequate space and facilities for the healthful living conditions for the occupants of such mobile home parks. This process will permit and encourage variety, in design, layout and type of structures constructed to achieve economy and efficiency of land use, natural resources, energy, and provision of public services and utilities. Mobile home parks should be serviced by systems approved by the appropriate State, County and Township agencies, notwithstanding any state regulations the park owner and the individual unit owner/occupant are subject to the ordinances of Maple Valley Township that are not in conflict with the state law.

Section 3.08. Permitted Uses. No land and/or buildings in the township shall be used, erected altered, or converted in whole or in part except for the following purposes that are not consistent with the intent and purpose of the ordinance or the following.

- A. Manufactured homes located in state licensed mobile home park
- B. Manufactured home parks in accordance with these requirements
- C. Family day care homes
- D. State licensed residential family care facilities
- E. Accessory buildings, structures and uses
- F. Home occupations

Section 3.09. Special Land Uses. No land and/or buildings in the township residential districts shall be used except for the following purposes when approved with the requirements of the ordinances.

Section 3.10. Preliminary Plan. A person who desires to develop a mobile home park shall submit a preliminary plan to the zoning administrator and appropriate regulatory agencies to include the County health department, County road commission, County drain commission and Township Fire Department for preliminary approval. The preliminary plan will include the location, layout, general design, and general description of the project.

Section 3.11. Site Plan. A "site plan" as used in this ordinance will include the documents and drawings required for the zoning board to insure that a proposed land use is in accordance with the ordinances. The protection of the natural resources, health and safety and welfare of the occupants must be a concern in the plan.

Section 3.12. Height, Yard, Building and Area Requirements The following are the minimum requirements for approval.

- a. The site must contain more than twenty 20 acres.
- b. The site must have at least 200 feet of frontage on a primary road
- c. The minimum lot size will be 18,000 square feet and width at the building line of at least 100 feet
- d. A front yard of 20 feet that may be used for off street parking.
- e. Two side yards with a minimum of 20 feet with one of which is at least 10 feet.
- f. An unoccupied front yard of at least 35 feet.
- g. A rear yard of at least 50 feet
- h. No mobile home shall be occupied for residential purposes unless it has a minimum of 800 square feet per section 3.04. And section 6.04
- i. There shall be a 50-foot buffer or planting strip provided with suitable landscaping to serve as a protective screen between the park and adjacent residential housing.
- j. If the park is platted the street system shall meet the current standards for the Township and County.
- k. Drainage system for control of surface water will be approved by the County road and Drain commissions
- l. The layout of the lots in a park will be arranged in proper relation to topography so as to result in useable lots, safe streets and reasonable gradients.

Section 3.13. Uninhabitable Areas. Lands subject to flooding or otherwise deemed by the Zoning Board to be uninhabitable shall not be platted for residential purposes, or for uses that may in the judgment of the Zoning Board increase the danger to health, life or property or increase the flood hazard. Such land within a development shall be set aside for other uses, such as parks or other conservation measures. The principles of conservation planning/design with conservation zoning will be encouraged.

Section 3.14. Approval Process and Authority. Approvals will be granted on each phase of the project to insure the compliance with the intent of the ordinance. The "State Township Zoning Act 184 of 1943 and amendments" will be the reference for discussion in the application of this ordinance. If a reviewing agency in this ordinance has not returned the plan to the person either approved or modified or disapproved within 90 days the preliminary plan will be considered approved.

The County Health department shall grant preliminary approval under the guidance of the department of public health for on site water and sewage service and general site suitability.

Section 3.15. Amendments. Amendments or supplements to the zoning ordinance will be made in the manner allowed in the Maple Valley Township Ordinances.

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Section 3.16. Fees. An appropriate fee for the approval process will be assessed to cover the cost of the administering permit process. This fee will be \$500.00 for each 20 acre parcel or portion there of.

Section 3.17. Mobile Home Construction Standards. Each Manufactured and or Mobile home must meet the following requirements.

- A. Each mobile home unit shall be on a concrete pad with a minimum thickness of four inches, 5 ½ bag mix with 4" X 4" square mesh reinforcement and shall not be less than the length and width of the mobile home.
- B. Each home shall be skirted with required venting to protect against being a possible fire hazard. All skirting shall be installed in a manner so as to resist damage under normal weather conditions including, but not limited to, damage caused by freezing and frost, wind snow and rain.
- C. Each unit shall be anchored to resist overturning and lateral movement.
- D. If the dwelling is a manufactured home, the manufactured home shall be installed with the wheels removed.
- E. Permanently attached steps or porch areas at least three feet in width shall be provided where there is an elevation greater than eight inches between the first floor entry of the dwelling unit and the adjacent grade.
- F. The pitch of the main roof of the dwelling unit shall not be less than four feet of rise for each twelve feet of horizontal run, and shall have not less than a 6 inch overhang.

Section 3.18. Review This ordinance shall be reviewed annually.

Section 3.19. Effective Date This Ordinance shall be effective March 23, 2002.

ARTICLE FOUR
AGRICULTURAL RESIDENTIAL DISTRICT, R

The following provisions shall apply to all Agricultural-Residential Districts, A-R.

Section 4.01. Purpose. While land uses in Agricultural Residential District, A-R, are primarily agricultural in character, the provisions recognize the increasing residential expansion taking place in these Districts, and the desirability of instituting good standards to guide the use of property for such developments, similar to those provided for Residential Districts, R. As in Residential Districts, R, the use of land for other purposes generally recognized as desirable or compatible with agricultural and residential uses, if properly integrated, is provided by Special Approval under appropriate conditions.

Section 4.02. Property Uses. The use of all lands and premises, and the erection, use and occupancy of all buildings and structures, shall hereafter be limited to the following, except as may subsequently be provided by amendments to this Ordinance.

Section 4.02 A. Primary Uses.

1. Both general and specialized farming, including tree farming and forestry.
2. All uses provided under paragraph 3.02 A and 3.02 B.
3. Roadside stands for the sale of farm products; provided that the parking facilities and the entrance and exit from the premises be approved in writing by the County Road Commission in the interest of public safety.

Section 4.02 B. Uses by Special Approval, as provided by Section 6.07.

1. Mobile home parks.
2. Junkyards.
3. Used car lots.
4. Trailer subdivisions.
5. Slaughter houses.
6. Animal hospitals, clinics, kennels and animal boarding.
7. Storage warehouses.
8. Welding shops.
9. Sale and storage of petroleum products.
10. Kennels, provided no dwelling is closer than three hundred (300) feet from the kennel, with the exception of the applicant's home.

Section 4.02 C. Accessory Uses. Accessory buildings, structures and uses customarily incidental to any primary or approved use.

Section 4.03. Area Regulations. The requirements shall be the same as those provided under Section 3.03.

Section 4.04. Yards. The requirements shall be the same as those provided under Section 3.04.

Section 4.05. Minimum Floor Area: Dwellings and Factory Built Dwellings. The requirements shall be the same as those provided under Section 3.04.

ARTICLE FIVE
COMMERCIAL DISTRICTS, C

The following provisions shall apply to all Commercial Districts, C.

Section 5.01. Purpose. The primary purpose of Commercial Districts, C, is to provide areas suitable for all retail and wholesale business activities that are generally compatible, and for personal, professional and other services commonly associated with commercial districts. As in other districts, provision is also made for industrial and other enterprises by Special Approval to fit them into the District in the interest of both such enterprises and the public.

Section 5.02. Property Uses. The use and occupancy of all lands and premises, and the erection, use and occupancy of all buildings and structures shall hereafter be limited to the following, except as may be subsequently provided by amendments to this Ordinance.

Section 5.02 A. Primary Uses.

1. Retail stores and shops.
2. Business and personal service shops including barber shops, beauty parlors, shoe repair shops, dry cleaning agencies, dressmaking, tailoring, florist shops, gift shops, photographic shops, printing shops, radio and television servicing, and similar customary businesses.
3. Restaurants and food service establishments.
4. Offices, banks, studios.
5. Public buildings, theaters (but not outdoor), recreation buildings, but not including dance halls or night clubs.
6. Resorts, motels, hotels, boarding and rooming houses.
7. Garages and gasoline stations.
8. Outdoor signs advertising services or goods offered on the premises, when attached to the building offering the same.

Section 5.02 B. Uses by Special Approval, as provided by Section 6.07.

1. Hospitals and institutions of similar character.
2. Public utility buildings, transformer stations, substations with service yards but without storage yards.
3. Waste and sewage disposal facilities.
4. Mortuaries.
5. Animal hospitals, clinics, kennels and animal boarding.
6. Outdoor displays and signs advertising services or goods not sold on the premises where located.
7. Laundries, including self-service laundries.
8. Parking lots.
9. Dance halls, night clubs, taverns.
10. Light manufacturing enterprises.
11. Buildings and facilities for marketing agricultural products.

**ARTICLE SIX
SUPPLEMENTARY PROVISIONS**

Section 6.01. Scope of Ordinance. Except as provided by Section 1.03, all buildings and structures shall be located, erected and used, and all land and premises shall be used in conformity with the provisions of this Ordinance.

Section 6.02. Nonconforming Uses and Buildings.

Section 6.02 A. Nonconforming Uses. Any nonconforming use of land, building or structure which is discontinued for a period of six (6) or more months shall conform to the provisions of this Ordinance.

Section 6.02 B. Nonconforming Buildings. Any nonconforming buildings, the use of this is discontinued for a period of six (6) or more months, following which no further use shall maintain until such building has been brought into conformity with the provisions of this Ordinance.

Section 6.02 C. Change of Nonconforming Use. No nonconforming use shall be changed to other than a conforming use, nor shall any nonconforming use be reverted to a former nonconforming use after such use has been changed to a conforming use.

Section 6.02 D. Repair of Nonconforming Buildings. Nothing in this Ordinance shall prevent such repair of a nonconforming building existing on the date of enactment of this Ordinance as may be necessary to secure continued advantageous use thereof during its natural life; provided such repair involves no change or enlargement of use, and provided further that the owner first obtain a Certificate of Approval as provided by Section 7.02.

Section 6.03. General Land and Yard Requirements.

Section 6.03A. Lot of Record. Every dwelling, cottage and cabin, building or structure used for dwelling purposes shall be located on a lot, parcel or acreage, the description of the boundaries as related thereto shall be on record at the County Register of Deeds office, or in case of a land contract, shall be on record with and satisfactory to the zoning administrator as adequately descriptive. No more than one (1) such building or structure shall be erected on such lot, parcel or acreage. Existing substandard lots of record may be used only when approved by the County Health Department and with maximum compliance with zoning regulations.

Section 6.03B. Area Limitations. In conforming to land and yard requirements, no area shall be counted as accessory to more than one (1) dwelling or main building.

Section 6.03 C. Exceptional Shape. Where shape of premises, or other circumstances result in conditions to which the provisions of this Ordinance are inapplicable, the Zoning Administrator may prescribe such requirements subject to the provisions of Section 1.02.

Section 6.03 D. Accessory Buildings and Structures. All accessory buildings and structures attached to the main building, including breezeways and carports, shall be considered part of the main building in determining yard requirements.

Section 6.03 E. Use of Yard Space.

1. No yard or open space encompassing a dwelling shall hereafter be used for disposition, storage, deposit, wrecking, dismantling, accumulation or abandonment, either temporarily or otherwise, of disused, discarded, worn-out, wrecked, dismantled or unlicensed vehicles, machinery, implements, apparatus, furniture, appliances, junk or other personal property. Without limiting the meaning of junk, the term shall include used or salvaged metals and their compounds or combinations, old or salvage lumber, ropes, bags, papers, rags, glass, rubber and similar articles and materials.
2. No person, firm or corporation shall park or store on any lands within the Township of Maple Valley, any dismantled, inoperable or unlicensed motor vehicle, machinery or equipment, or any parts thereof, except as the same may be permitted under pertinent provisions of other ordinances of the said Maple Valley Township, unless said dismantled or inoperable or partially dismantled motor vehicle, machinery or equipment, or parts thereof, shall be kept in a wholly enclosed garage or structure; provided, however,

that any person in whose name such motor vehicle, machinery, or equipment is registered, may store no more than (1) vehicle on any lands belonging to said owner or rented by him, for period of not more than two (2) weeks; provided, further, that this Ordinance shall not be construed as to permit the parking or placing of such motor vehicle, machinery or equipment on any street area in said Township. Farm machinery on a farm, if stored two hundred (200) feet back from the road right-of-way, shall be accepted from the provisions of this Article.

3. An inoperable or unlicensed motor vehicle is hereby defined as being such vehicle which, by reason of dismantling, disrepair, or any other cause, is incapable of being propelled under its own power, and any motor vehicle which has a main component part missing or unattached shall be construed as being dismantled, or partially dismantled. Inoperable machinery and equipment are hereby defined as being such machinery or equipment which by reason of dismantling, disrepair or any other cause, is incapable of functioning as it was intended to function, and as being dismantled or partially dismantled when some part or parts which is or are ordinarily components of such machinery or equipment have or have been removed or is or are missing.
4. The Township Board is hereby authorized to cause any vehicle, machinery or equipment in violation of this Ordinance to be removed from the premises, impounded and/or sold or junked, the cost thereof deducted from any such sale, and the balance to be given to the owner.

Section 6.03 F. Storage on Lots. Any lot, parcel or acreage of land used for the storage of worn-out or obsolete farm machinery, junk cars, or any of the junk covered in Section 6.03 E as a part-time occupation or hobby may not be continued after the present owner sells, wills, gives or leases the land used for such without written approval of the Planning Commission.

Section 6.03 G. Lots in Common Ownership. A lot or lots in common ownership shall not be divided or reduced so as to make it or them not in conformance with the minimum requirements of this Ordinance.

Section 6.04 Minimum Requirements for Dwellings Located Outside of Mobile Home Parks. All dwelling units located outside of mobile home parks shall comply with the following requirements:

- (a) All dwelling units must conform to the minimum floor area requirements for the districts in which they are located.
- (b) All dwelling units shall provide a minimum height between the floor and ceiling of seven feet six inches (7'-6"); or if a mobile home, it shall meet the requirements of the United States Department of Housing and Urban Development Regulations, entitled Mobile Home Construction and Safety Standards, effective June 15, 1976, as amended.
- (c) All dwelling units shall comply in all respects with the Michigan State Construction Code (BOCA) as promulgated by the Michigan State Construction Code Commission under provisions of Public Act 30 of 1972, as amended, being MCL 125.1501 et. seq. or 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.
 - (1) Foundations: A permanent foundation constructed on-site in accordance with said State Construction Code (BOCA) and shall have the same perimeter dimensions of the dwelling and constructed of such materials and type as required in the said State Construction Code (BOCA) for dwellings or, in the case of mobile homes, that dwelling shall be installed pursuant to the manufacturer's set-up instructions and shall be secured to the foundation by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission or said State Construction Code (BOCA) , whichever is stricter, and with the wheels removed shall not have any exposed towing mechanism, undercarriage, or chassis.
 - (2) All dwellings shall meet or exceed all applicable roof snow load and strength requirements and must have a double pitched roof with a pitch of not less than three (3) feet rise in a twelve (12) foot run.

- (d) All dwellings shall be connected to a sewer system and water supply system approved by the County Health Department.
- (e) Additions of rooms or other areas shall be constructed with similar quality workmanship as the original structure. Permanent attachment to the principal structure shall include construction of a foundation, and no addition shall involve placing a bearing load on a mobile home.
- (f) All dwellings shall provide steps or porch areas, permanently attached to the foundation where there exists an elevation differential of more than eight (8) inches between any door and the surrounding grade.
- (g) All dwellings shall provide a minimum of two (2) points of ingress and egress.

Section 6.05. Plats and Subdivisions.

6.05 A. Lot Size. All land hereafter platted or subdivided shall be subject to the provisions governing lot size of the Zoning District.

6.05 B. Approval of Planning Commission. All proposed plats and subdivisions shall be in conformity with the provisions of Section 1.01 and shall be submitted to the Planning Commission through the Office of the Zoning Administrator for approval.

Section 6.06. Signs.

Section 6.06 A. Real Estate and Personal Property. Signs advertising the rental or sale of real estate and personal property shall be limited to one (1) non-illuminated sign not exceeding twenty (20) square feet in area and set back not less than one-half (1/2) of the depth of the required front yard. A sign not over thirty-two (32) square feet in area stating the existence of any enterprise or activity permitted on the premises may be erected on the main building so utilized. No other signs shall be considered accessory structures.

Section 6.06 B. Agricultural Property. Signs advertising the sale of farm products produced on the premises shall be limited to two (2) signs erected on opposite approaches to the roadside stand or main entrance to the property. The combined two (2) signs shall not exceed thirty-two (32) square feet.

Section 6.06 C. Commercial or Business Property.

1. Signs pertaining exclusively to the business carried on within a building and not exceeding seventy-five percent (75%) of the building height, nor seventy-five percent (75%) of the area of the wall whereon located, may be mounted flat against the main building and facing the public thoroughfare or parking area constituting a part of the business or commercial premises.
2. Such sign may be illuminated, provided that where movable illumination is employed, such illumination shall be approved in advance by the Planning Commission, which shall make certain that light intensity, color and movement are not distracting to motor vehicle operators so as to constitute a traffic hazard.

Section 6.06 D. Organizations and Institutions. Churches, schools, clubs and similar organizations may erect one (1) sign to serve as identification not to exceed twenty-four (24) square feet in area. One (1) freestanding sign or bulletin board not attached flat to a wall of a main building shall also be permitted when located not less than fifteen (15) feet from any property line.

Section 6.07. Uses by Special Approval.

Section 6.07 A. General Requirements. Uses by Special Approval, where provided, shall be subject to the provisions of the Zoning District wherein located in addition to the provisions of this Section, to prevent conflict with or impairment of the Primary use thereof. Each such use shall be considered as an individual case.

Section 6.07 B. Specific Requirements.

1. A provided written application shall be filed with the Zoning Administrator and shall include:
 - (a) Name of applicant and owner of premises.
 - (b) Legally recorded description of premises.
 - (c) Description of proposed use, including parking facilities, if required, and any exceptional traffic situation that the use may occasion.
 - (d) Sketch drawn to approximate scale showing size of building or structure and location on premises.
 - (e) Sewage, disposal and water supply facilities, existent or proposed.
 - (f) Use of premises on adjacent properties.
 - (g) A statement by the applicant appraising effect of proposed use on adjacent properties and general development of the neighborhood.

2. The Zoning Administrator may file his recommendation with the Planning Commission, which shall hold a public hearing before making its determination. In reaching its determination, the Planning Commission shall be governed by Section 1.02, and consider among other things:
 - (a) Whether the use, location, and nature of operation will be in conflict with the primary permitted uses of the district or neighborhood.
 - (b) Whether the sewage disposal facilities and water supply will be safe and adequate.
 - (c) Whether the use will create a major traffic problem or hazard.
 - (d) Whether the use will be objectionable to adjacent and nearby properties than the operation of the Primary Uses of the district by reason of traffic, noise, vibration, dust, fumes, smoke, odor, fire hazard, glare, flashing lights, health hazard or disposal of waste or sewage.
 - (e) Whether the use will discourage or hinder the appropriate development and use of the adjacent premises and neighborhood.

Section 6.08. Public Utility Structures. The erection, alteration and maintenance of public utilities, but not including buildings, and of power, communication, disposal, distribution and similar public utility facilities, including accessories therewith, as authorized and regulated by law, shall be permitted in every District, it being the intent hereof to exempt such structures and facilities from the application of this Ordinance.

Section 6.09. Temporary Dwelling Units.

Section 6.09 A. Temporary Guest or Visitor. The owner of any property may permit the location of one (1) motor home, travel trailer or similar camping device as approved by the Zoning Administrator of a guest or visitor on the premises for a period of not exceeding thirty (30) days in the case of any party, and not exceeding a total of more than twenty-four (24) weeks within any calendar year in the case of all visitors.

Section 6.09 B. Home Builder's Exception. A twelve (12) month temporary permit with one (1) renewal only may be obtained for parking a temporary dwelling on an owner's premises while erecting his home on the premises, following issuance of a Certificate of Approval for such construction.

Section 6.10. Riparian Access.

- (a) **Intent.** It is the intent of this Section to promote the integrity of the lakes within Maple Valley Township while preserving the quality of recreational use of the inland waters; to protect the quality of the lakes by discouraging excess use; to promote the ecological balance of the waters by limiting incompatible land use of the wetlands associated with the lakes by minimizing man-made adjustments to the established shorelines. Nothing in this Ordinance shall be construed to limit access to lakes or waterways by the general public by way of a public park or public access site provided or maintained by any unit of state, county or local government.

- (b) **Regulations.** In any zoning district where a parcel of land is contiguous to a lake, such parcel of land may be used as access property or as common open space held in common by a subdivision, association or any similar agency; or held in common by virtue of the terms of a plat or record; or provided for common use under deed restrictions of record; or owned by two or more dwelling units located away from the waterfront, only if the following conditions are met:

- (1) That said parcel of land contains a minimum of seven thousand (7,000) square feet; fifty (50) lineal feet of water frontage for each individual dwelling unit or each single family unit to which such privileges are extended or dedicated. The minimum depth for such a parcel shall be one hundred forty (140) feet. No access property so created shall have less than two hundred (200) feet of water frontage with at least fifty (50) lineal feet of water frontage for each individual dwelling unit. Frontage shall be measured by a straight line which intersects each side lot line at the water's edge.
 - (2) That in no event shall water frontage of such parcel of land consist of a swamp, marsh or bog as shown on the most recent U.S. Geological Survey Maps, or the Michigan Department of Natural Resources MIRIS map, or have otherwise been determined to be wetland by the Michigan Department of Natural Resources; and that in no event shall a swamp, marsh or bog be altered by dredging, the addition of earth or fill material or by the drainage of water for the purpose of increasing the water frontage required by this regulation.
 - (3) That in no event shall such parcel of land abut a man-made canal or channel, and no canal or channel shall be excavated for the purpose of increasing the water frontage required by this regulation.
 - (4) That access property, as provided for in and meeting the conditions of this Ordinance, regardless of total area, shall not be used as a residential lot for the purpose of constructing a dwelling and/or accessory structure(s) or for any commercial or business use.
 - (5) That piers or docks on such access property shall not be closer than fifty (50) feet from another pier or dock, nor longer than one hundred twenty percent (120%) of the average of the four (4) adjacent residential lot piers or docks on either side of the access property to a maximum length of fifty (50) feet of lot frontage.
- (c) **Non-conforming Uses.** In any district in which accesses have been established before the effective date of this Ordinance or subsequent amendment thereto, such accesses shall retain historic uses. It is the intent of this Ordinance to permit such lawful non-conformance to continue, but not to encourage additional uses and sites.
- (d) **Severability Clause.** Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or part thereof, other than the part so declared to be unconstitutional or invalid.
- (e) **Definitions.** "Access Property" shall mean a property, parcel or lot abutting a lake, and used or intended to be used for providing access to a lake by pedestrian or vehicular traffic to and from offshore land regardless of whether said access to the water is gained by easement, common fee ownership, single fee ownership, lease, license, gift, business invitation or any other form or dedication or conveyance.

Section 6.11. Fences and Walls.

- (a) In all zoning districts, fences, walls, or plantings of a solid or completely opaque nature shall not exceed a height of three (3) feet within the required front yard or any yard adjacent to a street. A "see through" type fence in the required front yard shall not exceed four (4) feet in height. The height shall be measured from the average grade within a twenty-five (25) foot radius of the fence, wall, or landscaping.
- (b) For all other areas, a fence or wall shall not exceed six (6) feet in height.
- (c) For corner lots, a six (6) foot privacy fence or wall may be erected within the front setback area parallel to the side of the house which faces the street subject to the restrictions for clear vision corners as contained herein.
- (d) All fences shall be erected so that the finished or smooth side of the fence faces toward the adjacent property. The Zoning Administrator shall determine which is the smooth or finished side of the fence.
- (e) All fences and walls shall be maintained in good condition.

**ARTICLE SEVEN
ADMINISTRATION**

Section 7.01. Zoning Administrator. The provisions of this Ordinance shall be administered and enforced by a Township Zoning Administrator, or his or her designee, appointed by the Township Board for such term and subject to such conditions and at such rate of compensation as said Board shall determine as reasonable.

Section 7.02. Certificate of Approval and Compliance.

- (a) No premises and no building or structure subject to the provisions of this Ordinance shall hereafter be used, erected, reconstructed or moved on any premises until application for preliminary Certificate of Approval and Zoning Permit has been filed with the Township Zoning Administrator on duplicate forms provided by the Township, and the Zoning Administrator has issued such Certificate and Permit. Exceptions: No preliminary or final Certificate of Approval is required for repairing or remodeling any dwelling or other building that conforms with this Ordinance, unless the size of dwelling or other building is changed.
- (b) The application shall be signed by the owner of the premises or his agent, and shall certify that all provisions of this Ordinance and other applicable laws are to be complied with. The application shall be filed not less than ten (10) days prior to the intended initiation of any work on the premises, and shall be accompanied by a blueprint or pen and ink sketch to scale in duplicate showing the location and dimensions of the premises, the kind and location on the premises of the building or structure including accessory buildings or structures under consideration, the kind and location of the sewage disposal and water supply facilities.
- (c) Whenever the buildings, structures and uses as set forth in the application are in conformity with the provisions of this Ordinance, the Zoning Administrator shall issue the owner a preliminary Certificate of Approval and Zoning Permit within five (5) days of the filing thereof. Where action of the Board of Appeals is required in any case, the Zoning Administrator shall issue such certificate within five (5) days of such action. In any case where a Certificate or Permit is refused, the cause shall be stated in writing to the applicant.
- (d) Any preliminary Certificate of Approval or Zoning Permit under which no work is done within six (6) months from date of issuance shall expire by limitation; but shall be renewable upon re-application and on payment of the original fee, subject, however, to the provisions of all Ordinances in effect at the time of renewal.
- (e) The Zoning Administrator shall have the power to revoke or cancel any preliminary Certificate of Approval or Zoning Permit in case of failure or neglect to comply with the provisions of this Ordinance, or in the case of false statements or misrepresentation made in the application. The owner shall be notified of such revocation in writing.
- (f) For each Certificate of Compliance and Zoning Permit, a fee shall be paid to the Zoning Administrator. It shall be turned over to the Township. The fee shall be determined by resolution of the Township Board. No certificate or permit shall be valid until the required fees have been paid. No separate fee shall be required for accessory buildings or structures when application therefore is made at the same time as the principal building or structure. No fee shall be required for a final Certificate of Compliance.
- (g) It shall be the duty of all architects, contractors and other persons having charge of erection, reconstruction or movement of a building or structure subject to the provisions of this Ordinance, before undertaking any such work, to determine that proper Certificate and Permit has been granted therefore; and all such persons performing any work in violation of the provisions of this Ordinance shall be deemed guilty of violation in the same extent as the owner of the premises.

ARTICLE EIGHT
BOARD OF APPEALS

Section 8.01. Creation. There is hereby created a Zoning Board of Appeals which shall perform its powers as provided by Act 184 of the Public Acts of 1961, as amended, and by the provisions of this Ordinance, and in such a way that the objectives of this Ordinance are observed, public safety, morals and general welfare secured, and substantial justice done.

Section 8.02. Membership. The Board of Appeals shall consist of three members as provided by Section 18 of said Act. Members of said Board shall be removable by the Township Board for non-performance of duty, or misconduct in office, upon written charges filed with the Township Clerk and following a public hearing by said Board upon such charges.

Section 8.03. Alternate Members. Alternate members of the Board of Zoning Appeals are hereby authorized pursuant to the following conditions:

- (a) Pursuant to the Board of Zoning Enabling Act, the Township Board shall appoint two alternate members to the Board.
- (b) The Township Supervisor shall call one or both of the alternate members to serve on the Board by such method or in such manner as the Supervisor deems appropriate, in accordance with the Zoning Enabling Act.
- (c) For service on the Board for all or part of any regular or special meeting, an alternate member shall receive the same sum as is paid to regular members for attending a regular or special meeting of the Board.

Section 8.04. Fees. Upon the filing of any appeal or application to the Board, the applicant shall pay a fee as established by resolution of the Township Board. Said fees shall be paid to the Zoning Administrator before any action shall be taken on said application.

ARTICLE NINE
VIOLATIONS

- (a) Any building or structure, which is erected, altered, razed or converted, or any use carried on, in violation of any provision of this Zoning Ordinance, is hereby declared to be a nuisance per se. Any persons, firms, corporations or other organizations which violate, disobey, omit, neglect or refuse to comply with, or resist the enforcement of any provision, shall be fined upon conviction not less than five hundred (\$500) dollars together with the costs of prosecution, or shall be punished by imprisonment in the county jail for not less than ten (10) days nor more than ninety (90) days for each offense, or may be both fined and imprisoned as provided herein in the discretion of the court. Each and every day during which an illegal erection, alteration, maintenance or use continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this ordinance.

- (b) The Township Board or the Zoning Administrator, or his or her designee, may institute injunction, mandamus, abatement or any other appropriate action, or proceedings to prevent, enjoin, abate or remove any said unlawful erection, alteration, maintenance or use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

ARTICLE TEN
VALIDITY

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause thereof irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

ARTICLE ELEVEN
DEFINITIONS

For the purpose of this Ordinance, certain terms used are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular include the plural number and conversely.

Section 11.01. Accessory Building or Structure. A supplementary building or structure on the same premises as the main building or structure occupied by or devoted exclusively to an accessory use, but such use shall not include for dwelling or lodging purposes, or sleeping quarters for human beings.

Section 11.02. Dwellings. Any building or structure or part thereof, occupied as the home, residence or sleeping place of one or more persons either permanently or temporarily, but not including trailer coaches, tents, cabins and similar structures.

Section 11.03. Erected. Includes built, constructed, reconstructed, moved upon or any physical operations on the land required for a building or structure. Excavations, fill, drainage and the like shall be considered a part of an erection.

Section 11.04. Farm. All of the unplatted, contiguous, neighboring or associated land operated as a single unit on which bona fide farming 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 to be considered a farm hereunder shall include a contiguous, unplatted parcel of not less than twenty (20) acres in area; and provided further that orchards, hatcheries and similar specialized agricultural enterprises may be considered as farms, but establishments keeping fur bearing animals, game or operated as fish hatcheries, dog kennels, stock yards, slaughterhouses, stone quarries, gravel or sand pits or the removal and sale of topsoil, fertilizer works, boneyards, or for the reduction of animal matter or for the disposal of garbage, sewer, rubbish, junk or offal, shall not constitute a farm hereunder.

Section 11.05. Highway. Any public thoroughfare including roads and streets but not alleys.

Section 11.06. Home Occupations. Includes handicrafts such as watch repair, dressmaking, millinery, and the sale of products produced on the premises by such handicrafts; and professions such as the office of physician, chiropractor, osteopath, dentist, teacher, architect, engineer, lawyer, artist and other professional occupations.

Section 11.07.

Section 11.07 A. Trailer Coach. Any vehicle or similar portable structure with or without motive power, designed for carrying property or persons and so constructed as to permit occupancy as a dwelling place by one or more persons and duly licensable as a conveyance on the public thoroughfare, whether or not its wheels have been removed.

Section 11.07 B. Trailer Park. Any site, lot, field, tract or parcel of land upon which three (3) or more occupied house trailers are harbored either free of charge or for revenue purposes; and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such trailer park.

Section 11.08. Yard. A space open to the sky between a building and the lot or property lines of the parcel of land on which located, unoccupied or unobstructed by any encroachment or structures.

Section 11.08 A. Yard, Front. A yard across the full width of a lot or parcel of land extending from the front line of the building to the front line of the lot or the highway right-of-way line, as the case may be. In the case of a waterfront lot, the yard fronting the water shall be considered the front yard.

Section 11.08 B. Yard, Side. A yard extending from the front yard to the rear lot line, and from the side line of the building to the side line of the lot or parcel of land on which the building is located, or from any accessory building attached to the main building.

Section 11.08 C. Yard, Rear. A yard across the full width of a lot or parcel of land extending from the rear line of the building to the rear line of the lot or the highway right-of-way line, as the case may be with a waterfront lot.

Section 11.08 C. Junk Yards. Any lot, parcel or acreage harboring more than one of any combination of cars, trucks, buses and trailer coaches that are unlicensed. Exceptions: car and truck service garages, gas stations and body shops with Michigan sales tax licenses may harbor not more than four (4) of any combination of cars, trucks and buses that are unlicensed.

ARTICLE TWELVE
EFFECTIVE DATE

The provisions of this Ordinance are hereby declared to be necessary for the public welfare, health, peace, safety and morals and shall be in effect on and after May 12, 1969.

Enacted by the Township Board, Maple Valley Township, Montcalm County, Michigan, on Monday, May 12, 1969.

William E. Hair, Supervisor
Sarah Darling, Clerk

ARTICLE THIRTEEN
ORDINANCE TO AMEND THE MAPLE VALLEY TOWNSHIP ZONING ORDINANCE

The Township of Maple Valley ordains that the Maple Valley Township Zoning Ordinance is hereby amended by the addition of Article 13 as follows:

Section 13.01. Condemnation of Unfit Dwellings, Dwelling Units, Rooming Units and Premises. The designation of dwellings or dwelling units as unfit for human habitation, the declaration of the same to be a public nuisance and provisions for their vacation, removal, repair, condemnation and demolition shall be carried out in compliance with the following requirements.

Section 13.02. Unfit for Human Habitation Defined. Any dwelling or dwelling unit which shall have any of the following defects shall be deemed "unfit for human habitation" as determined by the Montcalm County Building Department or Health Department:

- (a) Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morale or the general health and welfare of the occupants or the people of Maple Valley Township.
- (b) Those, which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fail to provide amenities essential to decent living or are likely to cause sickness or disease so as to work injury to the health, safety or general welfare of those living therein.
- (c) Those which, because of their conditions, are unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of Maple Valley Township.

Section 13.03. Orders to Vacate, Repair or Demolish. Any dwelling or dwelling unit may be condemned as unfit for human habitation if, in the opinion of the Maple Valley Township Board, that dwelling or dwelling unit fails to meet the standards and requirements of Section 13.02. Whenever the Maple Valley Township Board or its authorized representative determines a dwelling or dwelling unit as unfit for human habitation, it shall give notice to the owner that the dwelling or dwelling unit shall be condemned and of its intent to placard the same as unfit for human habitation. Such notice shall:

- (a) Be in writing.
- (b) Include a description of the subject real estate sufficient for identification.
- (c) Include a description of the repairs and improvements required to bring the condemned building, dwelling or dwelling unit into compliance with the provisions of this Ordinance and any rules or regulations adopted pursuant thereto.
- (d) Set a reasonable time limit for making the repairs and improvements as required in Item C.
- (e) Include an explanation of the owner's right to seek modification or withdrawal of the notice by petition to the Zoning Board of Appeals in accordance with the provisions of this Ordinance.

Section 13.04. Placarding. When the owner fails to make the repairs and improvements required in Section 13.03 within the specified time limit, the Township board or its authorized representative, shall post in a conspicuous place or places a placard or placards bearing the following words:

"CONDEMNED AS UNFIT FOR HUMAN HABITATION"

Section 13.05. Vacation of Dwelling. Any dwelling or dwelling unit, which has been condemned and placarded as unfit for human habitation by the Township Board, or its authorized representative, shall be vacated within a reasonable time as required by the county health officer or his authorized representative. No owner or operator shall let to any person for human habitation, and no person shall occupy, any dwelling or dwelling unit which has been condemned and placarded by the county health officer or his authorized representative after the date on which said county health officer has required the affected dwelling or dwelling unit to be vacated.

Section 13.06. Order to Demolish. A dwelling or building which has been designated as unfit for human habitation and/or is damaged by wear and tear, deterioration, depreciation, fire or by an act of God to such an extent that the cost of repair and rehabilitation to place it in a safe, sound and sanitary condition exceeds one hundred percent (100%) of the assessed valuation of the dwelling or building at the time when the repairs or rehabilitation are to be made, shall not be so repaired or rehabilitated unless made to comply in all respects to the Maple Valley Zoning Ordinance, or any ordinances pertaining to new structures or conversions

of old structures. In case such dwelling or building is not so repaired and rehabilitated within six (6) months of the date on which it was designated as unfit for human habitation, it shall be ordered demolished and removed from the premises.

Section 13.07. Expense Recovery. In the event of expense being incurred by the Township Board in the work of demolishing or removing any dwelling or building, the Township Board shall report the amount thereof to the Township Clerk, who shall collect the amount from the owner. If the bill is not paid, it shall be assessed against the property involved.

Section 13.08. Penalty. Any violations of this Amendment to the Zoning Ordinance shall be governed by the provisions of Article Nine of the Ordinance.

Section 13.09. Effective Date. The effective date of this Ordinance shall be October 21, 1985.

Section 13.10. Enacting Clause. This Ordinance is made pursuant to the provisions of the Township Rural Zoning Act, being Act Number 184, Public Acts of 1943, as amended.

Ordinance No. 9

FISCAL YEAR ORDINANCE

Adopted February 17, 1979.

Effective February 17, 1979

An Ordinance to establish the fiscal year of the Township of Maple Valley, Montcalm County, Michigan, and the annual settlement day for such Township pursuant to Michigan Public Act 596 of 1978.

The Township of Maple Valley, Montcalm County, Michigan, hereby ordains:

Section 1. Commencing in 1979, the fiscal year of the Township shall extend from April 1 of each year until March 31 of the following year.

Section 2. The annual settlement day meeting of the Township Board shall hereafter be held on the 15th day of the last month of the fiscal year of the Township unless said day falls on a Saturday, Sunday or legal holiday, whereupon said meeting shall be held on the following Monday which is not a legal holiday.

Section 3. The annual meeting of the electors of the Township, where the same has not been abolished, shall be held on the last Saturday in the last month of the aforesaid fiscal year at such time and place as are determined by the Township Board.

Section 4. This Ordinance shall take immediate effect. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ORDINANCE NO. 10

USE OF RECREATIONAL VEHICLES

An Ordinance regulating the use of recreational vehicles.

The Township of Maple Valley Ordains:

Section 1. Definitions. A recreational vehicle shall be any motor-powered vehicle built and designed for recreational use off the public highways, including but not limited to two-wheel motor vehicles, three-wheel motor vehicles and snowmobiles. Any unlicensed two-wheel or three-wheel vehicle shall be presumed to be a recreational vehicle.

Section 2. Conduct. It shall be unlawful for any recreational vehicle to be operated by any person on Township owned property between the hours of 11:00 pm and the hour of sunrise of the following day.

Section 3. Penalty. Any person who violates, disobeys, neglects or refuses to comply with the provisions of this Ordinance shall be punished for each offense upon conviction by a fine of not more than Five Hundred Dollars (\$500.00) and costs of prosecution, or by imprisonment in the County jail for a period of not more than ninety (90) days, or by both, such fine and imprisonment in the discretion of the Court.

Section 4. Effective Date. The effective date of this Ordinance shall be _____.

Section 5. Enacting Clause. This Ordinance is made pursuant to the provisions of MCL 41.181, MSA 5.45.

ORDINANCE NO. 11

REGULATION OF TOWNSHIP PARKS

An Ordinance providing for the regulation of Township parks in Maple Valley Township, Montcalm County, Michigan.

The Township of Maple Valley ordains:

Section 1. Name. This Ordinance shall be known as the Regulation of Township Parks Ordinance.

Section 2. Definitions

2.1 Township. The Township is Maple Valley Township.

2.2 Park. "Park" shall mean any park, playground, beach, recreation area, or any other area in the Township leased by, owned or occupied by the Township, which area is primarily set aside to be used for or devoted to active or passive recreation.

2.3 Person. Person shall mean any person, firm, company, club or any number of persons forming a recreational unit, having common characteristics in a community of interest.

Section 3. Exclusive Use Prohibited. Under no circumstances shall any person or group of persons be granted the exclusive use of a park, or exclude any other person from the park.

Section 4. Conduct

4.1 Willfully Abusing Equipment. No person shall mark, deface, disfigure, displace or remove any table, bench, fireplace, or other park equipment.

4.2 Hours of Use. No person shall use or enter upon the park between the hours of 11:00 p.m. and sunrise of the following day, except upon the express authority of the Township Board.

4.3 Alcoholic Beverages. No person shall use or have in his possession any unlawful controlled substance, as defined by the Michigan Statute, or any intoxicating liquor, beer or wine in any park, except that a person may have intoxicating liquor, beer or wine in any park upon the express authority of the Township Board.

4.4 Rubbish and Waste. No person shall throw, place, deposit or leave any garbage or rubbish or other waste in any park, except in containers provided by the Township for that purpose. Waste materials, other than those resulting from the use of the park, may not be deposited in park receptacles.

4.5 Fires. No person shall start or maintain a fire in any park, except in existing fireplaces or stoves and grills provided for park use. All fires shall be extinguished after use.

Section 5. Rules and Regulations. The Township Board, by resolution, is hereby authorized to further promulgate necessary rules and regulations respective the use of parks. It may regulate and limit the use of equipment and other facilities therein.

Section 6. Penalty. Any person who violates, disobeys, neglects or refuses to comply with the provisions of this Ordinance shall be punished for each offense upon conviction by a fine of not more than Five Hundred Dollars (\$500.00) and costs of prosecution, or by imprisonment in the County jail for a period not to exceed ninety (90) days, or both, such fine and imprisonment in the discretion of the Court.

Section 7. Effective Date. The effective date of this Ordinance shall be July 20, 1985.

Section 8. Enacting Clause. This Ordinance is made pursuant to the provisions of MCL 41.181, MSA 5.45.

Adopted by the Maple Valley Township Board on July 20, 1985.

ORDINANCE NO. 12

REGULATION OF TOWNSHIP CEMETERIES

An Ordinance providing for the regulation of Township cemeteries in Maple Valley Township, Montcalm County, Michigan.

The Township of Maple Valley ordains:

Section 1. Name. This Ordinance shall be known as the Regulation of Cemeteries Ordinance.

Section 2. Conduct. It shall be unlawful for any person or persons to enter into, occupy or use any cemetery located within the boundaries of the Township between the hours commencing with the sunset of any day, and the hour of sunrise of the following day.

Section 3. Exceptions. The prohibition of use provided for in Section 2 shall not apply to:

- A. Any Township employee or other duly authorized person entering upon the cemetery property for the purpose of maintaining and caring for the same.
- B. Any person or persons obtaining written authorization for the use of any cemetery property from either the Chairman of the Cemeteries Committee or the Township Supervisor.

Section 4. Penalty. Any person who violates, disobeys, neglects or refuses to comply with the provisions of this Ordinance shall be punished for each offense upon conviction by a fine of not more than Five Hundred Dollars (\$500.00) and a period not to exceed (90) days, or both, such fine and imprisonment in the discretion of the Court.

Section 5. Effective Date. The effective date of this Ordinance shall be July 20, 1985.

Section 6. Enacting Clause. This Ordinance is made pursuant to the provisions of MCL 41.181, MSA 5.45.

Adopted by the Maple Valley Township Board on July 20, 1985.

RULES AND REGULATIONS FOR CORAL AND TRUFANT CEMETERIES

- Rule 1.** The price of lots to residents of Maple Valley Township will be Fifty Dollars (\$50.00) for two (2) burial spaces. The price of lots to non-residents of Maple Valley Township will be Three Hundred Dollars (\$300.00) for two (2) burial spaces.
- Rule 2.** All lots in each cemetery are conveyed to the purchaser by deed for the purpose of human burial only, but the rights of the purchasers therein are subject to such rules and regulations as the Cemetery Board may make from time to time. Lot owners are expressly prohibited from selling or transferring their lots without first obtaining permission in writing from the Cemetery Board. Transferring a lot bought by a resident of the Township to a non-resident will require the payment of an extra Two Hundred Fifty Dollars (\$250.00) for two (2) burial spaces.
- Rule 3.** No lots shall be filled above the established grade, nor shall any graves be permanently mounded.
- Rule 4.** No steps, coping, nor any kind of enclosure shall be permitted about lots. No tree, lilac, spirea or other bush or shrub shall be planted in any lot nor in any aisle or driveway of the cemetery. Flowers may be planted around the monuments, but they must not extend the length of the grave, as this would interfere with mowing. The boundaries of lots shall be marked by corner stones set by the cemetery with their centers upon the lines bounding the lot. Corner stones shall not project above the ground and must not be altered or moved.
- Rule 5.** All memorials shall be either cut natural stone or standard bronze. No artificial substitute material will be permitted. The design and size of all memorials shall be approved by the Cemetery Board before being taken into the cemetery.
- Rule 6.** Only one monument shall be permitted on a family burial lot, and no monuments shall be permitted on a lot less in area than for four (4) burials.
- Rule 7.** Only one (1) headstone may be placed on each grave.
- Rule 8.** All headstones and monuments shall be set upon a concrete foundation, fulfilling the requirements given below:
- ◆ Foundations for monuments: At least three (3) feet deep
 - ◆ Foundations for headstones: At least one (1) foot deep.
Every foundation shall be at least as wide and as long as the base of the stone resting upon it and shall be finished at the surface of the ground.
 - ◆ All foundations shall be built by the Sexton or his representative.
- Rule 9.** All graves shall be opened and closed by employees of the cemetery. The Sexton cannot be held responsible for failure to have a grave prepared in time for funerals unless at least forty-eight (48) hours' previous notice has been given.
- Rule 10.** It is important that some friend or member of the family go to the cemetery with the caretaker and locate the grave desired to be opened. The Sexton cannot be held responsible for mistakes made when orders are given by telephone. When instructions for opening a grave are indefinite or for any reason the grave cannot be opened in the location specified, the caretaker will have it opened at such a place on the lot as may seem best under the circumstances.
- Rule 11.** All interments in lots shall be restricted to the members of the family or the relations of the lot owner.
- Rule 12.** No disinterment shall be allowed without the permission of the Sexton, the lot owner, and the next of kin to the deceased.
- Rule 13.** The Township Board desires to leave the improvement of lots, as far as possible, to the taste of the owners; but in justice to all, they reserve the right to exclude or remove from any lot any headstone, monument or other structure, tree, plant, or object whatever which may conflict with the regulations or which they shall consider injurious to the general appearance of the grounds. No trees growing within any lot shall be removed or trimmed without the consent of the Sexton.
- Rule 14.** It shall be the duty and right of the Township Board from time to time to lay out and alter such avenues and walks to make such rules and regulations for the government of the grounds as they deem requisite and proper and calculated to secure and promote the general welfare, purpose and appearance of the cemetery.
- Rule 15.** The caretaker is directed to enforce the above regulations and to exclude from the cemetery any person willfully violating same.
- Note: Effective April 30, 1984, the Federal Trade Commission ruled that an "outer burial container" (burial vault), one being constructed of concrete or steel, shall be purchased by the consumer and is a requirement in all cemeteries.

ORDINANCE NO. 13

CURFEW

An Ordinance providing a curfew for the Township of Maple Valley, Montcalm County, Michigan.

The Township of Maple Valley ordains:

Section 1. Establishment of Curfew. There is hereby established a curfew in the Township of Maple Valley for minors under eighteen (18) years of age as follows.

It shall be unlawful for a minor to be on the public streets, playgrounds, vacant lots, alleys, public parking lots or private parking lots open to the public between the following curfew hours:

- A. If such minor is under the age of eighteen (18) but older than sixteen (16) years, curfew between the hours of 12:00 midnight and 6:00 a.m.
- B. If such minor is under sixteen (16) years of age but older than twelve (12) years, curfew between the hours of 11:00 p.m. and 6:00 a.m.
- C. If such minor has not attained the age of twelve (12) years, curfew between the hours of 10:00 p.m. and 6:00 a.m.

Section 2. Exceptions. The curfew set out in Section 1 shall not apply to:

- A. Situations where the minor is with his parent or legal guardian.
- B. Situations where the minor can be shown to be acting in an emergency situation.
- C. Persons lawfully driving a motor vehicle during the course of employment or driving to and from lawful employment.
- D. Persons in the lawful course of their employment or persons coming from or going to employment.
- E. Persons directly coming to, attending or directly returning from a social or athletic event scheduled by a public or private entity.

Section 3. Parents, Guardians' Responsibility. Any parent or guardian who permits or suffers a minor to violate Section 1 hereof shall be deemed guilty of a misdemeanor and a violation of this Ordinance.

Section 4. Violations. Any minor who violates Section 1 hereof shall be guilty of a misdemeanor and a violation of this Ordinance.

Section 5. Penalty. Any person who shall violate the provisions hereof shall be deemed guilty of a misdemeanor punishable by a fine of Five Hundred Dollars (\$500.00) or less, and/or ninety (90) days in the Montcalm County Jail, together with costs, at the discretion of the sentencing Court.

Section 6. Effective Date. This Ordinance shall be effective on October 1, 1989, said date being twenty (20) days from and after its enactment.

Passed and enacted by the Township Board and the Township of Maple Valley on the first day of September, 1989.

ORDINANCE NO. 14

An ordinance prohibiting disorderly and other conduct in the Township of Maple Valley.

The Township of Maple Valley ordains:

Section 1. Assault and Battery, Malicious Destruction. It shall be unlawful for any person, whether in a public or private place with the Township of Maple Valley, to:

- A. Assault another or be engaged in or aid or abet in any fight.
- B. Intentionally commit a battery upon another person.
- C. Willfully or maliciously destroy the property of any other person or corporation.

Section 2. Rioting, Immorality, Intoxication, Loitering, Inciting. It shall be unlawful for any person, whether in a public or private place within the Township of Maple Valley, to:

- A. Create or aid in any disturbance or riot.
- B. Expose male or female genitals in a place of business or any public place other than a restroom or bathhouse.
- C. Be intoxicated in a public place and endanger directly the safety of another person or of property, or act in a manner that causes a public disturbance.
- D. Make or incite any disturbance in any tavern, store or grocery, manufacturing establishment, or any other place of business or in any street, sidewalk, lane, alley, highway, public building, grounds or park.
- E. Be a window peeper.
- F. Knowingly loiter in or about a place where an illegal occupation or business is being conducted.
- G. Be found jostling or roughly crowding people unnecessarily in a public place or in a place open to the public.
- H. Prowl about the private yard, garage, driveway, entrance hall, stairway, fire escape or residence of any other person in the nighttime without authority or permission of the owner or tenant of the premises.
- I. Enter or remain upon the lands or premises of another without lawful authority, after having been forbidden to do so by the owner, occupant or agent of the owner.

Section 3. Park Areas, Vehicles, Liquor - Description and Definitions. It shall be unlawful for any person in any public park or any street, sidewalk or parking area open to the general public to:

- A. Have in his possession any alcoholic liquor in a container, which is open, uncapped or upon which the seal is broken. No operator or owner (if present at the vehicle) shall permit any person to possess any alcoholic liquor which is open, uncapped or upon which the seal is broken, within or upon any vehicle, which is in any street, sidewalk or parking area open to the public.
- B. With regard to any vehicle, it shall be presumed that the operator and/or owner (if the owner is present within or upon the vehicle), as the owner is stated upon the most current vehicle registration records at the office of the Michigan Secretary of State, is permitting any other person within or upon the vehicle to possess any open, uncapped or unsealed alcoholic liquor within or upon the vehicle.

- C. "Alcoholic liquor" means beer or wine or any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented and by whatever name called, containing one-half (1/2) of one percent (1%) or more of alcohol by volume, which are fit for use for beverage purposes.

Section 4. Trees and Shrubs - Removal Prohibited

It shall be unlawful for any person within the Township of Maple Valley to:

- A. Take and carry away from any place any ornamental tree, shade tree or shrub with the intent to deprive the owner thereof of said plant. It shall be unlawful to detach from the ground or injure any ornamental tree, shade tree or shrub or part thereof without the consent of the owner thereof.

Section 5. Other Disorderly and Unlawful Conduct

It shall be unlawful for any person, while on a public street or in a right-of-way, or in a public place or building, or in any public parking lot, to:

- A. Congregate in such a fashion so as to obstruct the free and uninterrupted passage of the public.
B. Obstruct vehicular traffic.

Section 6. Violation and Penalty. Any person or persons who shall be deemed guilty of disorderly conduct as provided in this Ordinance, shall be punished, on conviction thereof, by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the common jail of Montcalm County for a period not to exceed ninety (90) days, or by both such fines and such imprisonment in the discretion of the Court, together with the costs of prosecution for such violation as such Court may order; and, in case such Court shall impose a fine and costs only, the person or persons convicted, on failing to pay such fine and costs, may be sentenced by said Court to be imprisoned in said jail for a term not to exceed ninety (90) days, unless payment thereof be sooner made.

Section 7. Notice to be Published. The Clerk of Maple Valley Township shall publish this Ordinance in the manner required by law.

Section 8. This Ordinance shall be in full force and effect from and after the first day of October, 1989.

I hereby certify that the foregoing Ordinance was published in the *Daily News* on September 26, 1989.

Josephine Sears
Maple Valley Township Clerk

ORDINANCE 15

Keeping of Animals in Maple Valley Township

Section 1. Finding of Necessity. The Township Board finds that the growth of the Township is increasing, that persons within the Township are living closer to one another, and that as a consequence the animals which one person may desire to keep will affect the health and living conditions of other persons living within all platted properties within the Township.

Section 2. Animals Identified. No person shall keep, maintain or harbor any animal, classified as farm animal, such as horses, cows, mules, donkeys, swine or any fur bearing or exotic animals.

Section 3. Domestic Animals. Such animals are classified as dogs, cats, rabbits, hamsters and gerbils. No person shall keep or harbor more than three (3) of each of the approved animals upon platted premises within Maple valley Township including the unincorporated plat of Coral and Trufant. Example: A person may have three (3) dogs and three (3) cats, but not four (4) dogs. All other types of animals are prohibited.

Section 4. Fowl Identified. For the purposes of this Ordinance, fowl shall mean chickens, geese, ducks, turkeys, guinea hens, pheasants and similar birds whose flesh or eggs are commonly consumed by humans. All other are prohibited. No person shall keep or maintain more than three (3) such fowl upon platted premises within Maple Valley Township as household pets. Such fowl shall be maintained on the owners premises. If such household is located at least two hundred (200) feet from any occupied dwelling, a person may keep no more than ten (10) fowl in sanitary quarters.

A licensed, bonafide pet or animal dealer whose business the sale of animals may keep, maintain or harbor animals or fowls in a place operated in an area of the Township which is zoned "C" General Commercial, if said place of business provides clean, sanitary and humane conditions for the keeping of animals.

Section 5. Animals Exempted. The provisions of this ordinance do not apply to animals or fowl kept on land zoned as agricultural under the Maple Valley Township Zoning Ordinance.

Section 6. Violations and Penalties. Any person or persons who shall violate any of the provisions or requirements of this Ordinance shall be punished on conviction thereof by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the Montcalm County jail for a period not to exceed ninety (90) days, or by both. Such fine and imprisonment shall be at the discretion of said Court.

This Ordinance was adopted August 19, 1989 and shall take effect on September 19, 1989.

Any person or persons not conforming to this Ordinance at the time of adoption of this Ordinance shall be granted a thirty (30) day grace period within which to comply.

ORDINANCE No16

ANTI-NOISE AND PUBLIC NUISANCE ORDINANCE

An ordinance to secure the public health, safety and general welfare of the residents and property owners of Maple valley Township, Montcalm County, Michigan, by the regulation of noise within the Township; to prescribe the penalties for the violation thereof.

The Township of Maple Valley, Montcalm County, Michigan, Ordains:

Section 1. Title. This Ordinance shall be known and cited as the Township Anti-Noise and Public Nuisance Ordinance.

Section 2. Anti-Noise Regulations. General Regulation. No person, firm or corporation shall cause or create an unreasonable or unnecessarily loud noise or disturbance, injurious to the health, peace or quiet or the residents and property owners of the Township. "Unreasonable" shall be defined as sound exceeding that which is clearly audible within 250 feet of the source by involuntary listeners.

Specific Violations. The following noises and disturbances are hereby declared to be violations of this Ordinance; provided, however, that the specifications of the same is not thereby to be construed to exclude other violations of this Ordinance not specifically enumerated.

- A. The playing of any radio, phonograph, television or other electronic or mechanical sound producing device, including any musical instrument in such a manner or with such volume as to unreasonably upset or disturb the quiet, comfort or repose of other persons.
- B. Yelling, shouting, hooting or singing on the public streets between the hours of 11:00 p.m. or 7:00 a.m., or at any time or place so as to unreasonably upset or disturb the quiet, comfort or repose of any persons in the vicinity.
- C. The emission or creation of any excessive noise which unreasonably interferes with the operation of any school, church, hospital or court.
- D. The keeping of any animal, bird or fowl, which emanates frequent or extended noise which shall unreasonably disturb the quiet, comfort or repose of any person in the vicinity, such as allowing or permitting any dog to bark repeatedly in an area where such barking can be heard from nearby residential property.
- E.

Section 3. Exception. Maple Valley Township is primarily a rural, agricultural township. Excepted from the provisions of this Anti-Noise and Public Nuisance Ordinance are the usual farming noises, such as, but not restricted to, irrigation, ground preparation such as plowing and discing, planting and harvesting, and other related tractor and machinery operation noises, airplane spraying and fertilizing, etc.

Section 4. Validity. The several provisions of this Ordinance are declared to be separate; if any court of law shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this Ordinance.

Section 5. Penalties. Any person, firm or corporation found violating the provisions of this Ordinance shall, upon conviction, be punished by a fine not to exceed Five Hundred Dollars (\$500.00) or by imprisonment not to exceed ninety(90) days, or by both such fine and imprisonment, at the discretion of the court. Each day that a violation shall continue is to constitute a separate offense. Provisions of this Ordinance may also be enforced by suit for injunction, damages or other appropriate legal action.

Section 6. Effective Date. This Ordinance shall take effect on August 23, 1992. Violations of this Ordinance are to be reported to the Montcalm County Sheriffs Department at 989-831-5253.

ORDINANCE No 17 LAND DIVISION

TOWNSHIP OF MAPLE VALLEY, MONTCALM COUNTY, MICHIGAN

ORDAINS:
TOWNSHIP OF MAPLE VALLEY, MONTCALM COUNTY, MICHIGAN
ORDAINS;

Land Division No 17 was Adopted: 10-11-97. Effective 11-22-97

An ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to Michigan Public Act 288 of 1967, as amended, and Act 246 of 1945, as amended, being the Township General Ordinance statute; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this ordinance.

SECTION I Title. This ordinance shall be known and cited as the Maple Valley Township Land Division Ordinance.

SECTION II Purpose. The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the municipality by establishing reasonable standards for prior review and approval of land divisions within the Township.

SECTION III Definitions. For purposes of this ordinance certain terms and words used herein shall have the following meaning:

- A. "Applicant" – a natural person, firm, association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.
- B. "Divide" or "Division" – the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the State Land Division Act. "Divide" and "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the State Land Division Act, this ordinance, and other applicable ordinances.
- C. "Exempt split" or "exempt division" – the portioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels or less than 40 acres or the equivalent; provided all resulting parcels are accessible for vehicular travel and utilities from existing public roads through existing adequate roads or easements, or through areas owned by the owner of the parcel that can provide such access.
- D. "Forty acres or the equivalent" – either 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.
- E. "Governing body" – the Maple Valley Township Board.

Section IV Prior Approval Requirements for Land Divisions. Land in the Township shall not be divided without the prior review and approval of the Township assessor, or other official designated by the governing body, in accordance with this ordinance and the State Land Division Act; provided that the following shall be exempted from this requirement:

- A. A parcel proposed for subdivision through a recorded plat pursuant to the State Land Division Act.
- B. A lot in a recorded plat proposed to be divided in accordance with the State Land Division Act.
- C. An exempt split as defined in this Ordinance.

Section V APPLICATION FOR LAND DIVISION APPROVAL. An applicant shall file all of the following with the Township assessor or other official designated by the governing body for review and approval of a proposed land division before making any division either by deed, land contract, lease for more than one year, or for building development:

- A. A completed application form on such form as may be approved by the Township Board.
- B. Proof of fee ownership of the land proposed to be divided.
- C. A tentative parcel map drawn to scale including an accurate legal description of each proposed division, and showing the boundary lines, approximate dimensions, and the accessibility of each division from existing or proposed public roads for automobile traffic and public utilities.
- D. Proof that all standards of the State Land Division Act and this Ordinance have been met.
- E. The history and specifications of the land proposed to be divided sufficient to establish that the proposed division complies with Section 108 of the State Land Division Act.
- F. If a transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.
- G. Unless a division creates a parcel which is acknowledged and declared to be "not a development site", all divisions shall result in "buildable" parcels with sufficient area to comply with all required setback provisions, minimum floor areas, off-street parking spaces, approved on-site sewage disposal and water well locations (where public water and sewer service is not available), access to existing public utilities and public roads, and maximum allowed area coverage of building and structures on the site. Declared agricultural land and land for forestry use shall not be subject to the foregoing as "development sites" as provided in the State Land Division Act at Section 102.

- H. The fee as may from time to time be established by resolution of the governing body of the Township for land division reviews pursuant to this ordinance to cover the costs of review of the application and administration of this Ordinance and the State Land Division Act.

Section VI Procedure for Review of Applications for Land Division Approval.

- A. The assessor or other designee shall approve, approve with reasonable conditions to assure compliance with applicable ordinances and the protection of public health, safety and general welfare, or disapprove the land division applied for within 30 days after receipt of the application package conforming to this Ordinance's requirements, and shall promptly notify the applicant of the decision and the reasons for any denial. If the application package does not conform to this Ordinance's requirements and the State Land Division Act, the assessor or other designee shall return the same to the applicant for completion and refilling in accordance with this Ordinance and the State Land Division Act.
- B. Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision appeal the decision to the governing body of the Township or such other body or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said Board or by the designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.
- C. The assessor or designee shall maintain an official record of all approved or accomplished land divisions or transfers.

SECTION VII STANDARDS FOR APPROVAL OF LAND DIVISIONS. A proposed land division shall be approved if the following criteria are met:

- A. All the parcels to be created by the proposed land division(s) fully comply with the applicable lot (parcel), yard and area requirements of pertinent Ordinances, including, but not limited to, minimum lot (parcel) frontage/width, minimum road frontage, minimum lot (parcel) area, and maximum lot (parcel) coverage and minimum set-backs for existing buildings/structures or have received a variance from such requirements(s) from the appropriate Zoning Board of Appeals.
- B. The proposed land division(s) comply with all requirements of the State Land Division Act and this Ordinance.
- C. All parcels created and remaining have existing adequate accessibility, or an area available therefore, to a public road for public utilities and emergency and other vehicles not less than the requirements of all applicable ordinances.
- D. The ratio of depth to width of any parcel created by the division does not exceed a four to one ratio exclusive of access roads, easements, or non-development sites. The depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right-of-way to the most remote boundary line point of the parcel from the point of commencement of the measurement. The width of a parcel shall be measured at the abutting road or right of way line, or as otherwise provided in any applicable ordinances.

SECTION VIII CONSEQUENCES OF NONCOMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENT.

Any parcel created in noncompliance with this ordinance shall not be eligible for any building permits, or zoning approvals, such as conditional land use approval or site plan approval, and shall not be recognized as a separate parcel on the assessment roll. In addition, violation of this ordinance shall subject the violator to the penalties and actions set forth in Section IX of this Ordinance, and as may otherwise be provided by law.

SECTION IX PENALTIES AND ENFORCEMENT. Any person who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00 or by imprisonment in the county jail for not to exceed 90 days or by both such fine and imprisonment.

Any person who violates any of the provisions of this ordinance shall also be subject to a civil action seeking invalidation of the land division and appropriate injunctive or other relief.

SECTION X SEVERABILITY. The provisions of this ordinance are hereby declared to be servable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

SECTION XI REPEAL. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, except that this Ordinance shall not be construed to repeal any provision in the applicable Zoning Ordinance or Building Codes.

SECTION XII EFFECTIVE DATE. This ordinance shall take effect after publication on 11-22-97.

TOWNSHIP OF MAPLE VALLEY

Josephine Sears, Clerk
4662 Bailey Road
Coral, MI 49322

**ORDINANCE No 18
FIRE CHARGE**

THE TOWNSHIP OF MAPLE VALLEY, MONTCALM COUNTY, MICHIGAN ORDAINS:

SECTION I: Purpose

The within ordinance is adopted for the purpose of providing financial assistance to the township in the operation of a fire department from those receiving direct benefits from the fire protection service. It is the further purpose of the within ordinance to provide for full funding of the fire department operation which remains, in part, an at-large governmental expense based upon the general benefits derived by all property owners within the township from the existence of a township fire department and its availability to extinguish fires within the township and perform other emergency services.

SECTION 2: Charges

The following charges shall hereafter be due and payable to the township from a recipient of any of the following enumerated services from the township fire department:

Equipment and Personnel listed below:

_____ Pumper Truck (\$50.00 per hour)	Hours _____	Sub Total _____
_____ Tanker Trucks (\$40.00 per hour)	Hours _____	Sub Total _____
_____ Attack Trucks (\$30.00 per hour)	Hours _____	Sub Total _____
_____ Manpower (\$15.00 per man hour)	Hours _____	Sub Total _____

SECTION 3: Time For Payment For Run

All of the foregoing charges shall be due and payable within 30 days from the date the service is rendered and in default of payment shall be collectible through proceedings in district court or in any court of competent jurisdiction as a matured debt.

SECTION 4: Exemptions

The following properties and services shall be exempt from the foregoing charges:

- A. False Alarms
- B. Fire caused by railroad trains which are the specific statutory responsibility of railroad companies.
- C. Fire involving township buildings, grounds and/or property.
- D. Fire service performed outside the jurisdiction of the township under a mutual aid contract with an adjoining municipality.

SECTION 5: Collection of Charges

The Township may proceed in district court by suit to collect any monies remaining unpaid and shall have any and all other remedies provided by law for the collection of said charges.

SECTION 6: Non-Exclusive Charges

The foregoing rates and charges shall not be exclusive of the charges that may be made by the Township for the costs and expenses of maintaining a fire department, but shall only be supplemental thereto. Charges may additionally be collected by the Township through general taxation after a vote of the electorate approving the same or by a special assessment established under the Michigan statutes pertinent thereto. General fund appropriations may also be made to cover such additional costs and expenses.

SECTION 7: Multiple Property Protection

When a particular service rendered by the Township fire department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is not involved shall be liable for the payment of the full charge for such service therein before outlined. The interpretation and application of the within section is hereby delegated to the Township fire chief subject only to appeal, within the time limits for payment, to the Township Board and shall be administered so that charges shall only be collected from the recipients of the service.

SECTION 8: Severability

Should any provision or part of the within ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

SECTION 9: Effective Date

This ordinance shall take effect on April 15, 2002. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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ORDINANCE No 19
MAPLE VALLEY TOWNSHIP ORDINANCE TO ESTABLISH CHARGES FOR
TOWNSHIP EMERGENCY SERVICES RESPONDING TO A HAZARDOUS
MATERIALS EMERGENCY INCIDENT
THE TOWNSHIP OF MAPLE VALLEY, MONTCALM COUNTY, MICHIGAN ORDAINS:

Section 1: Purpose

In order to protect the Township from incurring extraordinary expenses resulting from the utilization of Township resources to respond to any incident involving hazardous materials, the township board authorizes the imposition of charges to recover reasonable and actual costs incurred by the township in responding to calls for assistance in connection with a hazardous materials release.

Section 2: "Hazardous Materials" Defined

For purposes of this ordinance, "hazardous materials" include, but are not limited to, a chemical that is a combustible liquid, a flammable gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable reactive or water reactive.

Section 3: "Release" Defined

Any spilling, leaking, pumping, pouring, omitting, emptying, discharging, interjecting, leaching, dumping or disposing into the environment.

Section 4: "Responsible Party" Defined

Any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, government entity or any other legal entity that is responsible for a release of a hazardous material, either actual or threatened, or is an owner, tenant, occupant or party in control of property onto which or from which hazardous materials release.

Section 5: Charges Imposed Upon Responsible Party

Where the township fire department responds to a call for assistance in connection with a hazardous materials release, actual costs incurred by the township responding to such a call shall be imposed upon responsible parties, including, but not limited to: Equipment and Personnel listed below:

_____ Pumper Truck (\$50.00 per hour)	Hours _____	Sub Total _____
_____ Tanker Trucks (\$40.00 per hour)	Hours _____	Sub Total _____
_____ Attack Trucks (\$30.00 per hour)	Hours _____	Sub Total _____
_____ Manpower (\$15.00 per man hour)	Hours _____	Sub Total _____

- A. All personnel-related costs incurred by the township as a result of responding to the hazardous materials incident. Such costs may include, but are not limited to, wages, salaries and fringe benefits and insurance for full-time and part-time fire fighters: overtime pay and related fringe benefit costs for hourly employees, and fire run fees paid to on-call fire fighters. Such personnel-related charges shall commence after the first hour that the fire department has responded to the hazardous materials incident, and shall continue until all township personnel have concluded hazardous materials incident-related responsibilities.
- B. Other expenses incurred by the township in responding to the hazardous materials incident, including but not limited to, rental or purchase of machinery, equipment, labor, consultants, legal and engineering fees, medical and hospitalization costs, and the replacement costs related to disposable personal protective equipment, extinguishing agents, supplies, water purchased from municipal water systems and meals and refreshments for personnel while responding to the hazardous materials incident.
- C. Charges to the township imposed by any local, state or federal government entities related to the hazardous materials incident.
- D. Costs incurred in accounting for all hazardous materials incident-related expenditures, including billing and collection costs.

Section 6: Billing Procedures

Following the conclusion of the hazardous materials incident, the fire chief shall submit a detailed listing of the known expenses to the township treasurer, who shall prepare an invoice to the responsible party for payment. The treasurer's invoice shall demand full payment within thirty (30) days of receipt of the bill. Any additional expenses that become known to the township fire chief following the transmittal of the bill to the responsible party shall be billed in the same manner on a subsequent bill to the responsible party. For any amounts due that remain unpaid after thirty (30) days, the township shall impose a late charge of one percent (1%) per month, or fraction thereof.

Section 7: Other Remedies

The township may pursue any other remedy, or other may institute any appropriate action or proceeding, in a court of competent jurisdiction to collect charges imposed under this ordinance. The recovery of charges imposed under this ordinance does not limit liability of responsible parties under local ordinance or state or federal law, rule or regulation.

Section 8: Severability

Should any provision or part of the within ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this ordinance which shall remain in full force and effect.

SECTION 9: Effective Date

This ordinance shall take effect on April 15, 2002. All ordinances or parts of ordinances in conflict herewith are hereby repealed.