

SPEAKER TOWNSHIP

CODE OF ORDINANCES

Supervisor
Bill Maitland

Clerk
Dawn Cubitt

Treasurer
Tracy Sheldon

Trustees
Thomas Murray
Charles Stanley

Reviewed April 17, 2022

TOWNSHIP OF SPEAKER
CODE OF ORDINANCES
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APPENDIX B

ANNUAL FEE RESOLUTION

CHAPTER 4 – FIRE PROTECTION

- 1. Sec. 4.110 Fire Run Fee
 - a. Resident \$1,000.00
 - b. Non-Resident \$1,100.00
- 2. Sec. 4.220 False Fire Run Fee..... \$600.00
- 3. Sec. 4.300 Property Protection Fee \$600.00

APPENDUM A – ZONING

- 1. Sec. 4.02(E) Zoning Compliance Permit
 - a. House \$10.00
 - b. Mobile Home \$10.00
 - c. Garages and Outbuildings..... \$10.00
 - d. Farm Out Buildings \$10.00
 - e. Land Use Permit \$60.00
- 2. Sec. 4.02(E) Inspection Fee.....(set by County Inspector)
- 3. Refundable Bond to Assure Completion of Moving Buildings
 - a. Farm Buildings \$0.00
 - b. Others \$500.00
- 4. Sec. 17.01 Special Approval Uses \$800.00
- 5. Sec. 18.02 Board of Appeals
 - a. Appeals..... \$800.00
 - b. Variances..... \$800.00
- 6. Sec. 19.14 Compensation for Zoning Board
 - a. Members (per meeting)..... \$75.00
 - b. Chairman(per meeting) \$100.00
 - c. Secretary (per meeting)..... \$100.00
- 7. Sec. 20.04 Zoning Amendments
 - a. Re-Zoning \$800.00

*****LIST OF DESCRIPTIONS OF ALL PARCELS OF REALTY ON ZONING MAP

AGRICULTURAL RESIDENTIAL

All property not designated in any other zoning district shall be considered Agricultural Residential.

AGRICULTURAL BUSINESS

330-foot depth from right away of M-19 along the total length of the property. SEC 15 NE ¼ of NE ¼ 10 acres 150-foot frontage on M-19, 550 foot deep 2 acres

Beginning at a point 1320 ft. South of the NE corner SEC 34 (the north 1/8 corner of the east sect, line) proceeding hence west 550 feet, thence north 150 ft., thence East 550 ft., thence south 150 ft. to point of beginning.

SINGLE FAMILY RESIDENTIAL

SEC 27 Com. at Northeast cor. of SEC., thence North 86° 34' 22" thence West 1315.9 ft., thence South 03° 47' 38" thence West 518 ft., South 86° 34' 20" thence East 1319.82 Ft., thence North 03° 21' 38" thence East 518 ft., to POB 15.67 acres

SEC 27 Com. South 03° thence West 518 ft., from Northeast cor. of SEC., thence South 395 ft., thence West 436 ft., thence South 400 ft., thence West 884 ft., thence North 802 ft., thence East 1320 ft., to POB 21 acres

SEC 27 Com. at Northeast cor. of SEC., thence South 03° 21' 38" thence East 3.7 ft., to POB thence 100ft., thence West 436 ft., thence South 100 ft., thence East 436 ft., to POB 1 acre

SEC 27 Com. at Northeast cor. of Sec., thence South 1113.70 ft. to POB, thence 100 ft., thence West 436 ft., thence South 100 ft., thence East 436 ft., to POB. 1 acre

SEC 27 Com. at Northeast cor. of SEC thence South 03° 21' 38" West 1213.70 ft., to POB, thence North 100 ft., thence West 436 ft., thence South 100 ft., thence East 436 ft., thence to POB. 1 acre

SEC 27 Com. at Northeast cor. of SEC thence South 03° 21' 38" West 1313.70 ft to POB, thence North 100 ft., thence West 436 ft., thence South 100 ft., thence East 436 ft., thence to POB. 1 acre

MULTIPLE FAMILY RESIDENTIAL

SEC 22 S ½ of SW ¼ 80 acres

COMMERCIAL

One mile long (5280 ft.) 330 ft. deep from road right away on east and 330 ft. deep from the road right away on the west of M-19. Starting ½ mile (2640 ft.) S of Burnsline Rd. running to ½ mile north of Galbraith Line Rd. SECTIONS 14, 15, 22, & 23. 80 acres

SEC 34 2 acres in the SE corner of the NE ¼ of SW ¼ SEC 26 Lot Beg. 27 ft. S & 60 Ft. E of NW Cor, of NW ¼ , TH S 541.54 ft, E 264ft, N 541.54 ft, W 264 ft. to Beg. 3 acres

ORDINANCE NO. 102

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE TOWNSHIP OF SPEAKER, SANILAC COUNTY, MICHIGAN; ESTABLISHING THE SAME: PROVIDING FOR -THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN: PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

THE TOWNSHIP OF SPEAKER ORDAINS:

1.000 Adoption

The code of ordinances, consisting of Chapter 1 to 15, each inclusive, is hereby adopted and enacted as the "Code of Ordinances. Speaker Township, Michigan." pursuant to authority of MCL 41.641 MSA 5.45(51): PA 144 of 1969; and shall be treated and considered as a new and original comprehensive ordinance which shall supersede all general and permanent ordinances of the Township adopted on or before June 30, 1986 to the extent provided on 2.000 hereof.

2.000 Repealor

All provisions of such Code shall be in full force and effect from and after the July 1, 1986. And all ordinances of a general and permanent nature of the Township of Speaker adopted on final passage on or before June 30, 1986, and not included in such code or recognized and continued in force by reference therein are hereby repealed from and after the July 1, 1986.

3.000 Repealor

The repealor provided for in 2.000 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

4.000 Penalty

Unless another penalty is expressly provided, a violation of any provision of such Code, or any provision of any rule or regulation adopted or issued pursuant thereto, shall be punished as a misdemeanor by a fine of not more than Five Hundred Dollars (\$500.00) and costs of prosecution, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

5.000 Penalty

In case the amendment of any section of such code for which a penalty is not provided, the general penalty as provided in 4.000 of this ordinance and chapter 1, section 5.000 of such code shall apply to the section as amended, or in case such amendment contains provisions for which a penalty other than the aforementioned general penalty is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

6.000 Amendments

Any and all additions and amendments to such code, when passes in such form as to indicate the intention of the Township Board to make the same a part of such code, shall be deemed to be incorporated in such code so that reference to the "Speaker Township Code of Ordinances" shall be understood and intended to include such additions and amendments.

7.000 Clerks Duties

A copy of such Code shall be kept on file in the office of the Township Clerk preserved in loose leaf form, or in such other form as the Township Clerk may consider most expedient. It shall be the express duty of the Township Clerk, or someone authorized by him/her, to insert in their designated places all amendments or ordinances which indicate the intention of the Township Board to make the same a part of such Code, when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may be from time to time repealed by the Township Board. This copy of such Code shall be available for all persons desiring to examine the same.

8.000 Unauthorized Modifications

It shall be unlawful for any person to change or amend, by additions or deletions, any part of or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Township of Speaker to be misrepresented thereby. Any person violating this section shall be punished as provided in 4.000 of this Ordinance.

9.000 Effective Date

This ordinance shall become effective on July 1, 1986.

Motion by: Bob Demaray

Second by: Mary Rector

Yeas: 5 Nays: 0

Everett L. Beal, Supervisor

Signature on File

Speaker Township

I, Ronald R. Scott, Clerk of Speaker Township, do hereby certify that this Ordinance was adopted by the Township Board at a meeting of said Board held at the Township Hall on the 10th day of June, 1986.

Ronald R. Scott, Clerk

Signature on File

Speaker Township

**TOWNSHIP OF SPEAKER
SANILAC COUNTY, MICHIGAN**

NOTICE OF ADOPTION

ON THE 10TH DAY OF JUNE, 1986, AT A REGULAR MEETING OF THE TOWNSHIP BOARD, SPEAKER TOWNSHIP, THE BOARD ADOPTED BY ORDINANCE 102 "THE SPEAKER TOWNSHIP CODE OF ORDINANCES" AS PROMULGATED UNDER THE AUTHORITY OF ACT 144 OF 1969.

THE EFFECTIVE DATE OF THE ORDINANCE IS THE 1ST DAY OF JULY, 1986

COPIES OF THE ORDINANCE ARE AVAILABLE FOR INSPECTION OR PURCHASE AT THE OFFICE OF THE TOWNSHIP CLERK, 7630 N. BROCKWAY ROAD, MELVIN, MICHIGAN.

RONALD R. SCOTT, CLERK

Signature on File
SPEAKER TOWNSHIP

CHAPTER 1
GENERAL PROVISIONS

1.010 HOW CODE DESIGNATED AND CITED

The ordinances embraced in the following chapters and sections shall constitute and be designated the "SPEAKER TOWNSHIP CODE OF ORDINANCES" and may be so cited. (State law reference-Codification of ordinances, MSA 5.45(51), MCL 41.641, 144 PA 1969)

1.020 RULES OF CONSTRUCTION

It is the legislative intent of the Township Board, in adopting this Code, that all provisions and sections of this Code be literally construed to protect and preserve the peace, health, safety and welfare of the inhabitants of the Township. In the construction of this Code and any amendment thereto, the following rules shall be observed, unless the context clearly indicates otherwise:

BOARD: The term "Township Board" or "Board" shall mean the Township Board of Speaker Township.

CODE: The term "this Code" or "Code" shall mean the Speaker Township Code of Ordinances as designated in Section 1.000.

GENDER: A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships, and corporations as well as males.

NUMBER: A word importing the singular number only may extend and be applied to several persons and things as well as one person and thing.

OFFICER: Whenever any officer is referred to by title only, such reference shall be construed as if followed by the word "of the Township of Speaker." Whenever, by the provisions of this Code, any officer of the Township is assigned any duty or empowered to perform any act or duty, reference to such officer shall mean and include such officer or his deputy or authorized subordinate.

OR, AND "Or" may be read "and" and "and" may be read "or" if the sense requires it.

PERSON: The word "person" shall include any individual, co-partnership, corporation, association, club, joint adventure, estate, trust, and any other group or combination acting as a unit, and the individuals constituting such group or unit.

PUBLIC PLACE: The term "public place" shall mean any place to or upon which the public resorts or travels, whether such place is owned or controlled by the Township or any agency of the state or is a place to or upon which the public resorts or travels by custom or by invitation, express or implied. The term "public place" shall include any street, alley, park, public building, any place of business or assembly open to or frequented by the public, and any other place which is open to the public view, or to which the public has access.

STATE: To term "the state" or "this state" shall be construed to mean the State of Michigan.

TENSE: Words used in the present or past tense include the future as well as the present and past.

TOWNSHIP: The word "Township" shall mean the Township of Speaker, Michigan.

1.030 SECTION CATCHLINES AND OTHER HEADINGS

The catchlines of the several sections of this Code printed in boldface type are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be the titles of such sections, nor as any part of the sections, nor, unless expressly so provided, shall they be so deemed when any of such sections including the catchlines, are amended or re-enacted. No provision of this Code shall be held invalid by reason of deficiency in any such catchline or in any heading or title to any chapter, article or division.

1.040 CERTAIN ORDINANCES NOT AFFECTED BY CODE

Nothing in this Code or the ordinance adopting this Code shall affect any ordinance:

1.041 Granting any **franchise** or **special privilege or right**;

1.042 Establishing **sewer** and **other public improvement districts**;

1.043 Providing for the construction of particular **sewers, streets, or sidewalks, or the improvement thereof, or** for the construction and improvement of other **public works**;

1.044 Authorizing the **borrowing of money** or the **issuance of bonds** or other evidence of indebtedness;

1.045 Any other ordinance, or part thereof, which is not of a general and permanent nature;

1.046 Approving the incorporation of the **economic development corporation** of the Township of Speaker. and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code. Such ordinances are on file in the Township clerk's office.

1.050 CODE DOES NOT AFFECT PRIOR OFFENSES, RIGHTS, ETC.

1.051 Nothing in this Code or the ordinance adopting this Code shall affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of this Code.

1.052 The adoption of this Code shall not be interpreted as authorizing or permitting any use or the continuance of any use of a structure or premises in violation of any ordinance of the Township in effect on the date of adoption of this Code.

1.060 GENERAL PENALTY FOR VIOLATION OF CODE OR RULES AND REGULATIONS ADOPTED UNDER CODE; CONTINUING VIOLATIONS

1.061 Unless another penalty is expressly provided by this Code for any particular provision or section every person convicted of a violation of any provision of this Code or any rule or regulation adopted or issued in pursuance thereof shall be guilty of a misdemeanor, punished by a fine of not more than Five Hundred Dollars (\$500.00) and costs of prosecution, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any section of this Code, whether or not such penalty is re-enacted in the amendatory ordinance.

1.062 In addition to the penalties provided in subsection (a), the Township may enjoin or abate any violation of this Code by appropriate action.

1.070 AMENDMENTS TO CODE

1.071 Amendments to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code in the following language: "That section_____ of the Speaker Township Code of Ordinances, is hereby amended to read as follows...." The new provisions shall then be set out in full as desired.

1.072 In the event a new section not heretofore existing in the Code is to be added, the following language shall be used: "That the Speaker Township Code of Ordinances, is hereby amended by adding a section, to be numbered_____, which said section reads as follows:...." The new section shall then be set out in full as desired.

1.080 SUPPLEMENTATION OF CODE - GENERALLY

1.081 By contract or by Township personnel, supplements to this Code shall be prepared and printed whenever authorized or directed by the Township Board. A supplement of the Code shall include all substantive permanent and general parts of ordinances adopted during the period covered by the supplement and all changes made thereby in the Code. The pages of a supplement shall be so numbered that they will fit properly into the Code and will, where necessary, replace pages which have become obsolete or partially obsolete, and the new pages shall be so prepared that, when they have been inserted, the code will be current through the date of the adoption of the latest ordinance included in the supplement.

1.082 In preparing a supplement to this Code, all portions of the Code which have been repealed shall be excluded from the Code by the omission thereof from reprinted pages.

1.083 When preparing a supplement to this code, the codifier (meaning the person, agency or organization authorized to prepare the supplement) may make formal, no substantive changes in ordinances and parts of ordinances included in the supplement, insofar as it is necessary- to do so to embody them in a unified code. For example, the codifier may:

1.083A Organize the ordinance material into appropriate subdivisions;

1.083B Provide appropriate catchlines, headings and titles for section and other subdivisions of the Code printed in the supplement, and make changes in such catchlines, headings and titles;

1.083C Assign appropriate numbers to sections and other subdivisions to be inserted in the Code and, where necessary to accommodate new material, change existing section or other subdivision numbers;

1.083D Change the words "this ordinance" or words of the same meaning to "this chapter," "this article," "this division," etc., as the case may be or to "sections to _____" (inserting section numbers to indicate the sections of the Code which embody the substantive sections of the ordinance incorporated into the code); and

1.083E Make other no substantive changes necessary to preserve the original meaning of ordinance sections inserted into the Code; but in no case shall the codifier make any change in the meaning or effect of ordinance material included in the supplement or already embodied in the Code.

1.084 The Township Clerk shall maintain a record of all numbered volumes of this compilation. Any amendments hereto will be provided for entry into every volume.

1.090 AMENDMENTS TO CODE-EXCLUSION OF SPECIAL OR TEMPORARY ORDINANCES

Ordinances hereinafter adopted which are not of a general or permanent nature shall be numbered consecutively, authenticated, published and recorded in the book of ordinances, but shall not be prepared for insertion in this Code, nor be deemed a part hereof.

1.100 RESPONSIBILITY OF OFFICERS WITH RESPECT TO ASSIGNED COPIES OF CODE

Each Township officer assigned a copy of this Code shall be responsible for maintaining the same and for the proper insertion of amendatory pages as received. Each such copy shall remain the property of the Township and shall be turned over by the officer having custody thereof, upon expiration of his term of office, to his successor or to the Township clerk, in case he shall have no successor.

1.110 SEVERABILITY

Should any provision or section of this Code be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions or sections, it being the intent of the Township Board that this Code shall stand, notwithstanding the invalidity of any provision or section thereof. The provisions of this section shall apply to the amendment of any section of this Code, whether or not the wording of this section is set forth in the amendment.

CHAPTER 1A

ALCOHOLIC LIQUOR

1A.000 DEFINITIONS

The meaning of "alcoholic liquor", "license" and other terms, as used in this chapter, shall be as defined in the Michigan Liquor Control Act, 8 Public Acts 1933 Extra Session, as amended (MSA 18.971, CL 436.1).

1A.010 PROHIBITIONS

1A.011 CONSUMPTION IN PUBLIC AND POSSESSION PROHIBITED IN CERTAIN PLACES

1A.011A No alcoholic liquor shall be consumed on the public streets or in any other public places not appropriately licensed, including any store or establishment doing business with the public and not licensed to sell alcoholic liquor for consumption, on the premises; nor shall anyone who owns, operates or controls any such public establishment or store permit the consumption of alcoholic liquor therein.

1A.011B No person shall possess or have under his control or custody in any public place any alcoholic liquor in a container of any kind which is open, uncapped or upon which the seal is broken unless such possession, control or custody has been authorized by lawful authority.

1A.012 GENERAL PROHIBITIONS ON SALES PREMISES

A person holding a license pursuant to the Michigan Liquor Control Act shall not permit on the licensed premises:

1A.012A Spirits to be consumed, if licensed to sell only beer and/or wine.

1A.012B Any disorderly conduct or action which disturbs the peace and good order of the neighborhood.

1A.012C Any resorting of thieves, prostitutes or other disorderly persons.

1A.012D Any gambling, or the placing or using of any gambling apparatus or paraphernalia therein, unless authorized by law.

1A.012E Any lewd, obscene or immoral exhibition or entertainment, or other conduct likely to corrupt the public morals.

1A.012F Any employee to fraternize or drink alcoholic liquor with any of the patrons during working hours.

1A.013 SALE DURING PROHIBITED HOURS

1A.013A No person licensed pursuant to the Michigan Liquor Control Act, either by himself or another, shall sell, furnish, give or deliver any alcoholic liquor to any person on any day during the hours not permitted by state law or the State Liquor Control Commission.

1A.013B Any person, corporation or CO-partnership who (or which) -shall conduct, operate, or maintain or cause to be_ conducted, operated or maintained any place or places where beer, wine and/or liquor is sold within the corporate limits of the Township of Speaker under a license from the Michigan State Liquor Control Commission, shall close such place or places to the public not later than 2:00 a.m. In all cases the premises shall be vacated, and the public excluded therefrom not later than one half hour after the closing time designated herein and shall remain closed until 6:00 o'clock the following morning.

1A.014 SALE OR FURNISHING TO MINORS AND INTOXICATED PERSONS

1A.014A MINORS

No person, either directly or indirectly, by himself or his clerk, agent, servant, or employee, shall at any time sell, furnish, give or deliver any alcoholic liquor to any person, unless such person shall have attained the legal age to buy or consume alcoholic beverages.

1A.014B INTOXICATED PERSONS

No person, either directly or indirectly, by himself or his clerk, agent, servant or employee, shall at any time, sell, furnish, give or deliver any alcoholic liquor to any person who is so intoxicated as not to be in control of all his faculties.

1A.014C EXCEPTION

Provided, however, nothing herein contained shall prohibit the sale of any alcoholic beverage to a minor upon authority of and pursuant to a prescription of a duly licensed physician.

1A.015 SALE OR SERVICE BY MINORS

A licensee shall not allow any person under the age authorized by 267 PA 1933 Ex Sess. to sell or serve alcoholic liquor on his licensed premises.

1A.016 MINORS PROHIBITED IN ESTABLISHMENT LICENSED FOR ON-PREMISES CONSUMPTION; EXCEPTION

No person under the age of 21 years -shall be permitted on the premises of a liquor establishment licensed for on-premises consumption unless accompanied by his parent or guardian.

Penalty

Upon conviction,

- A. Any minor in violation of this Section, and
- B. Any parent or guardian who is notified of a child's presence on such premises and fails to timely accompany and supervise or remove such minor, and
- C. Any bartender, owner, licensee, manager or other person or agent in charge of the licensed premises at the time of such occurrence shall be guilty of a misdemeanor and punished pursuant to the Section 6.000 of Chapter 1.

1A.017 PURCHASE, CONSUMPTION BY MINORS ON LICENSED PREMISES; POSSESSION BY MINORS, FALSE REPRESENTATION

1A.017A Purchase, consumption or possession

No person under the legal age to buy or consume alcoholic beverages shall at any time purchase alcoholic liquor, consume alcoholic liquor in a licensed premise, or possess alcoholic liquor, except as possession is authorized by this ordinance.

1A.017B False representation as to age

- A. No person in order to procure the sale and furnishing of alcoholic liquor to any person under the legal age to buy or consume alcoholic beverages, shall make any false representation as to the age of the person for whom the alcoholic liquor is desired.
- B. Nor shall any person under the legal age to buy or consume alcoholic beverages, furnish any false information regarding his age or make any false representations to his age to any law enforcement officer, or to any person in charge of or employed in a place of business where alcoholic liquor is sold, for the purpose of obtaining the sale of any alcoholic liquor to himself.
- C. Nothing herein contained shall prohibit the purchase of an alcoholic beverage by a minor under authority of and pursuant to a prescription of a duly licensed physician.

1A.018 POSSESSION OR TRANSPORTATION BY MINORS IN A MOTOR VEHICLE

No person under the legal age to buy or consume alcoholic beverages shall knowingly possess or transport any alcoholic liquor, or knowingly possess, transport or have under his control any alcoholic liquor in any motor vehicle, unless such person is employed by a license under the Michigan Liquor Control Act and is possessing, transporting or having such alcoholic liquor in a motor vehicle under his control during regular working hours and in the course of his employment.

1A.019 SPECIFIC PROHIBITIONS ON SALES PREMISES LICENSED FOR ON-PREMISES CONSUMPTION

No person holding a license pursuant to Michigan Liquor Control. Act for on-premises consumption shall engage in or permit on the licensed premises any of the following conduct:

1A.019A The performance of acts, or simulated acts of sexual intercourse, fellatio, cunnilingus, masturbation, sodomy, bestiality, flagellation or any other act by the person involving the touching or contacting of the genitals.

1A.019B The erotic caressing or fondling of the breast, buttocks, pubic region or genitals.

1A.019C The actual or simulated displaying or exposure of the pubic hair, pubic region, anus, vulva or genitals.

1A.019D The exposure of the post pubertal female breast by any person. For the purpose of this subsection; a female breast is considered exposed if any portion of the areola is exposed.

CHAPTER 2

BLIGHT

ARTICLE I

BLIGHT DEFINED AND PROHIBITED

2.000 BLIGHT DEFINED

It is hereby determined that the uses of land described in this Article constitute blight which, if allowed to exist, will result in unsafe, unsanitary and undesirable neighborhoods.

2.010 BLIGHT PROHIBITED

No person shall maintain or permit to be maintained any of the following types of blight upon any premises owned, rented, or occupied by such person:

- A. The outdoor storage of two or more junk motor vehicles. The term "junk motor vehicle" shall include any motor vehicle which has been inoperable for any reason for a period in excess of thirty (30) days.
- B. The storage or accumulation of garbage of any kind, except domestic refuse originating on the premises and stored in a sanitary manner for a period not to exceed fourteen (14) days. The term "garbage" shall include food waste matter and discarded food containers, as well as any other household refuse.
- C. The outdoor storage or accumulation of junk. The term "junk" shall include machinery parts, motor vehicle parts, tin cans, unused appliances, metal remnants, or any other castoff material which is not completely screened from view from residences or public roads. Farm machinery which is located on any operating farm shall not be considered to be "junk".

ARTICLE II

ENFORCEMENT AND PENALTIES

2.100 PENALTIES

Any person(s) found in violation of this Chapter shall be liable for a Grade A Civil Infraction, which shall be punishable, upon a determination of responsibility, by a daily fine, as set forth in the Speaker Township Civil Infraction Chapter of the Code of Ordinances.

2.200 ENFORCEMENT

If a property owner fails to eliminate blight after notification to eliminate such blight, and the Township Board deems such blight to be an imminent threat to the public health and safety, a designated agent of the Township may enter the property and eliminate the blight. The cost of such blight elimination shall be assessed against the property on the next tax roll.

CHAPTER 2A
DANGEROUS ANIMALS

2A.000 DEFINITIONS

As used in this Chapter, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

2A.001 ANIMAL CONTROL OFFICER shall be the animal control officer for the County of Sanilac, the township supervisor or any person authorized by township resolution to carry out the provisions of this Chapter.

2A.002 TOWNSHIP shall mean the Township of Speaker, Sanilac County, Michigan.

2A.003 DANGEROUS ANIMAL: Any animal that constitutes a physical threat to human beings or other animals, or has a disposition or propensity to attack or bite any person or other animal without provocation, or which is wild by nature and of a species which, due to size, vicious nature or other characteristics, constitutes a danger to human life, physical well-being, or property; or any animal which has been known to bite or attack a human being or other domestic animals, without provocation, one or more times. The term shall not include livestock or fowl routinely maintained in Sanilac County for purposes of animal husbandry.

2A.010 PROHIBITION

Harboring, exhibiting, keeping, raising, selling, buying, match-fighting, or otherwise maintaining a dangerous animal, whether the animal is confined or running at large, is prohibited.

2A.020 DISPOSITION OF DANGEROUS ANIMALS AT LARGE

Any dangerous or vicious animal found running at large in the township, which because of its disposition or diseased condition, is too hazardous to apprehend, may be destroyed when so ordered by the animal control officer. In an emergency, if the animal control officer cannot be contacted in time to avoid danger to any person, any police officer may destroy such animal without first contacting the animal control officer.

2A.030 DEALING WITH DANGEROUS ANIMALS

If it is determined by the animal control officer that an animal is a dangerous animal, the animal control officer shall notify the property owner to immediately and securely confine said dangerous animal indoors in a securely enclosed and locked pen. The animal control officer shall then direct the removal of the dangerous animal from the township within 15 days. If the property owner fails to comply, or if the property owner is not available and it is determined that said animal is endangering the well-being of others, said animal may be removed from the property by the animal control officer and impounded.

Where a dangerous animal has caused serious physical harm or death to any person or animal, or has escaped and is at large, or causes a threat to any person or animal, the animal control officer shall cause said animal to be immediately seized and impounded or killed if seizure or impoundment are not possible without risk of serious physical harm or death to any person.

2A.040 AID OF SPECIALISTS

Nothing in this chapter shall prohibit the animal control officer from enlisting the aid of any humane society officers, officers or employees of any organization operated to benefit animals, or any circus animal handler or zoo employee, in attempting to capture an animal alive.

2A.050 PENALTY

Any person(s), firm or corporation in violation of this Chapter shall be liable for a Grade C Civil Infraction, which shall be punishable, upon a determination of responsibility, by a daily fine, as set forth in the Speaker Township Civil Infraction Chapter of the Code of Ordinances.

2A.060 REMEDIES

In addition to any remedies recited herein, the animal control officer, the supervisor or any person claiming a nuisance in fact by the presence of the dangerous animal may seek injunctive remedies via the circuit court.

CHAPTER 3
DANGEROUS BUILDINGS

3.000 SCOPE

This chapter shall apply to all buildings and structures in the Township other than farm buildings. Farm buildings are defined to include all buildings or structures, other than dwellings, which are located on a farm, and which are designed for farm use.

3.010 DANGEROUS BUILDINGS DEFINED.

As used in this chapter, "dangerous building" means any building or structure which has any of the following defects:

3.011 Whenever any portion has been damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the township building code for a similar new building or structure.

3.012 Whenever any portion of the building or structure is likely to fall or to become dislodged, or to collapse and thereby injure persons or damage property.

3.013 Whenever for any reason whatsoever the building or structure or any portion is manifestly unsafe for the purpose for which it is used.

3.014 Whenever the building or structure has been so damaged by fire, wind, or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger.

3.015 Whenever a building or structure used or intended to be used for dwelling purposes, because of dilapidation, decay, damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease or is likely to work injury to the health, safety or general welfare of those living in or near it.

3.016 Whenever any building becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to elements or accessible to entrance by trespassers.

3.020 INSPECTION

The building inspector shall inspect and file a report on all buildings and structures which he believes to be dangerous buildings as defined in this ordinance.

3.030 NOTICE

When the whole or any part of any building or structure is found to be in a dangerous condition, the Building Inspector shall issue a notice which shall specify the nature of the dangerous condition and the repair or demolition necessary to make the building or structure safe.

3.031 The notice shall be directed to the person or persons in whose name the property appears on the most recent township tax assessment records.

3.032 The notice shall specify the time and place of a hearing before the township board at which the person or persons to whom the notice was directed shall have the opportunity to contest the findings of the building inspector.

3.033 All notices shall be sent by regular mail or otherwise delivered at least ten (10) days before the date of the hearing described in the notice.

3.040 HEARING

The township board shall conduct a hearing reviewing the findings of the building inspector. All relevant information provided by the owners or other persons interested in the property and all relevant information provided by the building inspector shall be considered.

3.041 If it is determined by the township board that the building or structure is not dangerous or unsafe, no further action shall be taken.

3.042 If it is determined by the township board that the building or structure should be repaired, demolished, or otherwise made safe, it shall so order, fixing a time within which compliance must be completed.

3.043 A copy of the decision of the township board shall be sent by regular mail or otherwise delivered to the person or persons to whom the original notice was sent.

3.050 COMPLIANCE

Complying with a township board decision to require the repair, demolition, or making safe of a building or structure shall be the responsibility of the duly notified persons having an interest in the property.

3.060 FAILURE TO COMPLY LIEN

If the responsible persons do not comply with the township board's decision within the time specified, the township may arrange to have the required repair, demolition, or other work completed. The cost of such required repair, demolition or other work shall be a lien against the real property on which the building or structure is located and shall be assessed against said real property on the next tax roll.

3.070 APPEAL

A person affected by a township board decision requiring the repair, demolition, or other work on a building or structure in which said person has an interest, may appeal the decision to the Circuit Court by filing an action within 20 days from the date of the decision by the township board.

3.080 PENALTIES

Any person(s) found in violation of this Chapter shall be liable for a Grade C Civil Infraction, which shall be punishable, upon a determination of responsibility, by a daily fine, as set forth in the Speaker Township Civil Infraction Chapter of the Code of Ordinances.

3.090 REMEDIES

In addition to citation for Civil Infractions, the township agents' may utilize any other remedies permitted by law, included but not limited to injunctions and orders for corrective actions by the township at offender's expense.

CHAPTER 4
FIRE PROTECTION
ARTICLE I

4.100 PREVENTION OF BURNING OUT OF CONTROL

No fire shall be set unless the person setting the fire has taken sufficient precautionary measures to prevent the fire from burning out of control.

4.100 FIRE RUN FEE

Any person who sets fire which burns out of control shall be liable to the Township for a fee to be set annually by the Township Board (see Appendix B- Annual Fee Resolution) for each fire run made to the fire.

ARTICLE II
LIABILITY FOR FALSE ALARMS

4.200 TURNING IN FIRE ALARMS

No person shall cause a fire alarm to be turned in unless he has good cause to believe a fire actually exists or unless he has notified the fire department that a fire alarm will be in pursuant to testing, repairing, or otherwise working on a fire alarm system.

4.210 MAINTENANCE OF FIRE ALARM SYSTEM

Any person who has a fire alarm system on his premises shall maintain such alarm system so that no false alarms are inadvertently transmitted to the fire department from such fire alarms system.

4.220 FALSE FIRE ALARM

Any person who, in violation of Section 4.200, turns in a false fire alarm or who, in violation of Section 4.210, fails to maintain his fire alarms system so as to prevent false alarms, shall be liable to the Township for a fee, set annually by Township Board (See Appendix B- Annual Fee Resolution), for each fire run made by pursuant to the false alarm.

ARTICLE III

LIABILITY FOR PROPERTY PROTECTION

4.300 PROPERTY PROTECTION FEE

The owners of real or personal property which the Township attempts to protect on a fire run shall be liable to the Township fee, set annually by the Township Board (See Appendix B- Annual Fee Resolution), as reimbursement for the cost of the fire run. Liability under this section shall be applicable to owners of motor vehicles which are involved in highway accidents for which there is a police request for a washdown or other services by the fire department.

ARTICLE IV

ASSESSMENT OF DELINQUENT FIRE RUN FEES TO THE TAX ROLL

4.400 DELINQUENT FIRE RUN FEES

Any fire run fee for which a property owner is liable, and which remains unpaid for ninety (90) days after being mailed to the responsible party may be assessed on the property tax roll.

ARTICLE V

VIOLATIONS

4.500 PENALTY

Any person(s) found in violations of this Chapter shall be liable for a Grade A Civil Infraction, which shall be punishable, upon a determination of responsibility, by a daily fine, as set forth in the Speaker Township Civil Infraction Chapter of the Code of Ordinance.

4.600 FIRE PERMITS

Any person burning brush, grass, hay, or having a campfire needs a permit issued by the Fire Dept. and designated by the Fire Dept.

CHAPTER 5
LIQUOR LICENSE
ARTICLE I
APPLICATION FOR NEW LICENSE

5.100 APPLICATION

Applications for new license to sell beer and wine or spirits shall be made to the Township Board in writing, signed by the applicant, and shall contain the following statements of information:

- A. The name, age, and address of the applicant in the case of an individual; or, in the case of a co-partnership, the persons entitled to share in the profits thereof; in the case of a corporation, the names and addresses of the officers, directors, and shareholders owning more than 5% of the corporate stock.
- B. The character of business of the applicant, and in the case of a corporation, the object for which it was formed.
- C. The length of time said applicant has been in business of that character, or, in the case of a corporation, the date when its charter was issued.
- D. The location and description of the premises or place of business which is to be operated under such license.
- E. A statement whether applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
- F. A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by any reason of any matter or thing contained in this chapter of the laws of the State of Michigan.
- G. A statement that the applicant will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the Township in the conduct of its business.
- H. The application shall be accompanied by building and plot plans showing the entire structure and premises and in particular the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities and where appropriate, adequate plans for screening and noise control.

5.110 RESTRICTIONS ON LICENSES

No such license shall be issued to:

- A. A person whose license, under this ordinance, has been revoked for cause.
- B. A person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- C. A co-partnership unless all of the members of such co-partnership shall qualify to obtain a license.
- D. A corporation, if any officer, manager, or director thereof, or a stock owner or stockholders owning the aggregate more than five percent (5%) of the stock of such corporation would be eligible to receive a license hereunder for any reason.

- E. A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee.
- F. A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession, or sale of alcoholic liquor.
- G. A person who does not own the premises for which a license is sought or does not have a lease therefore for the full period for which the license is issued.
- H. Any law enforcing public official or any member of the Township Board.
- I. For premises where there exists a violation of the applicable Building, Electrical, Mechanical, Plumbing or Fire Codes, applicable Zoning Regulations, or applicable Public Health Regulations.
- J. For premises where it is determined that the premises do not or will not reasonably soon after commencement of operations have adequate off-street parking, lighting, refuse disposal facilities, screening, noise or nuisance control.
- K. Where the proposed location is inappropriate considering the desirability of establishing a location in developed commercial areas, in preference to isolated undeveloped areas; the attitude of adjacent residents and property owners; traffic safety; accessibility to the site from abutting roads; capability of abutting roads to accommodate the commercial activity; distance from public or private schools or minors; proximity of the inconsistent zoning classification; and accessibility from primary roads or state highways.

5.130 LICENSE HEARING

The Township Board shall grant a public hearing upon the license application. Following such hearing the Board shall submit to the applicant a written statement of its findings and determination. The Boards determination shall be based upon satisfactory compliance with the restrictions set forth in paragraph 5.110(A) through (K) above.

ARTICLE II

OBJECTIONS TO RENEWAL AND REQUEST FOR REVOCATION

5.200 PROCEDURE

Before filing an objection to renewal or request for revocation of a license with the Michigan Liquor Control Commission, the Township Board shall serve the license holder, by first class mail, mailed not less than ten days prior to hearing, with notice of a hearing, which notice shall contain the following:

- A. Notice of proposed action;
- B. Reasons for the proposed action;
- C. Date, time and place of hearing;
- D. A statement that the licensee may represent evidence and testimony and confront adverse witnesses. following the hearing, the Township Board shall submit to the license holder and the Commission a written statement of its findings and determination.

5.220 CRITERIA FOR NONRENEWAL OR REVOCATION

The Township Board shall recommend nonrenewal or revocation of a license upon a determination by it that based upon a preponderance of the evidence presented at the hearing either of the following exist:

- A. Violation of any of the restrictions on licenses set forth in paragraph 5.110(A) through (K) above; or
- B. Maintenance of a nuisance upon the premises.

STATE OF MICHIGAN COUNTY OF SANILAC

Township of Speaker

ORDINANCE NO. 96-6

MUNICIPAL CIVIL INFRACTIONS

At a meeting of the Board of Trustees of the Township of Speaker held pursuant to the requirements of 1976PA267 (the Open Meetings Act) in the Township Hall on the 2nd day of July, 1996 the following Ordinance was adopted:

The Township of Speaker ordains:

An Ordinance creating a civil infractions bureau, provide a method of enforcing civil infractions and to establish penalties for civil infractions.

6.1000 Definitions

As used in this Article:

6.1010 "Act" means the Michigan Revised Judicature Act 1961 PA 236 as amended.

6.1020 "Authorized Township official" means police officer or other personnel of the Township authorized by this Code or any ordinance to issue municipal civil infraction citations or municipal civil infraction violation notices.

6.1030 "Bureau" means the Township of Speaker Municipal Ordinance Violations Bureau as established by this Article.

6.1040 "Municipal civil infraction action" means a civil action in which the defendant is alleged to be responsible for a municipal civil infraction.

6.1050 "Municipal civil infraction citation" means a written complaint or notice prepared by an authorized Township official directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

6.1060 "Municipal civil infraction violation notice" means a written notice prepared by an authorized Township official, directing a person to appear at the Township of Speaker Municipal Ordinance Violations Bureau and to pay the fine and costs, if any, prescribed for the violation by the schedule of civil fines under Section 6.6000, as authorized under Sections 8396 and 8707(6) of the RJA.

6.2000 Municipal civil infraction action, commencement

A municipal civil infraction action may be commenced upon the issuance by an authorized official of:

- A. A municipal civil infraction citation directing the alleged violator to appear in court, or
- B. A municipal civil infraction violation notice directing the alleged violator to appear at the Township Municipal Ordinance Violations Bureau.

6.3000 Municipal civil infraction citations, issuance and service.

Municipal civil infraction citations shall be issued and served by authorized Township officials as follows:

6.3100 The time for appearance specified in a citation shall be within a reasonable time after the citation is issued.

6.3200 The place for appearance specified in a citation shall be the District Court.

6.3300 Each citation shall be numbered consecutively and shall be in a form approved by the state court administrator. The original citation shall be filed with the district court. Copies of the citation shall be retained by the Township and issued to the alleged violator as provided by Section 8705 of the Act.

6.3400 A citation for a municipal civil infraction signed by an authorized Township official shall be treated as made under oath if the violation alleged in the citation occurred in the presence of the official signing the complaint and if the citation contains the following statement immediately above the date and signature of the official: *"I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge and belief."*

6.3500 An authorized Township official who witnesses a person commit a municipal civil infraction shall prepare and subscribe, as soon as possible and as completely as possible, an original and required copies of a citation.

6.3600 An authorized Township official may issue a citation to a person if:

6.3610 Based upon investigation, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction; or

6.3620 Based upon investigation of a complaint by someone who allegedly witnessed the person commit a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for an infraction and if the Prosecuting Attorney or Township Attorney approves in writing the issuance of the citation.

6.3700 Municipal civil infraction citations shall be served by an authorized Township official as follows:

6.3710 Except as provided by Section 6.3720, an authorized Township official shall personally serve a copy of the citation upon the alleged violator.

6.3720 If the municipal civil infraction action involves the use or occupancy of land, a building or other structure, a copy of the citation does not need to be personally served upon the alleged violator but may be served upon an owner or occupant of the land, building, or structure by posting the copy of the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first-class mail to the owner of the land, building, or structure at the owner's last known address.

6.4000 Municipal civil infraction citations, contents

6.4200 Further, the citation shall inform the alleged violator that he or she may do one of the following:

6.4210 Admit responsibility for the municipal civil infraction by mail, in person, or by representation, at or by the time specified for appearance.

6.4220 Admit responsibility for the municipal civil infraction "with explanation" by mail by the time specified of the appearance or, in person, or by representation.

6.4230 Deny responsibility for the municipal civil infraction by doing either of the following:

6.4231 Appearing in person for an informal hearing before a judge or District Court Magistrate, without the opportunity of being represented by an attorney, unless a formal hearing before a judge is requested by the Township.

6.4232 Appearing in court for a formal hearing before a judge, with the opportunity of being represented by an attorney.

6.4300 The citation shall also inform the alleged violator of all of the following:

6.4310 That if the alleged violator desires to admit responsibility "with explanation" in person or by representation, the alleged violator must apply to the court in person, by mail, by telephone, or by representation within the time specified for appearance and obtain a scheduled date and time for an appearance.

6.4320 That if the alleged violator desires to deny responsibility, the alleged violator must apply to the court in person, by mail, by telephone, or by representation within the time specified for appearance and obtain a scheduled date and time to appear for a hearing, unless a hearing date is specified on the citation.

6.4330 That a hearing shall be an informal hearing unless a formal hearing is requested by the alleged violator or the Township

6.4340 That at an informal hearing the alleged violator must appear in person before a judge or District Court Magistrate, without the opportunity of being represented by an attorney.

6,4350 That at a formal hearing the alleged violator must appear in person before a judge with the opportunity of being represented by an attorney.

6.4400 The citation shall contain a notice in boldfaced type that the failure of the alleged violator to appear within the time specified in the citation or at the time scheduled for a hearing or appearance is a misdemeanor and will result in entry of a default judgment against the alleged violator on the municipal civil infraction.

6.5000 Municipal Ordinance Violations Bureau.

6.5100 Bureau established. The Township hereby establishes a Municipal Ordinance Violations Bureau ("Bureau") as authorized under Section 8396k of the Act to accept admissions of responsibility for municipal civil infractions in response to municipal civil infraction violation notices issued and served by authorized Township officials and to collect and retain civil fines and costs as prescribed by this Code or any ordinance.

6.5200 Location; supervision; employees; rules and regulations. The Bureau shall be located at the Township Hall and shall be under the supervision and control of the Treasurer of the Township of Speaker. The Treasurer, subject to the approval of the Council, shall adopt rules and regulations for the operation of the Bureau and appoint any necessary qualified employees to administer the Bureau.

6.5300 Disposition of violations. The Bureau may dispose only of municipal civil infraction violations for which a fine has been scheduled and for which a municipal civil infraction *violation notice* (as opposed to a *citation*) has been issued. The fact that a fine has been scheduled for a particular violation shall not entitle any person to dispose of the violation at the Bureau. Nothing in this Article shall prevent or restrict an official of the Township of Speaker from issuing a municipal civil infraction *citation* for any violation or from prosecuting any violation in a court of competent jurisdiction.

6.5400 Bureau limited to accepting admissions of responsibility. The scope of the Bureau's authority shall be limited to accepting admissions of responsibility for municipal civil infractions and collecting and retaining civil fines and costs as a result of those admissions. The Bureau shall not accept payment of a fine from any person who denies having committed the offense or who admits responsibility only with explanation, and in no event shall the Bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to an alleged violation. No person shall be required to dispose of a municipal civil infraction violation at the Bureau and may have the violation processed before a court of appropriate jurisdiction. The unwillingness of any person to dispose of any violation at the Bureau shall not prejudice the person or in any way diminish the person's rights, privileges and protection accorded by law

6.5500 Municipal civil infraction violation notices. Municipal civil infraction *violation notices* shall be issued and served by authorized Township officials under the same circumstances and upon the same persons as provided for *citations* as provided in Sections 6.3600 and 6.3700 of this Article. In addition to any other information required by this Code or other ordinance, the notice of violation shall indicate the time by which the alleged violator must appear at the Bureau, the methods by which an appearance may be made, the address and telephone number of the Bureau, the hours during which the Bureau is open, the amount of the fine scheduled for the alleged violation, and the consequences for failure to appear and pay the required fine within the required time.

6.5600 Appearance; payment of fines and costs. An alleged violator receiving a municipal civil infraction *violation notice* shall appear at the Bureau and pay the specified fine and costs at or by the time specified for appearance in the municipal civil infraction violation notice. An appearance may be made by mail, in person, or by representation.

6.5700 Procedure where admission of responsibility not made or fine not paid. If an authorized Township official issues and serves a municipal ordinance violation notice and if an admission of responsibility is not made and the civil fine and costs, if any, prescribed by the schedule of fines for the violation are not paid at the Bureau, a municipal civil infraction citation may be filed with the District Court and a copy of the citation may be served by first-class mail upon the alleged violator at the alleged violator's last known address. The citation filed with the court does not need to comply in all particulars with the requirements for citations as provided by Sections 8705 and 8709 of the Act but shall consist of a sworn complaint containing the allegations stated in the municipal ordinance violation notice and shall fairly inform the alleged violator how to respond to the citation.

6.5700 Procedure where admission of responsibility not made or fine not paid. If an authorized Township official issues and serves a municipal ordinance violation notice and if an admission of responsibility is not made and the civil fine and costs, if any, prescribed by the schedule of fines for the violation are not paid at the Bureau, a municipal civil infraction citation may be filed with the District Court and a copy of the citation may be served by first-class mail upon the alleged violator at the alleged violator's last known address. The citation filed with the court does not need to comply in all particulars with the requirements for citations as provided by Sections 8705 and 8709 of the Act but shall consist of a sworn complaint containing the allegations stated in the municipal ordinance violation notice and shall fairly inform the alleged violator how to respond to the citation.

6.6000 Schedule of civil fines established.

6.6100 A schedule of civil fines payable to the Bureau is hereby established. Persons served with municipal civil infraction violation notices may pay said fines directly to the Bureau.

<u>Offense Grade</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>	<u>4th Offense</u>
1	\$25	\$50	\$100	\$250
2	\$50	\$100	\$250	\$500
3	\$100	\$250	\$500	\$750
4	\$250	\$500	\$750	\$1000

6.6200 Unless otherwise specifically designated, offenses designated as civil infractions in the Township of Speaker Code of Ordinances shall be considered as GRADE 1 violations.

6.6300 Each and every day that a violation continues unabated is deemed a separate offense. However, correction of the violation and payment of the fine within seven (7) days of issuance shall be considered a single day violation.

6.6400 A copy of the schedule, as amended front time to time, shall be posted at the Bureau.

6.7000 Severability The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

6.8000 Effective Date

This Ordinance shall become effective immediately upon publication in a newspaper of general circulation within the Township of Speaker.

Dated July 2, 1996

*Bernie R. Davies, Supervisor
(Original Signature on file)*

*Ronald R. Scott, Clerk
(Original Signature on file)*

SPEAKER TOWNSHIP SANILAC COUNTY, MICHIGAN

Ordinance No. 96-7

An ordinance to establish charges for township emergency services responding to an incident involving hazardous materials under Public Act 102 of 1990 (compiled law 41.806a) and to provide methods for the collection of such charges.

THE TOWNSHIP OF SPEAKER, SANILAC COUNTY, MICHIGAN, ORDAINS:

7.1000 Purpose

In order to protect the township from incurring extraordinary expenses resulting from the utilization of township resources to respond to an 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.

7.200 "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.

7.300 "Release" Defined

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

7.400 "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.

7.500 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:

7.510 Pumper units

A fee for each hour, or fraction thereof, for each pumper required, in the opinion of the officer in command, to stand by at the hazardous materials incident site shall be set by annual fee resolution. For each hour, or fraction thereof, that the pumps are activated, an additional hourly fee shall be charged.

7.5200 Water Tenders

A fee for each hour, or fraction thereof, for each required, in the opinion of the officer in command, to be utilized in responding to the hazardous materials incident.

7.5300 Other Units

A fee for each hour, fraction thereof, for each additional township-owned fire department vehicle required, in the opinion of the officer in command, to be utilized in responding to the hazardous material incident.

7.5400 Personnel Costs

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.

7.5500 Expenses

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.

7.5460 Imposed Charges

Charges to the township imposed by any local, state or federal government entities related to the hazardous materials incident.

7.5700 Accounting Costs

Costs incurred in accounting for all hazardous material incident-related expenditures, including billing and collection costs.

7.6000 Billing Procedures

Following the conclusion of the hazardous materials incident, the fire chief shall submit a detailed listing of all 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.

7.7000 Other Remedies

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

7.8000 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.

7.9000 Effective Date

This ordinance shall take effect immediately. All ordinances or parts of ordinances in conflict are hereby repealed.

At a regular meeting of the Speaker Township Board held in the Township Hall on the 9th day of July 1996, the above *Hazardous Materials* ordinance was duly adopted

Motion by: Ron Scott
Yeas: Gloria Bernie Bob Don Ron
Absent: .None

Second by: Gloria Gingilocki
Nays: None
Abstain: _____

Signature on File
Ronald R. Scott, Township Clerk

PROOF OF PUBLICATION

The foregoing HazMat Ordinance, or a summary thereof, was duly published in the Brown City Banner on the 15th day of July, 1996.

Signature on File
Ronald R. Scott, Township Clerk

Michigan Townships Association
Basic Model Land Division Ordinance Revised Simplified Version
to accommodate Senate Bill No. 345
Dated: July 28, 1997

STATE OF MICHIGAN
COUNTY OF SANILAC
TOWNSHIP OF SPEAKER
LAND DIVISION ORDINANCE NO. 97-8

Adopted: October 14, 1997

Effective: November 1, 1997

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.

TOWNSHIP OF SPEAKER
SANILAC COUNTY, MICHIGAN

ORDAINS:

SECTION I

TITLE

This ordinance shall be known and cited as the Speaker 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 Township 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, or the requirements of other applicable local ordinances.
- C. "Exempt split" or "exempt 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, that does not result in one or more parcels of less than 40 acres or the equivalent.
- 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 Speaker Township Board.

SECTION IV

PRIOR APPROVAL REQUIREMENT 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, or other partitioning or splitting that results in parcels of 20 acres or more if each is not accessible, and the parcel was in existence on March 31, 1997 or resulted from exempt splitting under the State Act.

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 for automobile traffic and public utilities.
- D. Proof that all standards of the State Land Division Act and this Ordinance have been met.
- E. 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.
- F. A fee of \$60.00 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 Township shall approve or disapprove the land division applied for within 45 days after receipt of a complete application conforming to this Ordinance's requirements and the State Land Division Act, and shall promptly notify the applicant of the decision, and if denied, the reasons for denial.
- 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 appellate 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 and accomplished land divisions or transfers.
- D. Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.
- E. The Township and its officers and employees shall not be liable for approving a land division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to this effect.

SECTION VII

STANDARDS FOR APPROVAL OF LAND DIVISIONS

A proposed land division reviewable by the Township shall be approved if the following criteria are met:

- A All parcels created by the proposed division(s) have a minimum width of 150 feet as measured at the (*road frontage; required front setback line, whichever is appropriate*) unless otherwise provided for in an applicable zoning ordinance.
- B All such parcels shall contain a minimum area of two (2) acres unless otherwise provided for in an applicable zoning ordinance.
- C 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.
- D The proposed land division(s) comply with all requirements of this Ordinance and the State Land Division Act.
- E All parcels created and remaining have existing adequate accessibility, or an area available therefor, for public utilities and emergency and other vehicles.

SECTION VIII

CONSEQUENCES OF NON COMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENT

Any division of land in violation of any provision of this Ordinance shall not be recognized as a land division on the Township tax roll and no construction thereon which requires the prior issuance of a construction or building permit shall be allowed. The Township shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this Ordinance.

An unlawful division or split shall also be voidable at the option of the purchaser and shall subject the seller to the forfeiture of all consideration received or pledged therefore, together with any damages sustained by the purchaser, recoverable in an action at law.

SECTION IX

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable 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 X

REPEAL

All previous Land Division Ordinances affecting unplatted land divisions in conflict with this Ordinance are hereby repealed; however, this Ordinance shall not be construed to repeal any provision in any applicable Zoning Ordinances, Building Codes or other ordinances of the Township which shall remain in full force and effect notwithstanding any land division approval hereunder.

SECTION XI

EFFECTIVE DATE

This ordinance shall take effect upon publication following its adoption.

TOWNSHIP OF SPEAKER
RONALD R. SCOTT, CLERK
(Original signature on file)
6879 Mowerson, Brown City, MI
810-346-2289

RECORD OF AMENDMENTS

<u>AMENDMENT #</u>	<u>Date Adopted</u>	<u>Inserted By</u>	<u>Date of Insertion</u>
88-1	04 -1988	DSP	4-11-1988
18-1	08 – 2018		8-2-2018
2021-02	08 – 2021		8-3-2021
2022-01	02-2022		2-1-2022
2022-02	02-2022		2-1-2022

RESERVED FOR FUTURE EXPANSION

CHAPTERS 9 THROUGH 15

SPEAKER TOWNSHIP

ZONING ORDINANCE

THE FOLLOWING ZONING ORDINANCE IS PUT INTO THE SPEAKER TOWNSHIP CODE OF ORDINANCES ONLY FOR CONVENIENCE, IN ORDER TO KEEP ALL CURRENT ORDINANCES TOGETHER.

THE PROCEDURES FOR ADOPTING AMENDMENTS TO THE CODE OF ORDINANCES ARE DIFFERENT FROM THOSE FOR THE ZONING ORDINANCE AND ARE INDICATED IN THE APPROPRIATE SECTIONS OF CHAPTER 1, GENERAL PROVISIONS, FOR THE CODE, AND ARTICLE XIX, AMENDMENTS, FOR THE ZONING ORDINANCE.

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APPENDIX A ZONING

AN ORDINANCE TO REGULATE THE USE OF LAND AND BUILDINGS BY DIVIDING THE TOWNSHIP OF SPEAKER INTO DISTRICTS, IMPOSING REGULATIONS, PROHIBITIONS AND RESTRICTIONS GOVERNING THE ERECTION, CONSTRUCTION, AND RECONSTRUCTION OF STRUCTURES AND BUILDINGS; SPECIFYING THE DISTRICTS WITHIN WHICH LANDS MAY BE USED FOR TRADE, INDUSTRY, RESIDENCE AND OTHER SPECIFIED PURPOSES; REGULATING AND LIMITING THE HEIGHT AND BULK OF BUILDINGS AND OTHER STRUCTURES; REGULATING LOT SIZE, YARDS, AND OTHER OPEN SPACES; REGULATING THE DENSITY OF POPULATION, LIMITING CONGESTION UPON THE PUBLIC STREETS BY PROVIDING FOR THE OFF-STREET PARKING AND LOADING OF VEHICLES; ESTABLISHING DUTIES OF SAID BOARD; AND PROVIDING THE MEANS OF ENFORCING SAID ORDINANCE AND PROVIDING A PENALTY FOR VIOLATION THEREOF; IN ACCORDANCE WITH THE AUTHORITY AND INTENT OF ACT 184, OF THE PUBLIC ACTS OF 1943, AS AMENDED.

THE TOWNSHIP OF SPEAKER ORDAINS:

ARTICLE 1

SHORT TITLE

1.00.00 SHORTTITLE

This ordinance shall be known and cited as the Speaker Township Zoning Ordinance.

ARTICLE II
DEFINITIONS

2.00.00 DEFINITIONS *Amended 8/3/21*

Section 2.00.00 of the Speaker Township Zoning Ordinance is hereby amended to add the following definitions:

For the purpose of this Ordinance, certain terms are herewith defined. Terms not herein defined shall have the meanings customarily assigned to them.

ACCESSORY BUILDING

A building related to the main use of the premises or to an accessory use.

ACCESSORY USE

A use naturally and normally incidental and subordinate to the main use of the premises.

ALTERATIONS

Any changes, additions, or modification in construction of the structural members of a building, such as walls, partitions, columns, beams, or girders.

BOARD OF APPEALS

The duly appointed Board of Zoning Appeals for the Township of Speaker.

BUILDABLE AREA

The buildable area of a lot is the space remaining after the minimum setback requirements of this Ordinance have been complied with.

BUILDING

A structure, either temporary or permanent, having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. This shall include tents, awnings, vehicles, trailers or mobile homes situated on private property and used for purposes of a building.

CAREGIVER

A person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana, as defined and used by the Michigan Medical Marihuana Act of 2008 MCL 333.26421 et seq (as amended).

CULTIVATION

The act of preparing, growing, tending to, caring for, and/or harvesting a particular plant or crop.

DWELLING, MULTIPLE

A building used or designed as a residence for three (3) or more families.

DWELLING, SINGLE FAMILY

An entire building, including a mobile home, which is designed or occupied exclusively by one family.

DWELLING, TWO-FAMILY

An entire building, designed for or occupied by two (2) families.

DWELLING UNIT

Any house, building, mobile home, or portion thereof which is designed for or occupied as a residence or sleeping quarters for person, persons, or family.

LOT OF RECORD

Any parcel of land which is separately described in a document filed with the Sanilac County Register of Deeds.

MARIJUANA (ALSO KNOWN AS MARIHUANA)

All parts of the plant Cannabis sativa L., growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. Marihuana does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil or cake, or any sterilized seed of the plant that is incapable of germination. Marihuana does not include industrial hemp, as used by the Michigan Medical Marihuana Act of 2008, MCL 333.26421 et seq (as amended), and as defined in the Public Health Code of 1978, MCL 333.7106(4) (as amended).

MEDICAL USE (MARIJUANA)

The acquisition, possession, cultivation, manufacture, extraction, use, internal possession, delivery, transfer, or transportation of marihuana, marihuana-infused products, or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient’s debilitating medical condition or symptoms associated with the debilitating medical condition, pursuant to the term “Medical Use of Marijuana” as defined and used in the Michigan Medical Marihuana Act of 2008, MCL 333.26421 et seq (as amended).

MOBILE HOME (includes House Trailer, Trailer Coach or Double-Wide Mobile Home)

A dwelling unit containing not less than nine hundred (900) square feet, designed for long- term occupancy and designed to be transported after fabrication on its own wheels as one or more units. This includes all units which could be licensed under the provisions of Act 300 of Public Acts of 1949, as amended.

MOBILE HOME PARK

Any parcel of land which has been designed, improved, or used for the placement of three or more mobile homes for dwelling purposes.

MODULAR HOME

A pre-manufactured single-family dwelling of wooded 2 x 4 construction, with a shingled roof, meeting the requirements of the County Building Code and placed on a permanent foundation. A mobile home or double wide mobile home shall not be deemed a modular home.

PARKING SPACE

An area of not less than nine and one-half (9-1/2) feet wide by twenty (20) feet long, designed for the parking of a motor vehicle, such space being exclusive of necessary drives, aisles, entrances, or exits and being fully accessible for the storage or parking of permitted vehicles.

PLANNING COMMISSION

The duly appointed Planning Commission of Speaker Township, as authorized by Michigan Public Act 168 of 1959.

QUARRYING

The removal of sand, clay, gravel, soil, or similar material from its natural location for sale or use on a parcel of land other than the parcel on which the material was originally located.

RESIDE

The place that you live in as your permanent residence and if absent intend to return. It shall be the address that appears on your driver's or Michigan Identification Card, as well as on your voter registration card. Vacation homes, seasonal homes, and income property are not considered where you reside.

SETBACK

The distance between a building and the street right-of-way line or property line.

SIGN

Any device designed to inform, advertise, or attract attention.

SIGN AREA

The total of the surface of one side of a sign, computed in square feet. The total shall be determined by multiplying the total height of the sign surface by the total width of the sign.

SIGN, PERMANENT

Any sign designed or intended to be placed on a parcel of land for more than six (6) months.

SIGN AREA

The total of the surface of one side of a sign, computed in square feet. The total shall be determined by multiplying the total height of the sign surface by the total width of the sign.

SIGN, PERMANENT

Any sign designed or intended to be placed on a parcel of land for more than six (6) months.

SIGN, TEMPORARY

Any sign designed or intended to be placed on a parcel of land for less than six (6) months. Also, any sign which is not permanently attached to real estate in accordance with the construction requirements of the County Building Code.

SPECIAL LAND USE

A Special Land Use (also known as “conditional use” or “special approval use”) is a use conditionally permitted only after application to, and review by, the Planning Commission; review being necessary because the provisions of this ordinance cannot be made precise enough to all applications. It is reviewable by the Board of Zoning Appeals. These land uses cannot be conveniently allocated to one zone or another or the effects of each individual use cannot be definitely foreseen.

The Special Land Use differs from the Variance in several respects. A Special Land Use does not require “undue hardship or “unusual circumstances” in order to be allowable.

Two Categories of Special Land Uses

- A. Though an area may be appropriately zoned, certain proposed uses may require review and authorization by the Planning Commission before such use may be undertaken. The general characteristics of these Special Land Uses may include one or more of the following:
1. They require large areas.
 2. They require large areas.
 3. They are infrequent activities.
 4. They sometimes create an unusual amount of traffic.
 5. They are sometimes obnoxious or hazardous.
 6. They may affect public safety and convenience.
 7. They may not be compatible with existing developments in the area.
 8. They may not comply with the Performance Standards Schedule.
- B. Other special land uses may be granted, conditionally, or without restriction, when it is determined by the appropriate agency that though literally defined as a more restricted use, the proposed use is not inconsistent with the uses in the immediate environment.

STRUCTURE

Anything constructed, erected, or placed on a parcel of land which is permanently located on the ground or attached to something having a permanent location. This shall include mobile homes, pre-manufactured units, modular units, truck or bus bodies for more than six (6) months shall be deemed to be permanently located within the meaning of this definition.

SWIMMING POOL

The term “swimming pool” shall mean any structure or container intended for swimming, located either above or below grade designed to hold water to a depth of greater than twenty- four (24) inches.

TOWNSHIP BOARD

The duly elected or appointed Township Board of the Township of Speaker.

TRAVEL TRAILERS (including recreational vehicles, camping trailers, truck campers and Motor homes)

Vehicular-type portable structures primarily designed as temporary living accommodations for recreational camping or travel use. These vehicles can either be towed, hauled or affixed to another vehicle and driven from one site to another without requiring a Special Transportation Permit for travel.

TRAVEL TRAILER PARK

Any parcel of land designed, improved, or used for the placement of two (2) or more travel trailers or tents (used for recreation, camping or travel use) for overnight accommodations.

USE

The purpose for which land or a building thereon is designed, arranged or intended, or which it is occupied, maintained or leased.

YARD

An open space of prescribed width or depth on the same land with a building or group of buildings which open space lies between the building or group of buildings, and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

ARTICLE III
SCOPE

3.00.00 SCOPE

No building or structure, or part thereof, shall hereinafter be erected, constructed, placed, altered, or moved, and no new use or change in use shall be made of any building, structure, or land, or part thereof except in conformity with the provisions of this Ordinance.

ARTICLE IV
ADMINISTRATION

4.00.00 ZONING ADMINISTRATOR

The provisions of this Ordinance shall be administered by a Zoning Administrator appointed by the Township Board. The Zoning Administrator shall serve under such terms and at such rate of compensation as the Township Board may determine.

4.01.00 ZONING COMPLIANCE PERMITS *Amended 8/3/21*

A Zoning Compliance Permit shall be acquired from the Zoning Administrator before any construction is undertaken or any structure is moved within the Township and before any change in the use of any land, structure, or building is undertaken. *Section 4.01.00 of the Speaker Township Zoning Ordinance is hereby amended to provide as follows: The words “change in the use” shall mean a land use which is new to or different from how the property was previously used. However, a use that is accessory to an existing land use (and which conforms to this Ordinance) is not considered a change in use. Except that, “Home Occupations” and the “Caregiver Cultivation of Marijuana for Medical Use” within residential dwellings shall be deemed changes in the use requiring a zoning permit. Additionally, it will be presumed that a change in the use occurs when electrical equipment that has an ampacity of more than 200 amperes is to be installed at a residential property. This presumption can be overcome by the applicant filing an “Accessory Use Affidavit” (in a form to be supplied by the Township which must be signed and authorized by the applicant and the property owner) with the Zoning Administrator, which indicates that the purpose for the installation is not for a home occupation or the caregiver cultivation of marijuana for medical use. Township representatives have the right to conduct annual or random inspections to verify compliance.*

4.01.01 Application

A Zoning Compliance Permit shall be applied for in writing on an application form provided by the Township.

4.01.02 Issuance

A Zoning Compliance Permit shall be issued by the Zoning Administrator whenever the proposed use complies with the provisions of this Ordinance.

4.01.03 Private Covenants

The Zoning Administrator shall not refuse to issue a Zoning Compliance Permit due to violations of private covenants, agreements, or deed restrictions.

4.01.04 Invalid Permits

Any Zoning Compliance Permit issued in error or pursuant to an application containing any false statement shall be invalid and void.

4.01.05 Fees

The amount of any fees charged for Zoning Compliance Permits or inspections shall be established by motion of the Township Board.

ARTICLE V
ZONING DISTRICTS

5.00.00 DISTRICTS

The Township is hereby divided into the following zoning districts:

AR	Agricultural Residential
AB	Agricultural Business
R	Single family Residential
RM	Multiple Family Residential
C	Commercial
I	Industrial
WEOL	Wind Energy Overlay District

5.01.00 MAP

The boundaries of the zoning districts are drawn upon the map attached to this Ordinance and make a part hereof. The map shall be designated as the Speaker Township Zoning Map.

5.02.00 PRINCIPAL USES PERMITTED

All uses of land or structures listed as principal uses permitted are permitted throughout the district under which they are listed. Any uses not expressly listed “as principal uses permitted” are prohibited in that district, unless they are listed as special land uses.

5.03.00 SPECIAL LAND USES

All uses of land or structures listed as special land uses are permitted within the district under which they are listed, provided that Planning Commission approval has been granted pursuant to the provisions of Article XIV.

5.04.00 SITE PLAN REVIEW *Typographical error corrected 5/2/18*

Whenever a building permit is required for the erection or structural alteration of any building (other than single-family dwellings, two-family dwellings, farm buildings, or buildings accessory thereto) a site plan shall be prepared and submitted to the Planning Commission for review pursuant to the requirements of Article *XVI*.

5.05.00 AREA, SETBACK AND HEIGHT *Typographical error corrected 5/2/18*

All uses of land or structures shall comply with the area, setback, and height requirements of Article *XV*, for the zoning district in which they are located, unless different requirements are specified as a condition for a special land use.

ARTICLE VI

AGRICULTURAL RESIDENTIAL DISTRICT (AR)

6.00.00 PRINCIPAL USES PERMITTED

- A. Farms, farm buildings, and farm uses
- B. Single family dwellings
- C. Publicly owned parks and conservation areas
- D. Churches
- E. Public or parochial schools and related educational facilities.
- F. Golf Courses
- G. Buildings, structures and uses which are accessory to any of the above permitted uses.

6.01.00 SPECIAL LAND USES *Amended 5/2/2018*

6.01.01 Private Parks and Recreation Areas

- A. Minimum site size of forty (40) acres\
- B. All development features shall be located so as to minimize the possibility of any adverse effect upon adjacent property. This shall include a minimum setback of two hundred (200) feet from property lines and roads.
- C. All activities shall be adequately screened from abutting property.
- D. Related accessory commercial uses may be permitted in conjunction with the recreational use when it is clearly incidental to the main recreational character of the property.

6.01.02 Raising of Fur Bearing Animals Including Dog Kennels

- A. All animals shall be adequately housed, fenced, and maintained so as not to create a nuisance.
- B. All pens and runways shall be screened from view from all directions either by the building or greenbelt plantings. Kennels shall also have restrictive fencing at least six (6) feet in height.
- C. Kennels shall be set back a minimum of fifty (50) feet from each property line and one hundred fifty (150) feet from the road.

6.01.03 Quarrying of soil, sand, clay, gravel, or similar materials.

- A. Each application for a special land use shall contain the following:
 - 1. Names and addresses of parties with ownership interest in the premises
 - 2. Legal description of the premises
 - 3. Detailed statement as to method of operation, type of machinery or equipment to be used and estimated period of time that the operation will continue.
 - 4. Detailed statement as to the type of deposit proposed for extraction.
 - 5. Reclamation plan and detailed statement as to the proposed use of the land after quarrying or fill operation are complete.
 - 6. Such other information as may be reasonably requested by the Planning Commission.
- B. Operational Requirements
 - 1. Pit Operations
 - a. In operations including deep excavations, the operator shall provide adequate safeguards to protect the public safety. These safeguards may include fencing, locked gates and warning signs.
 - b. The Planning Commission may require that any gravel or dirt roads used for the purpose of ingress and egress to said excavation site be kept dust free by hard topping or chemical treatment.
 - c. The completed slopes of the banks of the excavation shall in no event exceed a minimum of three (3) feet to one (1) foot (three foot horizontal to one foot vertical).

- d. No cut or excavation shall be made closer than two hundred (200) feet from the centerline of the nearest road right-of-way nor nearer than fifty (50) feet to the nearest property line. The Planning Commission may prescribe more strict requirements in order to give sub-lateral support to surrounding property where soil or geologic conditions warrant it.
- e. Sufficient topsoil shall be stock piled on the site so that when operations are completed, the site may be covered with a minimum of six (6) inches of topsoil. The replacement of such topsoil shall be made immediately following the termination of each section or phase of the quarrying operation. If operations continue over a period of time greater than one (1) year, the operator shall replace the stored topsoil over the completed areas as he progresses.
- f. Each section or phase of a pit operation is evaluated separately to determine whether it has been completed. A section or phase of the pit that is no longer in use or has not been used for more than one (1) year, shall be considered completed and must meet the necessary requirements.

C. Surety Bond

- 1. The Planning Commission shall, to ensure strict compliance with any regulations or required conditions of a permit or quarrying, require the permittee to furnish a bond in an amount determined by the Planning Commission to be reasonably necessary to insure compliance.
- 2. In fixing the amount of such surety bond the Planning Commission shall take into account the size and scope of the proposed quarry, probable cost of rehabilitating the premises upon default of the operator, estimated expenses to compel the operator to comply by Court decree, and such other factors and conditions as might be relevant.

6.01.04 Home Occupations

- A. Must be conducted entirely within an existing building.
- B. The home occupation shall involve no employees who reside off the premises.
- C. No external alterations or construction shall be undertaken.
- D. There shall be no outdoor storage of items involved in the home occupation.
- E. The home occupation shall be clearly incidental and secondary to the use of the premises as a dwelling place.
- F. No noise, odor, fire hazard, or traffic congestion shall be created beyond that which is normal in a residential area.

6.01.05 Funeral homes, mortuaries, and cemeteries.

6.01.06 Commercial Activity

The following Special Approval Uses for commercial purposes in the Agricultural Residential District may be permitted subject to the conditions provided such use is not noxious, dangerous, nor offensive by reason of odor, dust, smoke, gas, noise, fumes, flames, or vibration or does not otherwise become a public nuisance, except for normal odors, dust, noise, and vibration necessary in agricultural activities.

- A. The Special Approval Uses for commercial purposes shall be subject to AT LEAST the following conditions:
1. Approval of the Planning Commission based on complete site plans and additional requested material submitted to the Planning Commission, following public hearing(s).
 2. A specific time period, not to exceed ten (10) years.
 3. The business shall not employ more than three (3) (motor vehicle repair shops) or 12 (all other small businesses) full and/or part time employees on the premises at any one time.
 4. The use shall not alter the appearance of the premises from the agricultural/residential nature of the area.
 5. Defined hours of operation.
 6. The primary use, purpose, and operation shall be inside buildings. Any limited secondary operations intended to be conducted outside of buildings shall be specifically described as to nature, type, and extent of operations.
 7. Adequate parking for employees and guests onsite.
 8. The use must be in compliance with all state and local laws
 9. Such other conditions as appropriate to the regulation of the Special Use to assure minimal effect on the adjacent property owners.
 10. Require Performance Bond of not less than \$500.00.

6.01.07 Communication Towers

6.01.08 Private Wind Energy Towers exceeding one hundred twenty-five (125) feet.

Section 6.01.09 of the Speaker Township Zoning Ordinance is further amended 8/2/18 to add the following definition:

6.01.09 Utility-scale Solar Energy Systems *in accordance with Article XIB. Additionally, utility-scale solar energy systems are not subject to the ten-year time limit mentioned in Section 6.01.06.*

Section 6.01.00 of the Speaker Township Zoning Ordinance is hereby amended 8/3/21 to add Section 6.01.10, as follows:

6.01.10 Caregiver Cultivation *of marijuana for medical use as an accessory use to a Single-Family Dwelling (pursuant and subject to Section 12.07.00).*

ARTICLE VII

AGRICULTURAL-BUSINESS DISTRICT (A-B)

7.00.00..GENERAL

- A. Because Speaker Township is used and zoned primarily as agricultural property, the Speaker Township Planning Commission and the Board of Trustees designate the Agricultural-Business (A-B) Use District to avoid the effects of spot zoning, to permit business use of otherwise vacant and idle structures and to allow broader developmental flexibility through issuance of Special Land Use Permit uses compatible with the environs.
- B. In Agricultural-Business District (A-B) (except as otherwise provided in this ordinance) land may be used and buildings or structures erected, altered or moved on and used, in whole or in part, for any one or more of the subsequently specified uses.
- C. All special land uses shall comply with the performance standards listed in Section 12.11.00 of this Ordinance.
- D. Structures shall comply with all state and local commercial building requirements.

7.01.00 USE TYPES

7.01.01 Permitted Use

- A. Single- and two-family dwellings and building accessory thereto, but excluding tents, recreational vehicles, trailer coaches, and motor homes, except as otherwise provided in this Ordinance.
- B. Agricultural enterprises and related structures.
- C. Mobile homes as provided for in Section 12.18.00.
- D. Family-owned and operated roadside stands, provided, however, that at least fifty (50%) percent of the produce and all other articles and goods sold therefrom shall be grown upon the premises where the stand is situated. Otherwise, no transaction of any nature shall occur at such roadside stand without it obtaining the approval of the Planning Commission after a public hearing. Signs shall conform to the provisions of Section 12.15.00 of this Ordinance.
- E. A home occupation is a dwelling used by the applicant as a residence. Such use shall not involve any extension or modification of the dwelling which will alter its outward appearance as a dwelling. Signs to advertise such use shall be in compliance with Section 12.15.00. No more than one-third of the total dwelling area shall be used for such purposes. The home occupation shall not employ non-family members. It must comply with the parking provisions of Article XIV.
- F. Accessory buildings, structures and uses customarily incidental to the above permitted and approved uses, for example, garages, properly fenced swimming pools, satellite antennae, etc. No accessory buildings or structures (other than attached garages) shall be inside or front yards.

7.01.02 Special Land Uses Amended 8/3/21

Agricultural-Business District Special Land Use permits shall include the condition that the regular course of business shall not emit any noise, vibration, smoke, dust, fumes, odors, light, glare or other nuisance factors beyond the boundaries of the property on which it is located. Nor shall it be injurious to the surrounding neighborhood or contrary to the public interest or the spirit of this Ordinance.

The following Special Land Uses may be conditionally permitted upon approval of the Planning Commission after a public hearing, subject to at least the following conditions:

1. A specified time period not to exceed ten (10) years,
 2. The business use shall be incidental to the user's residence on the described parcel,
 3. A specified maximum number of employees,
 4. A detailed site plan including setbacks, greenbelts, driveways, parking, storage, fences and view obstructions, signs, floor area, etc.
 5. Such other conditions as may assure minimal effect on adjacent property owners.
- A. Small Business (not more than three full and part time employees) engaging in the repair, finishing, alteration, assembling, fabrication or storage of goods.
 - B. Retail sales outlets having not more than three full and part time employees.
 - C. Motor vehicle repair shops having not more than three full and part time employees.
 - D. Campgrounds, recreation parks and playgrounds.
 - E. Open storage yards, whether principal or accessory use.
 - F. Open air markets (eg. flea markets, farmers markets, etc.)
 - G. Churches, schools, public and community assembly buildings.
 - H. Hospitals, clinics, medical care facilities, sanatoriums.
 - I. Funeral homes, mortuaries and cemeteries.
 - J. Hotels, motels, tourist homes and rooming houses.
 - K. Communication Towers

Section 7.01.02 Special Land Uses of the Speaker Township Zoning Ordinance is hereby amended to add subsection L, as follows:

- L. Caregiver cultivation of marijuana for medical use as an accessory use to Single- and Two-Family Dwellings (pursuant and subject to Section 12.07.00).

7.01.03 Prohibited Uses

The following uses are prohibited in agricultural-business districts.

- A. Livestock yards and slaughterhouses.
- B. Any use from which any noise, vibration, smoke, dust, fumes, odors, light, glare or other nuisance factors are emitted beyond the boundaries of the property on which is located.

7.02.00 MINIMUM LOT AREA

7.02.01 Agricultural

Minimum lot area shall be two (2) acres with a minimum road frontage of two hundred (200) feet.

7.02.02 Residential

Minimum lot area shall be two (2) acres (87,120 square feet) with a minimum road frontage of one hundred (100) feet.

7.02.03 Business (Commercial Type)

Minimum lot area shall be two (2) acres (87,120 square feet) with a minimum road frontage of two hundred (200) feet.

7.02.04 Business (Industrial Type)

Minimum lot area shall be two (2) acres (87,120 square feet) with a minimum road frontage of two hundred (200) feet.

7.03.00 CORNER LOT

On any corner lot no walls, fences, hedges or accessory structures or shrubbery shall rise over three (3) feet in height above the level of the road grade within twenty (20) feet of any corner so as to interfere with traffic visibility.

7.04.00 DRIVEWAY AND PARKING

- A. Driveways shall not be less than ten (10) feet wide and at least three (3) feet from the lot line.
- B. No driveway common to two (2) residences shall be permitted unless an easement providing for same is recorded with the Sanilac County Register of Deeds.
- C. Off-street vehicle parking, access and egress shall be provided as shown in Article XIV.

7.05.00 YARDS

Every dwelling or business structure hereafter erected, altered or moved upon a premises shall be provided with yards having no less than the following minimum sizes:

7.05.01 Front Yards

A. Residential Use

Shall be at least one hundred (100) feet in depth from the center of the road right of way. However, where there are existing dwellings within fifteen (15) feet of the sidelines of the parcel of land on which the dwelling is located, having lesser front yards, the front yards may be reduced to the average of such dwellings.

B. Multiple and Agricultural Residential Use

R-Multiple use shall be at least two hundred (200) feet and AR use shall be at least one hundred (100) feet in depth from the center of the road right of way. However, where there are existing dwellings within fifteen (15) feet of the sideline of the parcel of land on which the dwelling is located, having lesser front yards, the front yards may be reduced to the average of such dwellings.

C. Business Use (Industrial or Commercial Types)

- 1. Front yards shall be equal to the average depth of existing front yards in the block in which the parcel is located.
- 2. In the event that there are no pre-existing buildings on the block, then the front yard shall not be less than two hundred (200) feet for Industrial or one hundred fifty (150) feet for Commercial from the center of the road right of way.
- 3. In granting Special Land Use permits, the Planning Commission may require greater front, side or rear yard setbacks.

7.05.02 Side Yards

A. Residential, Multiple Residential and Agricultural Residential Use

Shall be at least twenty-five (25) feet in width on each side. No garage or accessory structure shall be located closer to the right of way of an abutting side street than twenty-five (25) feet. In all cases buildings shall be far enough from each line as not to obstruct a view of traffic on the intersecting street.

B. Business (Commercial and Industrial) Use

In granting Special Land Use permits, the Planning Commission shall establish appropriate side yard setbacks which shall be at least twenty-five (25) feet in width on each side.

7.05.03 Rear Yards

A. Residential, Multiple Residential, and Agricultural Residential Use

Shall be at least twenty-five (25) feet in depth. The depth of a rear yard abutting upon a street shall be no less than the depth of a front yard required for a building of the same size and kind, on the adjoining lot fronting on such rear street.

B. Business (Commercial and Industrial) Use

In granting Special Land Use Permits, the Planning Commission shall establish appropriate rear yard setbacks which shall not be less than twenty-five (25) feet in depth for Commercial Uses and not less than thirty (30) feet in depth for Industrial Uses. However, the depth of a rear yard abutting upon a street shall be no less than the depth of a front yard required for a building of the same size and kind, on the adjoining lot fronting on such rear street.

7.06.00 FENCES AND BUFFERS

A. Fences, walls, or shrubs of more than three (3) feet in height above the road-grade level are not allowed on any interior lot within ten (10) feet of the front property line, where they will interfere with traffic visibility from a driveway.

B. All outdoor storage areas shall be completely screened by a view obstructing fence, earthen berm, coniferous natural growth (or combination thereof) surrounding the storage area, including the line abutting a public thoroughfare. The screen shall be at least six (6) feet above the road grade level. Exceptions may be made by the Planning Commission (for Special Land Uses) and the Board of Appeals (for Variances).

C. Occupants and owners shall also comply with Sections 12.04.00 (Fences) and 12.05.00 (Greenbelts) of this Ordinance

7.07.00 SIGNS

Signs shall be in conformance with Section 12.15.00.

7.08.00 BUILDING FLOOR AREA AND HEIGHT

7.08.01 Building Floor Area

- A. Everyone family, one story dwelling hereafter erected, altered or moved upon a premise Shall contain not less than nine hundred (900) square feet of floor area.
- B. Everyone family two story dwelling, hereafter erected, altered or moved upon a premise shall contain not less than nine hundred (900) square feet of total floor area and not less than seven hundred fifty (750) square feet of ground floor area.
- C. Multiple dwellings, if permitted, shall contain an equivalent minimum floor area per unit as required in two family dwellings.
- D. In no case shall minimum area include floor space in an attached garage, open porch or other attached structure.
- E. The total floor area of business Special Land Uses shall not exceed five thousand (5,000) square feet.

7.08.02 Building Height

- A. Buildings may be erected or structurally altered to a maximum height of two and one-half (2-1/2) stories or thirty-five (35) feet.
- B. A church (not including steeple), silo, public and semi-public buildings may be erected to a greater height if the building is set back from each yard line at least one (1) more foot for each foot of additional height above thirty-five (35) feet.

7.09.00 ACCESSORY BUILDINGS

- A. No garage shall be erected closer to the side lot line than the permitted distance for the dwelling, unless said garage shall be completely to the rear of the dwelling in which event the building may be erected ten (10) feet from the side lot line. Other accessory buildings shall not be located closer than ten (10) feet to any lot line.
- B. Accessory buildings housing livestock (e.g., cattle, horses, poultry, pigs, sheep, goats, etc.) shall be located not less than two hundred (200) feet from the nearest neighboring dwelling.
- C. Accessory buildings which are located on a corner lot shall not be placed closer than ten (10) feet to a rear or side lot line.
- D. The total floor area of accessory structures, other than garages, shall not exceed three (3%) percent of the total lot area.

ARTICLE VIII

SINGLE FAMILY RESIDENTIAL DISTRICT (R)

8.00.00 PRINCIPAL USES PERMITTED

- A. Single family dwellings
- B. Publicly owned parks and recreational facilities
- C. Churches and cemeteries
- D. Public or parochial schools and related educational facilities
- E. Golf courses
- F. Crop production
- G. Buildings, structures and uses which are accessory to any of the above permitted uses.
- H. See also 12.12.00

ARTICLE IX

RESIDENTIAL MULTIPLE FAMILY DISTRICT (RM)

9.00.00 PRINCIPAL USES PERMITTED *Amended 2/1/22*

- A. Multiple family, two family and single-family dwellings
- B. Mobile home parks
- C. Hospitals, convalescent homes and state-licensed residential facilities
- D. Nursery schools and day care centers
- E. Private clubs or lodges
- F. Churches and cemeteries
- G. Schools
- H. Golf courses
- I. Rooming houses, boarding houses and tourist homes
- J. Publicly owned buildings, parks and recreational facilities
- K. Buildings, structures and uses which are necessary to any of the above permitted uses

The Speaker Township Zoning Ordinance is hereby amended to add Section 9.01.00 SPECIAL LAND USES, as follows:

- A. Caregiver cultivation of marijuana for medical use as an accessory use to Multiple Family, Two Family, and Single-Family Dwellings (pursuant and subject to Section 12.07.00).*

The Speaker Township Zoning Ordinance is hereby amended to add Section subsection B to section 9.01.00 SPECIAL LAND USES, as follows:

- B. Campgrounds*

ARTICLE X

COMMERCIALDISTRICT(C)

10.00.00 PRINCIPAL USES PERMITTED

- A. Any retail business which sells or rents merchandise within a completely enclosed Building.
- B. Personal service establishment such as restaurants, taverns, laundromats, barber shops, beauty shops, and dry-cleaning establishments.
- C. Repair shops for consumer items such as watches, shoes, furniture and appliances.
- D. Professional and business offices.
- E. Financial Institutions.
- F. Funeral Homes, mortuaries, and cemeteries.
- G. Indoor recreation establishments.
- H. Hotels, motels, lodge halls, private clubs, and auditoriums.
- I. Schools, churches, and publicly owned buildings or facilities.
- J. Buildings, structures and uses which are accessory to any of the above permitted uses.

10.01.00 Special Land Uses

- A. Open-air businesses such as drive-in theaters, racetracks, used car sales, farm machinery sales, fruit markets, or any retail business activities which are conducted outside of an enclosed building.
- B. Repair, service, or storage facilities for automobiles, trucks, construction equipment, farm machinery and similar equipment.
- C. Yards for the sale of livestock.
- D. Communication Towers.

ARTICLE XI

INDUSTRIAL DISTRICT (I)

11.00.00 PRINCIPAL USES PERMITTED

- A. Factories engaged in manufacturing, assembling, machining or other industrial production.
- B. Truck terminals, railroad yards and airports.
- C. Laboratories.
- D. Warehousing, storage, or wholesale facilities.
- E. Removal, quarrying or processing of sand, gravel, or similar materials under the conditions required by Section 6.01.03.
- F. Automobile or machinery repair facilities
- G. Slaughterhouses.
- H. Buildings, structures, and uses which are accessory to any of the above permitted uses.

11.01.00 Special Land Uses

- A. Junk yards completely enclosed by an obscuring wall or fence.
- B. Sewage treatment or garbage incineration plants.
- C. Sanitary landfills:
 - 1. Must comply with regulations of the State of Michigan.
 - 2. Must be completely enclosed by an obscuring wall, fence, or dense greenbelt.
 - 3. No excavation may occur within two hundred (200) feet of the center of any road nor within fifty (50) feet of any property line.
- D. Communication Towers.

ARTICLE XIA

WIND ENERGY OVERLAY DISTRICT (WEOL)

11A.01.00 ENERGY FACILITIES

The purpose and intent of this Article is to establish a process for the creation of districts within Speaker Township that are suitable for the location of wind energy facilities, for the review and permitting of such facilities, to protect the health, welfare, safety, and quality of life of the general public, and to ensure compatible land uses in the vicinity of the areas affected by such facilities. Wind Energy Facilities shall include any mechanical device such as a wind charger, windmill or wind turbine which is designed and used to convert wind energy into a form of useful energy for sale.

Except for 11A.06.03 Setbacks, this Article shall not apply to:

- A. Any wind energy facility consisting of one wind turbine,
- B. Any wind energy facility not in commercial use,
- C. Any wind energy facility consisting entirely of wind turbines with a total height that does not exceed one hundred twenty-five (125) feet and nameplate capacity that does not exceed one hundred (100) kilowatts.

11A.02.00 CONFLICTING REGULATIONS

Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provisions of this Ordinance shall govern. In particular, wind energy towers shall not be subject to special land use time restrictions.

11A.03.00 DEFINITIONS

FAA shall mean the Federal Aviation Administration.

Hub Height shall mean the distance from ground level to the center of the turbine hub or horizontal rotor shaft. **Amended 8/23/21*

Large Scale Facility is the interconnection of three (3) or more wind turbine towers.

Michigan Tall Structures Act (Act 259 of 1959) shall govern the height of structures in proximity to airport related uses and is included as a standard in this Article by reference.

*Total Wind Turbine Height shall mean the hub height plus the rotor radius when the rotor is at its most vertical point. *Replaced Section 11A.03.00 of the Speaker Township Zoning Ordinance is hereby amended to add the following definition:*

Total Height shall mean the wind turbine's total height measured from ground level to the tip of the blade at its highest point.

*Section 11A.03.00 of the Speaker Township Zoning Ordinance is further amended to repeal the definition of "Hub Height". *Amended 8/23/21*

Wind Energy Conversion Facility (WECF) or Wind Facility shall mean an electricity generating facility consisting of two or more wind turbines under common ownership or operation control, and includes substations, Met Towers, and other buildings accessory to such facility, whose main purpose is to supply electricity to off-site customers. A Wind Energy Facility shall not include cables/wires, underground and/or overhead collection lines or a collection line system, or overhead or underground transmission or distribution lines.

Wind Energy Facility Site Permit is a permit issued upon compliance with standards of this Ordinance.

Wind Energy Facility Site Plan Review is the process used to review a proposed Wind Energy Facility.

Wind Energy Overlay Zoning Districts are districts created by the Speaker Township Board, upon receiving a recommendation of the Planning Commission, by identifying specific areas that are appropriate for development of Wind Energy Facilities and that have specific regulations for unique uses, structures, or conditions.

Wind Turbine shall mean a wind energy conversion system which converts wind energy into electricity through the use of a wind turbine generator, and includes the turbine, blade, tower, base and pad transformer, if any, provided that such a system shall only be a wind turbine for purposes of this Ordinance if it both has a total height greater than one hundred twenty-five (125) feet and nameplate capacity of greater than one hundred (100) kilowatts.

11A.04.00 DEVELOPMENT USES, REQUIREMENTS AND RESTRICTIONS

All listed non-discretionary permitted uses in the underlying zoning district of this wind energy overlay zone are permitted. All listed discretionary uses in the underlying zoning district of the overlay zone are subject to Special Land Use permit process and review. Wind powered electricity generating sources and wind farms that are granted a Special Land Use permit shall not be subject to limited time or duration restrictions which may be imposed under the Zoning Ordinance.

11A.05.00 PERMITTED ZONES

In any Wind Energy Overlay Zoning District, the Planning Commission shall have the power to grant a Special Land Use permit following a public hearing to allow a Wind Energy Facility, subject to the restrictions contained in this Ordinance. This Special Land Use permit, if denied by the Planning Commission, may be appealed to the Board of Zoning Appeals.

11A.06.00 WIND ENERGY FACILITIES

The following criteria shall be included and/or be utilized as standards when preparing, admitting and reviewing an application for a Wind Energy Facility Special Land Use permit. A permit application and site plan may be approved by the Planning Commission following a public hearing.

11A.06.01 Avian Analysis

The applicant shall submit an avian study to assess the potential impact of proposed Wind Energy Facilities upon bird and bat species. The avian study shall at a minimum report on a literature survey for threatened and endangered species, and relevant information on critical flyways. The applicant must identify any plans for post-construction monitoring or studies. The analysis should also include an explanation of potential impact and propose a mitigation plan if necessary.

11A.06.02 Visual Appearance; Lighting; Power lines

The applicant shall use measures to reduce the visual impact of wind turbines to the extent possible, utilizing the following:

A. Tower

1. Wind turbines shall be mounted on tubular, monopole towers, painted a non-reflective, non-obtrusive color.
2. No lattice towers are allowed.
3. The appearance of turbines, towers and buildings shall be maintained throughout the life of the Wind Energy Facility pursuant to industry standards (i.e., condition of exterior paint, signs, landscaping, etc).
4. A certified registered engineer or authorized factory representative shall certify that the construction and installation of the wind energy conversion system meets or exceeds the manufacturer's construction and installation standards.

B. Structures

The design of the Wind Energy Facility buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening, and landscaping that will blend facility components with the natural setting and then existing environment. No bold colors will be allowed.

C. Lighting

Wind Energy Facilities shall not be artificially lighted, except to the extent required by the FAA or other applicable authority, or otherwise necessary for the reasonable safety and security thereof.

D. Advertising

Wind turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the Wind Energy Facility. No graffiti will be allowed.

E. Wires

1. Underground and/or overhead transmission and distribution lines are required to obtain a Special Land Use permit from the Township.
2. Underground and/or overhead collection lines or collection line system are required to obtain a Special Land Use permit from the Township.
3. Surface markers shall be placed to indicate the location of the wires and a map will be placed on the tower indicating same. Membership and participation in the MISS DIG Systems, Inc. of Michigan shall be required. Proof of membership shall be provided upon request.
4. Any new substation shall be located at a distance of no less than eight hundred (800) feet from the nearest residence, school, hospital, church or public library. A lesser setback may be approved if the intent of this Ordinance would be better served thereby. A lesser setback shall be considered only with written approval from the owner of the inhabited structure.
5. Any new substation shall be located at a distance of no less than the total wind turbine height plus fifty (50) feet from any non-participating property line. Where a proposed substation location is nearer to a non-participating intra-district property line than the total wind turbine height plus fifty (50) feet an easement may be established on the abutting (non-participating) parcel(s).

F. Protection of Natural Resources

The clearcutting of trees and woods shall be limited to the greatest extent possible.

11A.06.03 Setbacks, Separation and Security

The following setbacks and separation requirements shall apply to all wind turbines within a Wind Energy Facility.

A. Inhabited structures: Amended 8/23/21

Each wind turbine shall be set back from the nearest dwelling, school, hospital, church, public library, or municipal unit, a distance no less than one thousand (1000) feet. *Section 11A.06.03 of the Speaker Township Zoning Ordinance is hereby amended to repeal and add the following definition:*

1. Each wind turbine shall be set back from the nearest dwelling, school, hospital, church, public library, or municipal limit a distance no less than the greater of either one thousand (1,000) feet or one hundred sixty (160%) percent of the total height. *Amended 8/23/21*
2. A lesser setback may be permitted only with written approval from the owner of the dwelling, school, hospital, church, public library within the lesser setback.

B. Property line setbacks:

Wind turbines shall only be subject to the property line setbacks provided in this overlay zone.

1. Along the border of the Wind Energy Overlay District, there shall be a setback distance not less than the total wind turbine height plus fifty (50) feet.
2. Wind turbines and access roads shall be located so as to minimize the disruption to agricultural activity and, therefore, the location of towers and access routes is encouraged along Internal property lines.
3. Where a proposed turbine location is nearer to a non-participating intra-district property line than the total wind turbine height plus fifty (50) feet, an easement may be established on the abutting (non-participating) parcel(s).

C. Public Roads Amended 8/23/21

Each wind turbine shall be set back from the nearest public road a distance no less than the total wind turbine height plus fifty (50) feet, determined at the nearest boundary of the underlying right-of-way for such public road.

Subsection C of Section 11A.06.03 of the Speaker Township Zoning Ordinance is hereby repealed and thereafter amended to provide as follows:

C. Public Roads and Railroads

Each wind turbine shall be set back from the nearest public road and/or railroad a distance no less than the total height of the wind turbine plus fifty (50) feet, determined at the nearest boundary of the right-of-way easement and/or railroad easement. Amended 8/23/21

D. Communication and electrical lines

Each wind turbine shall be set back from the nearest above-ground public utility transmission line a distance no less than the total wind turbine height plus fifty (50) feet, determined from the existing above-ground power line or telephone line.

E. Tower separation Amended 8/2/21

- 1) Turbine/tower separation shall be based on industry standards, manufacturer recommendation, and the characteristics of the particular site location.
- 2) At a minimum, there shall be a separation between towers of not less than two (2) times the turbine (rotor) diameter. *Subsection 2 of Section 11A.06.03.E of the Speaker Township Zoning Ordinance is hereby repealed in its entirety.*
- 3) The Wind Energy Facility shall be designed to minimize disruption to farmland activity.
- 4) Record documents (i.e., “as-built” drawings) shall be submitted to the township by the developer/manufacturer confirming specifications for turbine/tower separation.

F. Construction Certification

Following the completion of construction, the applicant shall certify that all construction is completed pursuant to the Wind Energy Site Permit and, in addition, that appropriate security will be in place to restrict unauthorized access to Wind Energy Facilities.

11A.06.04 Wind Turbine/Tower Height (Total Height) Amended 8/2/21

- A. The total height of a wind turbine shall be the distance to the center of the hub of the wind turbine plus the distance to the tip of the turbine blade at its highest point.
- B. Generally, the Hub Height shall not exceed one hundred (100) meters (three hundred twenty-eight (328) feet from existing grade unless modification of this maximum height is approved pursuant to this Article. The applicant shall demonstrate compliance with the Michigan Tall Structures Act (Act 259 of 1959, as amended) and FAA guidelines as part of the approval process. *Subsection B of Section 11A.06.04 of the Speaker Township Zoning Ordinance is hereby repealed and thereafter amended to provide as follows:*
- B. *The applicant shall demonstrate compliance with the Michigan Tall Structures Act (ACT 259 of 1959, as amended) and FAA guidelines as part of the approval process.*

11A.06.05 Noise

- A. Audible noise or the sound pressure level from the operation of the Wind Energy Facility shall not exceed fifty (50) dBA, or the ambient sound pressure level plus five (5) dBA, whichever is greater for more than ten percent (10%) of any sixty (60) minute interval, measured at any residence, school, hospital, church, or public library existing on the date of approval of any Wind Energy Facility Special Land Use permit. Within one year of facility being operational, the applicant at its expense shall provide sound pressure level measurements from a reasonable number of sampled locations at the perimeter and in the interior of the Wind Energy Facility to demonstrate compliance with this standard. The study shall provide sound pressure level measurements from each location both while the turbines are operational and while they are non-operational. The organization conducting the study must be approved by the township prior to commencement of the study. The Planning Commission may require additional study criteria at that time.

- B. In the event audible noise from the operation of the Wind Energy Facility contains a steady pure tone, the standards for audible noise set forth in subparagraph A) of this subsection shall be reduced by five (5) dBA.
 - 1. A pure tone is defined to exist if the one-third (1/3) octave band sound pressure level in the band, including the tone, exceeds the arithmetic average of the sound pressure levels of the two (2) contiguous one-third (1/3) octave bands by five (5) dBA for center frequencies of five hundred (500) Hz and above, by eight (8) dBA for center frequencies between one hundred and sixty (160) Hz and four hundred (400) Hz, or by fifteen (15) dBA for center frequencies less than or equal to one hundred and twenty-five (125) Hz.
- C. Ambient noise levels shall be measured at a building's exterior of potentially affected existing residences, schools, hospitals, churches and public libraries.
 - 1. Ambient noise level measurement techniques shall employ all practical means of reducing the effect of wind-generated noise at the microphone.
 - 2. Ambient noise level measurements may be performed when wind velocities at the proposed project site are sufficient to allow wind turbine operations, provided that the wind velocity does not exceed thirty (30) mph at the ambient noise measurement location.
- D. Any noise level falling between two (2) whole decibels shall be the lower of the two.
- E. In the event the noise levels resulting from the Wind Energy Facility exceed the criteria listed above, a waiver to said levels may be approved, provided that the following has been accomplished:
 - 1. Written consent from the affected property owner(s) has been obtained stating that they are aware of the Wind Energy Facility and the noise limitations imposed by this Article, and that consent is granted to allow noise levels to exceed the maximum limits otherwise allowed; and
 - 2. If the applicant wishes the waiver to apply to succeeding owners of the property, a permanent noise impact easement must be recorded in the Sanilac County Register of Deeds office that describes the benefited and burdened properties and that advises all subsequent owners of the burdened property that noise levels in excess of those otherwise permitted by the ordinance may exist on or at the burdened property .

11A.06.06 Shadow Flicker

Shadow flicker shall not exceed thirty (30) hours per year. Applicant/developer shall mitigate the effects of any period of shadow flicker that exceeds thirty (30) minutes in duration by shutting down the offending turbine or other appropriate measures as the Township may approve.

11A.06.07 Minimum Ground Clearance

The blade tip of any Wind Turbine shall, at its lowest point, have ground clearance of not less than (50) feet.

11A.06.08 Signal Interference

- A. No Wind Energy Facility shall be installed in any location where its proximity to existing fixed broadcast, retransmission, or reception antennas for radio, television, or wireless phone or other personal communication systems would produce electromagnetic interference with signal transmission or reception.

- B. No Wind Energy Facility shall be installed in any location along the major axis of an existing microwave communications link where its operation is likely to produce electromagnetic interference in the links operation.
- C. Notwithstanding the foregoing, an approval may be issued under this Article if Applicant demonstrates an ability to remedy any interference described above with the use of signal repeaters or other proven mitigation measures.

11A.06.09 Safety

- A. All collection system wiring shall comply with all applicable safety and stray voltage standards.
- B. Wind Turbine towers shall not be climbable on the exterior.
- C. All access doors to wind turbine towers and electrical equipment shall be locked at all times except during servicing.
- D. Appropriate warning signs shall be placed on wind turbine towers, electrical equipment, and Wind Energy Facility entrances.
- E. Projects shall be designed and operated in compliance with all applicable provisions of local, state, and federal laws and regulations.
- F. The applicant shall be responsible for maintenance of the access roads. At the landowner's discretion, the entrance of each access road from the public right of way shall be gated, with wings as appropriate, to discourage trespassers.
- G. The applicant shall provide a complete set of safety data sheets for all hazards and hazardous materials that are a part of the project.
- H. The applicant shall provide the local Fire Department with the safety equipment and annual training necessary to comply with any safety requirements or emergency situations that may occur.

11A.06.10 Erosion and Flooding

Any erosion or flooding of property resulting from the construction of alternative energy structures or access roads, whether in the Overlay Zone or not, is the responsibility of the developer/owner of the structures.

11A.06.11 Complaint Resolution

- A. The Wind Energy Facility Owner and/or Operator shall submit a detailed, written complaint resolution process developed by the applicant to resolve complaints from the Township Board or the Speaker Township property owners or residents concerning the construction or operation of the Facility. The complaint resolution process must be approved by the Planning Commission as a condition of approval of the Special Land Use permit application.
- B. The Wind Energy Facility Owner and/or Operator shall provide not less than forty-eight (48) hour notice to the Zoning Administrator and shall provide the opportunity for the Zoning Administrator to attend any and all complaint resolution discussions and meetings.
- C. The Township Board shall be kept appraised of all complaints and shall receive a report as outlining the issue, the progress, and the resolution. Such report shall be presented monthly by the Zoning Administrator.

Section 11A.06.12 is being added to the Speaker Township Zoning Ordinance to provide as follows:

11A.06.12 Inspections

The Township may conduct annual inspections of any and all wind energy conversion facilities. The cost of the annual Township inspection will be reimbursed to the Township by the Wind Energy Company's owner/operator through an escrow fund established pursuant to annual fee resolution, adjustable from time-to-time by the Township Board. The inspections will consist of but not be limited to evaluating compliance with the original Site Plan Approval, compliance with improvements and updates and the Special Land Use Approval.

11A.07.00 OVERLAY ZONE

11A.07.01 Overlay Zoning District

The Wind Energy Facility Overlay Zoning District shall consist of the parcels identified in Appendix A and as depicted on the Speaker Township Zoning Map

11A.07.02 Purpose, Adoption of Districts

The purpose of the Wind Energy Facility Overlay Zoning District is to regulate the placement and operation of wind energy generation equipment in the district, and to provide a procedure by which wind energy projects may be addressed by the Planning Commission.

11A.08.00 SITE PLAN REVIEW

11.08.01 General *Amended 8/23/21*

Wind Energy Conversion Facilities shall not be located, constructed, erected, altered, or used without first obtaining a Wind Energy Facilities Special Land Use Permit issued by the Planning Commission following a public hearing pursuant to this Ordinance. An applicant proposing a Wind Energy Facility must submit the following site plan materials:

- A. Survey of the property showing existing features such as contours, large trees, buildings, structures, roads (rights-of-way), utility easements, land use, zoning district, ownership of property, and vehicular access (survey may utilize publicly available information);
- B. Plan(s) showing the location of proposed turbine towers, underground and overhead wiring including the depth of underground wiring particularly where it may vary from the required four (4) foot depth, new drainage facilities (if any), access roads (including width), substations and accessory structures.

Subsection B of Section 11A.08.01 of the Speaker Township Zoning Ordinance is hereby repealed and thereafter amended to provide as follows:

- B. Plan(s) showing the location of proposed turbine towers, underground and overhead wiring (which shall be a minimum of five (5) feet in depth), new drainage facilities (if any), access roads (including width), substations and accessory structures: Amended 8/23/21*
- C. A description of the proposed routes to be used by construction and delivery Vehicles and of any road improvements that will be necessary in the Township to accommodate construction vehicles, equipment or other deliveries, and an agreement or bond which guarantees the repair of damage to public roads and other areas caused by construction of the Wind Energy Facility.*

- D. Studies, surveys, or models designed to show compliance with the requirements for shadow flicker and noise, and a Wind Rose Chart to show wind data for the proposed area.
- E. Engineering data concerning construction of the tower and its base or Foundation, which must be engineered and constructed in such a manner that upon removal of said tower, the soil will be restored to its original condition to a depth of four (4) feet.
- F. Anticipated construction schedule.
- G. Description of operations, including anticipated regular and unscheduled maintenance.
- H. Complaint resolution policy and procedures manual.
- I. MISS DIG Systems Inc. of Michigan membership; and Proof of liability insurance prior to the start of construction for all contractors and subcontractors that are to be part of the project.

11A.08.02 Construction Bond and Permit *Amended 8/23/21*

- A. Applicant, construction company, or other acceptable third party shall file a construction performance bond or other agreement acceptable to the parties, to ensure that, in the event that the project is not completed, the project site and other affected private or governmental properties (i.e. roads, ditches, bridges, etc.) will be restored to pre-construction condition.
- B. The board or equivalent financial instrument shall be in favor of Speaker Township and shall be in an amount of a minimum ten percent (10 %) of the total project cost or other amount as determined by the Planning Commission.
- C. This bond shall be terminated upon timely completion of construction and activation of the facility.
- D. Any application to construct a Wind Energy Facility within a Wind Energy Overlay Zone shall require the approval of the Sanilac County Construction Department.

Section 11A.08.02 of the Speaker Township Zoning Ordinance is hereby repealed and thereafter amended to provide as follows:

- A. The developer/applicant, construction company, or other acceptable third party shall file a construction performance bond or other financial security
- B. acceptable to the Township, to ensure that, in the event that the project is not completed, the project site and other affected private or governmental properties (e.g., roads, ditches, bridges, etc.) will be restored to pre-construction condition. The bond or equivalent financial security shall be in favor of the Township and shall be in an amount of a minimum of one hundred (100%) percent of the total project cost or other amount as determined by the Planning Commission. This bond shall be terminated upon timely completion of the construction and activation of the facility.
- C. Any application to construct a Wind Energy Facility within the Wind Energy Overlay Zone shall require approval of the Sanilac County Construction Department.

11A.08.03 Decommissioning Plan and Bond

Applicant shall file a decommissioning plan and agreement that upon activation of the facility, a replenishing decommissioning bond or equivalent financial instrument shall be posted. (See “Decommissioning”)

11A.08.04 Permits

The applicant must also obtain a permit from the Sanilac County Road Commission and/or Michigan Department of Transportation (MDOT) for permission to connect access roads to existing County roads and from the Sanilac County Drain Commission for any county culverts or other drainage facilities.

11A.09.00 APPLICATION FEE Amended 8/23/21

An applicant for a Wind Energy Facility shall remit an application fee and a fee per megawatt of nameplate capacity to the Township included with all applications in the amount specified in the Annual Fee Ordinance. This fee is based on the cost to the Township of the review which fee may be adjusted from time to time, and shall include, but not be limited to, such costs as meeting expenses, publication and notification expenses, related attorney fees, and other costs as may be incurred by the Township during the application and review process.

Section 11A.09.00 of the Speaker Township Zoning Ordinance is hereby repealed and thereafter amended to provide as follows:

11A.09.00 APPLICATION FEE AND ESCROW DEPOSIT

The developer/applicant for a Wind Energy Facility shall remit, to the Township, an application fee in an amount specified in the annual fee resolution and an escrow deposit based upon the megawatt capacity of the development. The application fee is based on the Township’s expense in processing the application, which includes, but not limited to, such costs as meeting expenses, publication and notice expenses, and any other similar costs as may be incurred by the Township during the application and review process. The escrow deposit shall be held in trust, by the Township, in the developer/applicant’s name, and it shall

only be used to pay the cost of the application review by qualified professional planners, engineers, attorneys, or other professionals as necessary. This amount may be adjusted from time to time. The Township may require the developer/applicant to deposit additional fees into the escrow deposit in an amount determined by the Township to be equal to the estimated costs to complete the review of the application. Failure of the developer/applicant to make any escrow deposit required under this provision shall be deemed to make the application incomplete thereby justifying the denial of the application. Any unexpended funds held in trust by the Township shall be returned to the developer/applicant following final action on the application. Any actual costs incurred by the Township in excess of the amount held in escrow shall be billed to the developer/applicant and shall be paid by the developer/applicant prior to the issuance of any permit.

11A.10.00 APPLICATION PROCEDURE

A developer/operator of any Wind Energy Facility within the Wind Energy Overlay Zone shall comply with the following procedures for application for land use permit to construct alternative energy structures.

11A.10.01 Application

Make application for Special Land Use permit for a Wind Energy Facility to the Planning Commission as generally required by the Zoning Ordinance and as specifically required by this Article, the application or Special Land Use permit or a Wind Energy Facility shall be accompanied by the required fees and information as required in this Article.

11A.10.02 Public Hearing

The Planning Commission will review the application in a public hearing which shall be published not less than fifteen (15) days prior to the meeting in the print media which covers Speaker Township and by posting the same at the Township Hall. All other notice requirements (i.e., mailing) shall be met. A decision on the permit application shall be made by the Planning Commission.

11A.11.00 DECOMMISSIONING *Amended 8/23/21*

- A. The applicant shall submit a plan describing the intended disposition of the alternative energy project at the end of its useful life and shall describe any agreement with the landowner regarding equipment removal upon termination of the lease.
- B. Any tower/turbine left unused or inoperable for over twenty-four (24) months would be deemed abandoned, to be disposed of by developer/applicant.
- C. The land must be returned to its original state.
- D. Concrete bases must be removed four (4) feet below ground level with appropriate drainage and filled with like soil that was removed.
- E. The applicant shall post a performance bond or equivalent financial instrument for decommissioning upon activation of the Wind Energy Facility. The bond shall be in favor of Speaker Township and shall be in an amount of a minimum ten percent (10%) of the total project cost or other amount as determined by the Planning Commission. Evidence of decommissioning bond may be in form of escrow account, surety performance bond, letter of credit or similar financial commitment to guaranty decommissioning of an abandoned site.
- F. Within six months prior to the effective date of the performance bond or equivalent financial instrument the developer/applicant shall provide a report as to the estimated cost of decommissioning the project as of that date. The Township shall review the results and other such information as the Township may gather and shall adjust the initial amount of the bond or equivalent financial instrument accordingly. Such adjustments shall be at the sole discretion of the Township.
- G. Every two (2) years after the Effective Date of the bond or equivalent financial instrument the developer/applicant shall provide a report as to the estimated cost of decommissioning the project as of that date. The Township shall review the results and other such information as the Township may gather and shall adjust the amount of the bond or equivalent financial instrument accordingly. Such adjustments shall be at the sole discretion of the Township.
- H. Should the developer/applicant fail to decommission the project following abandonment, the Township shall have the authority to decommission the project, to sell the scrap, and to use the salvage value to defray the costs of decommissioning the project.

Section 11A.11.00 of the Speaker Township Zoning Ordinance is hereby repealed and thereafter amended to provide as follows:

11A.11.00 DECOMMISSIONING

The developer/applicant shall submit a decommissioning plan which shall include the following:

- A. The anticipated life of the project.*
- B. Providing that any tower/turbine left unused or inoperable for over twelve (12) months would be deemed abandoned, to be disposed of by the developer/applicant.*
- C. Attaching any agreement with the landowner regarding removal of the equipment upon termination of the lease.*
- D. Describing the anticipated manner in which the project will be decommissioned, and the site restored.*

- E. Providing that the concrete bases must be removed down to six (6) feet below ground level with appropriate drainage and filled with like soil that was removed.*
- F. Estimating the decommissioning costs net of salvage value in current dollars.*
- G. Providing that the developer/applicant will give the Township notice one-year in advance of decommissioning.*
- H. Requiring the developer/applicant to post a financial security, in a form approved by the Township to ensure full payment of the cost for the proper removal of the structure(s), prior to receiving site plan approval.*
- I. Requiring the financial security to be in the form of either: 1) a cash bond paid to the Township; 2) an irrevocable bank letter of credit; or 3) a performance bond.*
- J. Providing that the amount of financial security shall be no less than the greater of either: one hundred (100%) percent of the estimated cost of removal including a provision for inflationary cost adjustments or one hundred ten (110%) percent of the estimated cost of removal.*
- K. Requiring that the estimated cost of removal be prepared and signed by an engineer for the developer and that it also must be approved by the Township.*
- L. Providing that every two years after approval, the PC shall (at its sole discretion) review and determine if it is necessary for the developer/applicant to update the amount of the financial security.*
- M. Providing that should the developer/applicant fail to decommission the project following abandonment, the Township shall have the authority to decommission the project, to sell the scrap, and to use the salvage value to defray the costs of decommissioning the project; and*
- N. Acknowledging that the developer/applicant shall be responsible for the payment of any costs and/or attorney fees incurred by the Township in securing removal.*

11A.12.00 PENALTY

Violators of the provisions of this Ordinance shall be subject to Grade D civil infraction penalties for each and every day of non-compliance.

Section 11A.13.00 is being added to the Speaker Township Zoning Ordinance to provide as follows:

11A.13.00 CONFLICTING PROVISIONS

In the event of a conflict between any provision in this section and any other section of this Zoning Ordinance with regard to wind energy conversion facilities, the provisions of this section shall control.

**ARTICLE XIB
SOLAR ENERGY SYSTEMS**

11B.01.00 UTILITY-SCALE SOLAR ENERGY SYSTEMS

A. Purpose and Prohibition

Speaker Township promotes the effective and efficient use of solar energy systems. It is the intent of the Township to permit these systems by regulating their siting, design, and installation to protect public health, safety, and welfare, and to ensure their compatibility with adjacent land uses. Building-mounted and ground-mounted utility-scale solar energy systems, as defined in this Ordinance, shall comply with the provisions of this Section and are only permitted as authorized by the Section.

B. Definitions

1. Ancillary Solar Equipment shall mean any accessory part or device of a solar energy system that does not require direct access to sunlight, such as batteries, electric meters, converters, or water heater tanks.
2. A Solar Collector Surface shall refer to any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface does not include frames, supports, and mounting hardware.
3. Solar energy shall mean radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.
4. A Solar Energy system (SES) shall mean a system (including solar collectors and ancillary equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and distributes solar energy for heating or cooling, generating electricity, or heating water. Solar Energy Systems include, but are not limited to, photovoltaic (PV) power systems and solar thermal systems.
 - a. A Utility-Scale SES shall mean a solar energy system that meets one or more of the following:
 - i. Is primarily used for generating electricity for sale and distribution to an authorized public utility.
 - ii. The total surface area of all Solar Collector Surfaces exceeds 1,500 square feet; and/or
 - iii. Is not an accessory use or structure.
 - b. A Building-Mounted SES shall mean a solar energy system affixed to a permanent principal or accessory building (i.e., roof or wall).
 - c. A Ground-Mounted SES shall mean a freestanding solar energy system that is not attached to and is separate from any building on the parcel of land on which the solar energy system is located.

C. Standards for Utility-Scale SES

Utility-scale SES shall be permitted as a Special Land Use in the Agricultural Residential District (AR), subject to the following standards.

1. Site Plan and Special Land Use Permit Approval Required

- a. Prior to the construction of a utility-scale solar energy system, a site plan and an application for Special Land Use Permit must be filed and approved by the Planning Commission. The Planning Commission shall review the site plan based on the provisions of this Section as well as the standards of Article XVI. The Planning Commission shall review the application for Special Land Use Permit based on the provisions of this Section as well as the standards of Article XVII. Furthermore, the Planning Commission shall also consider the factors the Planning Commission considers relevant that are contained in Section 20.03.00 of Article XX when reviewing the site plan and application for Special Land Use Permit.
- b. The construction and operation of all utility-scale solar energy systems shall be compliant with all applicable local, state, and federal requirements. All buildings and fixtures forming part of a utility-scale solar energy system shall be constructed in accordance with the Michigan Building Code.
- c. No utility-scale solar energy system shall be constructed, installed, or modified as provided in this Section without first obtaining all applicable permits.

- d. Applications to build utility-scale solar energy systems in Speaker Township must be accompanied by the fees required for a site plan review and a Special Land Use Permit which are nonrefundable. Furthermore, an escrow account shall be set up when the applicant applies for a Special Land Use Permit for a utility-scale solar energy system. The monetary amount filed by the applicant with the Township shall be in an amount that the Township Board believes is adequate to sufficiently cover all of the Township's costs related to the application. The additional escrow funds are used to cover all reasonable costs and expenses associated with the site plan review and Special Land Use Permit approval process, which costs can include, but are not limited to, fees of the Township Attorney, Township Planner, Township Engineer, any firm hired by the Township, as well as any reports or studies which the Township anticipates it may have done related to the review process for the application. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township should the existing escrow amount filed by the applicant prove insufficient. If the escrow account needs replenishing and the applicant refuses to do so within 14 days after receiving notice, the review and approval process shall cease until and unless the applicant makes the required escrow deposit. Any escrow amounts which are in excess of actual costs shall be returned to the applicant.
 - e. No utility-scale solar energy system shall be installed until evidence has been given to the Planning Commission that the owner has been approved by the authorized utility company to install an interconnected customer-owned generator. Off-grid systems are exempt from the requirement.
2. Standards for Ground-Mounted Utility-Scale SES
- a. Setbacks:
 - i. Front Yard: Utility-scale solar energy systems shall be set back at least 150 feet from the center of the road.
 - ii. Each side yard shall be at least 50 feet. Where utility-scale solar energy systems abut a residentially zoned (including AR) or used lot the side yard shall not be less than 100 feet.
 - iii. The rear yard shall be at least 50 feet. Where utility-scale solar energy systems abut a residentially zoned (including AR) or used lot, the rear yard shall not be less than 100 feet.
 - b. Height: Utility-scale ground-mounted solar energy systems shall conform to the maximum height standards of the zoning district in which it is located.
 - c. Minimum Lot Area: Minimum lot area for a utility-scale solar energy system shall be five acres.
 - d. Lighting: On-site lighting shall meet the performance standards that are generally accepted in the solar energy system industry. Lighting shall be limited to that required for safety and operational purposes and shall be directed downward and shielded from abutted properties. The lights shall not shine on, or increase the brightness of, any building or property adjacent to the utility-scale solar energy system without the prior written approval of the adjacent landowner that owns the affected building or property.
 - e. Signage: Signs shall comply with the requirements in the Speaker Township Zoning Ordinance. Further, utility-scale solar energy system installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar energy system.
 - f. Utility Connections: All utility connections from the solar energy system shall be placed underground at a depth of at least 60 inches. Additionally, all underground transfer or collection lines shall have an above-ground marker no greater than 300 feet apart to indicate their location.
 - g. Screening: When utility-scale solar energy systems abut a residentially zoned (including AR) or used lot, side and rear yard screening may be required as determined by the Planning Commission to address specific site needs at the time of the site plan review. Solar panels shall be placed such that concentrated radiation or solar glare shall not be directed onto nearby property or roadway(s). When deemed appropriate, the Planning Commission may require a report from a licensed civil engineer or other professional to address this issue.
3. Building-Mounted SES: Building-mounted, utility-scale SES shall be subject to the standards of 11B.01.00(D) in addition to the standards contained in this Section.

4. Other special Land Use Permit Requirements for Utility-Scale SES.
 - a. Site Control: The applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed installation.
 - b. Operation and Maintenance Plan: The applicant shall submit a plan for the operation and maintenance of the utility-scale solar energy system which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures of operational maintenance of the installation.
 - c. Emergency Services: Upon request by Speaker Township, the owner/operator of the solar energy system shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar energy system shall be clearly marked. The owner/operator shall identify a responsible person for public inquiries throughout the life of the installation. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator.
 - d. SES Maintenance: The utility-scale SES owner/operator shall maintain the facility in good condition. Maintenance shall include, but is not limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to local emergency response personnel. The owner/operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s).
 - e. Site Clearing and Greenbelt: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the installation. All utility-scale SES shall have a minimum landscape buffer of 20 feet. The buffer shall contain evergreen trees or bushes planted no more than 8 feet apart and at least 4 feet tall at the time of planting. The buffer shall obtain a height of at least 10 feet within three growing seasons of being planted. The trees or bushes may be trimmed but not to a height of lower than 10 feet.
 - f. Safety Manuals: The applicant shall submit a full copy of the safety manual(s) regarding all major parts of the proposed utility-scale solar energy system, including but not limited to, the solar panels, transfer lines, collection lines, and any other item that the Planning Commission believes is necessary to protect the health, safety, and welfare of the Township's residents and property owners.
5. Abandonment or Decommissioning
 - a. Any utility-scale solar energy system which has reached the end of its useful life or has been abandoned consistent with this Section of the Zoning Ordinance shall be removed and parcel owners shall be required to restore the site to its original condition. The owner/operator shall physically remove the installation in no more than 150 days after the date of the discontinued operations. The owner/operator shall notify the Township and the Planning Commission by certified mail of the proposed date of discontinued operations and plans for removal.
 - b. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the utility-scale SES shall be considered abandoned when it fails to operate for more than one year. If the owner/operator fails to remove the installation in accordance with the requirements of this Section within 150 days of abandonment or the proposed date of decommissioning, Speaker Township is permitted to enter the property and physically remove the installation.
 - c. Decommissioning shall consist of:
 - i. Physical removal of all utility-scale solar energy systems, structures, equipment, security barriers, and transmission lines from the site. However, at the request of the property owner, a structure, piece of equipment, and/or security barrier may be retained by the property owner so long as it is not in violation of another provision of this Ordinance, an additional Township Zoning Ordinance, or other applicable law.
 - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - iii. Stabilization and re-vegetation of the site as necessary to minimize erosion.

6. Ancillary Solar Equipment: Where feasible, ancillary solar equipment shall be located inside the building or screened from public view. All ancillary solar equipment such as, but not limited to, water tanks, supports, batteries, and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the Michigan Building Code and when no longer in use shall be disposed of in accordance with applicable laws and regulations.
 7. Financial Security: The applicant for a utility-scale solar energy system shall provide a form of surety, either through an escrow account, bond, or otherwise, to cover the cost of removal in the event Speaker Township removes the installation, in an amount and form determined reasonable by the Planning Commission, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein including increases for inflation, as determined by a party selected by the Planning Commission, which may be, but is not limited to an engineering firm or the applicant. The applicant shall submit a fully inclusive estimate of the costs associated with the removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.
- D. Standards for Utility-Scale Building Mounted SES Utility-Scale building-mounted SES shall be subject to the following standards:
1. Height: Solar energy systems that are mounted on the roof of a building shall not project more than five feet above the highest point of the roof and, in any circumstances, shall not exceed (including the height of the building that it is on) the maximum building height limitation for the zoning district in which it is located, and shall not project beyond the eaves of the roof.
 2. Weight: Solar energy systems mounted to the roof of a building shall be only of such weight as can safely be supported by the roof. Proof thereof in the form of certification by a professional engineer or other qualified person, shall be submitted to the Township Zoning Administrator prior to installation.
 3. Attachment: Solar energy systems that are roof-mounted, wall-mounted, or are otherwise attached to a building or structure shall be permanently and safely attached to the building or structure. Proof of the safety and reliability of the means of such attachment shall be submitted to the Township Zoning Administrator prior to installation.
 4. Wall-Mounted SES: Solar energy systems that are wall-mounted shall not exceed the height of the building wall to which they are attached.
 5. Installation and Maintenance: Solar energy systems shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions, shall be submitted to the Township Zoning Administrator prior to installation.
 6. Visual Impact: The solar energy system shall not have a significant adverse visual impact on the natural features or neighborhood character of the surrounding area and shall be located to minimize glare on adjacent properties and roadways. Solar energy systems that are visible from the street must be either composed of building-integrated components (such as solar shingles) that are not readily evident or be designed and mounted to match the shape, proportions, and slope of the roof.
 7. Compliance with Additional Codes: Solar energy systems, and the installation and use thereof, shall comply with the Township and State of Michigan Construction Codes. Installation of a solar energy system shall not commence until all necessary permits have been issued.
 8. If the owner of a solar energy system or the property owner upon which the solar energy system is located on failed to remove or repair a defective or abandoned solar energy system, the Township, in addition to any other remedy under this Ordinance, may pursue legal action to abate the violation by seeking to remove the solar energy system and recover any and all costs including but not limited to, attorney fees.

APPENDIX A

The following parcels constitute the Wind Powered Electricity Generating Overlay

District: In Speaker Township

T14N-R14E.

All unincorporated areas of the Township of Speaker

ARTICLE XII

GENERAL PROVISIONS

12.00.00 ALTERNATIVE ENERGY SYSTEMS (SMALL SCALE)

12.00.01 Small Scale Alternative Energy Systems

Small scale alternative energy systems, including, but not limited to solar, thermal, hydro, or biomass, for the purpose of serving residential, agricultural, commercial, or industrial buildings on site shall be permitted as an accessory use in the Agricultural-Residential, Commercial, and Industrial Districts provided they are in compliance with State and Federal regulations.

A. Requirements

1. The structure employed shall be required to obtain a Land Use permit subject to site plan approval by the Speaker Township Zoning Administration. A simple site plan shall be drawn to an appropriate scale and shall provide construction details and show the location of all existing public roads, existing structures, utility lines and all structures, facilities, and power lines to be constructed on the site as well as identifying adjoining property owners and the location of any structures on adjoining properties.
2. No small-scale alternative energy system shall be erected, constructed, installed, or modified as provided in this section without first obtaining a Speaker Township Land Use Permit from the Zoning Administrator. Applications and fees apply. Such fees are as established in the Speaker Township Annual Fee Ordinance.
3. The property owner shall obtain any necessary electrical permits required. No system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
4. The property owner shall construct and maintain the small-scale alternative energy system in a safe and neat manner so as not to present a danger to neighbors or present an unsightly appearance.
5. The construction and operation of all such proposed small scale alternative energy systems shall be consistent with all applicable local, state and federal requirements including but not limited to all applicable safety, construction, environmental, electrical, communications and FAA aviation requirements.
6. It is unlawful for any person to construct, install, or operate a small-scale alternative energy system that is not in compliance with this Ordinance or with any condition contained in a building permit issued pursuant to this section. Alternative energy systems installed prior to the adoption of this ordinance are exempt.
7. This section shall be administered and enforced by the Zoning Administrator or other official as designated. The Zoning Administrator may enter any property for which a Land Use permit has been issued under this Ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met.
8. Any person who fails to comply with any provision of this Ordinance or a Land Use or building permit issued pursuant to this section shall be guilty of a Grade A civil infraction and subject to enforcement and penalties as allowed by applicable law.

12.00.02 Small Scale Wind Energy System

Small scale wind energy systems for the purpose of serving residential, agricultural, commercial or industrial buildings on site shall be permitted as an accessory use in all Districts provided they are in compliance with State and Federal regulations and the following requirements:

A. Definition

Small Scale Wind Energy System: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which is intended to primarily reduce on-site consumption of utility power.

B. Requirements

1. The structure employed shall be required to obtain a Land Use permit subject to site plan approval by the Speaker Township Zoning Administrator. A simple site plan shall be drawn to an appropriate scale and shall provide construction details and show the location of all existing public roads, existing structures, utility lines and all structures, facilities and power lines to be constructed on the site as well as identifying adjoining property owners and the location of any structures on adjoining properties within 1.1 times the total height of the turbine/wind tower of the common property lines.
2. No small-scale wind energy system shall be erected, constructed, installed or modified as provided in this section without first obtaining a Speaker Township Land Use Permit from the Zoning Administrator. Applications and fees apply. Such fees are as established in the Speaker Township Annual Fee Ordinance.
3. The property owner shall obtain any necessary electrical permits required. No system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
4. The property owner shall construct and maintain the small-scale wind energy system in a safe and neat manner so as not to present a danger to neighbors or present an unsightly appearance. The property owner receiving site plan approval shall provide a verified report of a qualified contractor as to the structural integrity of the tower and wind turbine assembly. Facilities including but not limited to towers, shall be subject to any requirements of the Uniform Construction Code and manufacturer's recommendations.
5. The construction and operation of all such proposed small scale energy systems shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, environmental, electrical, communications and FAA aviation requirements.
6. Towers and other facilities must follow applicable setbacks within the particular zoning district. The minimum setback between a wind energy system and public street(s) or family dwelling shall be no less than 1-1/4 times the total height of the wind tower. A tower or facility mounted on a dwelling shall meet all setback requirements with the exception of that required for a family dwelling.
7. A small-scale wind energy system shall not exceed one hundred twenty-five (125) feet. The total height of a small-scale wind turbine shall be the distance to the center of the hub of the wind turbine plus the distance to the tip of the turbine blade at its highest point.
8. The base of the wind tower shall be totally and permanently enclosed by a security fence at least six (6) feet high. No fence is required if the climbing apparatus is enclosed inside the wind tower and the entry is secured, or if the climbing apparatus is located at least eight (8) feet above the ground level.
9. The owner shall maintain the wind energy system in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and security measures. Any small wind energy system which has been abandoned to disrepair for one year shall be removed by the owner. If the owner is not in compliance the Township shall have the authority to enter the owner's property and remove the system at the owner's expense as allowed by law.
10. All wind energy systems shall be non-reflective.
11. All efforts shall be made not to affect any resident with any strobe effect.
12. Small scale wind energy systems shall not exceed forty-five (45) dB at the property line closest to the wind turbine. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe windstorms. If the ambient sound pressure levels exceed forty-five (45) dB the standard shall be ambient dB plus five (5) dB.
13. A small-scale wind energy system shall have automatic braking, governing, or a feathering system to prevent uncontrolled rotation or over speeding. All wind towers shall have lightning protection. If a tower is protected by guy wires, the wires shall be clearly visible to a height of at least six (6) feet above the guy wire anchors. The minimum vertical blade tip clearance from grade shall be twenty (20) feet for a wind energy system employing a horizontal axis rotor.
14. It is unlawful for any person to construct, install, or operate a small-scale wind energy system that is not in compliance with this Ordinance or with any condition contained in a building permit issued pursuant to this Ordinance. Wind energy systems installed prior to the adoption of this Ordinance are exempt.

15. This section shall be administered and enforced by the Zoning Administrator or other official as designated. The Zoning Administrator may enter any property for which a building permit has been issued under this ordinance to conduct an inspection to determine whether the conditions stated in the permit have been met.
16. Any person who fails to comply with any provision of this Ordinance or a Land Use or building permit issued pursuant to this Ordinance shall be guilty of a Grade A civil infraction and subject to enforcement and penalties as allowed by applicable law.

CAMPGROUNDS

12.01.00 Requirements *Amended 2/1/22*

- A. Campgrounds may be conditionally permitted in the Agricultural-Business District upon approval of the Planning Commission after a public hearing. Subsection A of Section 12.0.01 of the Speaker Township Zoning Ordinance is hereby amended to provide as follows: Campgrounds may be permitted as a Special Land Use in the Agricultural-Business District (A-B) and the Residential Multiple Family District (RM).
- B. The location of a campground shall front or have public access to an existing road. The campground owner, developer, or operator shall be liable for damage and/or upkeep to any road that is a result of the increase in traffic due to the campground operation. The Planning Commission may require a bond to be posted for this purpose as a condition of the Special Land Use permit.
- C. The location of a campground shall front a right-of-way or easement where public water and sewer exists and is available for connection to campground facilities or the developer shall agree to extend public sewer and water lines from the existing lines to the campground facilities. If no public water and sewer exists and acceptable on-site system shall be constructed, according to rules promulgated by the Michigan Department of Health, as shown by an issued permit.
- D. The campground shall conform to all applicable regulations of any rules promulgated by the Michigan Department of Health under authority of sections 12501 to 12516 of Public Act 369 of 1978, as amended), being the Michigan Health Code, being MCL 333.12501 et. seq.
- E. The application for a zoning Special Land Use Permit for a campground shall contain all the elements and parts which are required by the Health Department for a campground license under authority of sections 12501 to 12516 of Public Act 369 of 1978, as amended, being the Michigan Health Code, being MCL 333.12501 et. seq., in addition to the Special Land Use Permit application requirements presented in this Zoning Ordinance.
- F. The minimum parcel area shall not be less than x square feet where x equals 2,000 times the number of proposed campsites.
- G. Spaces in the campground shall be only rented on a daily, weekly or monthly basis.
- H. Management headquarters, recreation facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a campground are permitted as accessory use provided:
 1. Such establishments and the parking area primarily related to their operations Shall not occupy more than ten (10) percent of the campground.
 2. Such establishments shall be restricted in their use to occupants of the campground.

3. Such establishments shall present no visible evidence of their commercial character, which would attract customers other than occupants of the campground.
4. No space shall be so located so any part intended for occupancy for sleeping purposes shall be within one hundred (100) feet of the right-of-way line of a road. Setback spaces may be reduced if occupied by plant material and/or a berm. In no case shall the setback be less than 40 feet and allowed only in instances when screening is an opaque fence or berm. In all cases, plant materials shall be maintained in a setback area. Plant materials shall be of sufficient size when installed to assure immediate and effective screening of the campground from adjacent roads and properties. The plans and specifications for a campground shall include the proposed arrangement of such plantings.

12.02.00 COLLECTION LINES OR COLLECTION LINE SYSTEM

- A. All electric collection lines, whether underground and/or overhead, or collection line system which shall include any electric utility collection lines, whether underground and/or overhead, and related facilities, shall at all times remain in compliance with all applicable Federal, State, and local laws.
- B. All underground and/or overhead collection lines, or collection line system in any Zoning District that are not subject to the exclusive control and certification requirements of the Michigan Public Service Commission or other Federal or State agency shall require a Special Land Use permit approved by the Planning Commission following a public hearing.
- C. An application for a Special Land Use permit for underground and/or overhead collection lines or collection line system shall contain all of the following:
 1. The planned date for beginning construction.
 2. A detailed description of the proposed underground and/or overhead collection lines or collection line system, the route, expected configuration and use, and the anticipated maximum and minimum voltage.
 3. A detailed drawing of dwelling setbacks, with the minimum allowable setback for Any underground or overhead collection line to be at landowners' discretion.
 4. A description and evaluation of one or more alternate underground and/or over-head collection line routes and a statement of why the proposed route was selected.
 5. If the Zoning Ordinance prohibits or regulates the location or development of any portion of a proposed route, a description of the location and manner in which that Zoning Ordinance prohibits or regulates the location or construction of the proposed route.
 6. The estimated overall cost of the proposed underground and/or overhead collection lines or collection line system.
 7. Information supporting the need for the proposed underground and/or overhead collection lines or collection line system, including identification of known future wholesale users of the proposed collection lines or collection line system.
 8. Estimated quantifiable and non-quantifiable public benefits of the proposed underground and/or overhead collection lines or collection line system.
 9. Estimated private benefits of the proposed underground and/or overhead lines or collection line system to the applicant or any legal entity that is affiliated with the applicant.
 10. Information addressing potential effects of the proposed underground and/or overhead collection lines or collection line system on public health and safety.
 11. A detailed description of troubleshooting guidelines and methods for handling damage to the underground and/or overhead collection lines or collection line system (i.e., broken underground wires, downed wires, or storm damage).
 12. A summary of all comments received at any public meetings and the applicant's response to those questions.
 13. Information indicating that the proposed underground and/or overhead collection lines or collection line system shall comply with all applicable local, state, and federal environmental standards, laws, and rules.

14. MISS DIG Systems, Inc. of Michigan membership.
15. Proof of liability insurance prior to the start of construction for all contractors and subcontractors that are to be part of the project.
16. Other information reasonably required by the Township Planning Commission and Township Board.
17. A meeting shall be set with the Planning Commission to review the application for completeness prior to scheduling the public hearing on the matter.

D. Wire Requirements

1. The electrical collection/distribution system shall be placed underground within the interior of each parcel at a depth of not less than four (4) feet to accommodate the existing agricultural land use to the maximum extent practicable. The underground lines may be left upon decommissioning unless the property owner specifically requests removal of said lines.
2. The collective system may be placed overhead adjacent to county roadways, near substations or points of interconnection to the electric grid or in other areas as necessary, subject to applicable Special Land Use permit requirements.

E. The collection line fee shall be set on a per mile basis by the Speaker Township Annual Fee Ordinance.

F. The Special Land Use permit application shall be accompanied by the required fee as set By the Speaker Township annual fee ordinance.

12.03.00..CONFLICTING REGULATIONS

A. Whenever any provisions of this Ordinance impose more stringent requirements, regulations, restrictions, or limitations than are imposed or required by the provisions of any other law or Ordinance, the provisions of this Ordinance shall govern.

12.04.00 FENCES

The erection, construction or alteration of any fence, wall, or other type of protective barrier, other than for agricultural purposes within the AR district, shall comply with the requirements of this section.

- B. No fence shall be erected along the line dividing lots or parcels or land or within any required setbacks if the fence exceeds six (6) feet in height or is less than three (3) feet in height.
- C. Barbed wire, spikes, nails, or any other sharp instrument of any kind shall not be placed on any fence. No electrical fences shall be permitted. Barbed wire cradles may be placed on top of fences enclosing public utility. Municipal or industrial buildings as deemed necessary in the interests of public safety.
- D. No fence, wall, plantings, or structure shall be erected, established, or maintained on any corner lot which will obstruct the view of a driver of a vehicle approaching the intersection.

12.05.00 GREENBELTS

- A. In all zoning districts, no area with the required front yard setbacks shall be used for any permanent or temporary structures other than signs permitted by Township Ordinances. Said front yard setback area shall be planted with grass, shrubs and landscaping materials or developed for use as a parking area.
- B. Whenever any property is developed for any use other than agricultural or single family or two family residential, and the property borders any property zoned for residential use, a greenbelt at least ten (10) feet in width along said borders shall be planted and maintained.
- C. Detailed landscaping plans for all greenbelts shall be provided in the site plan relating to the development and shall be considered as a material part of said site plan. No site plan shall be considered as having been complied with until the landscaping features have been completed.

- D. The Planning Commission shall review and approve the type of plantings required to provide a satisfactory greenbelt in any specific situation.

12.06.00 INOPERABLE VEHICLES

No person shall permit the outdoor storage of two (2) or more motor vehicles which have been inoperable for a period in excess of thirty (30) days. This section shall not apply to areas that are properly zoned, licensed and fenced for junkyard use.

12.07.00 MEDICAL MARIHUANA *AMENDED 8/2/2021*

A registered primary caregiver, in compliance with the General Rules of the Michigan Department of Community Health, the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26523(d) and the requirements of this Chapter, shall be allowed in a residence as follows:

- A. The medical use of marihuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
- B. A registered primary caregiver must be located outside of a one thousand (1,000) foot radius from any school, including childcare or day care facility, to ensure community compliance with the Federal "Drug-Free School Zone" requirements;
- C. Not more than one (1) primary caregiver shall be permitted to service patients on a parcel or lot.
- D. Not more than five (5) qualifying patients shall be assisted with the medical use of marihuana within any given calendar week on a parcel or lot.
- E. All medical marihuana shall be contained in an enclosed, locked structure inaccessible on all sides and on top and equipped with locks or other security devices that permit access only by the registered primary caregiver or qualifying patient (fencing is insufficient to meet the enclosed and inaccessible elements of this Ordinance);
- F. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting, and/or watering devices that support the cultivation, growing, or harvesting of marihuana are located;
- G. If a room with windows is utilized as a growing location, any lighting methods that exceed usual residential periods between the hours of 11pm to 7am shall employ shielding methods, without alteration to the exterior of the structure, to prevent ambient light spillage that may create a distraction for adjacent residential properties.
- H. That portion of the residential structure where energy usage and heat exceed typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Speaker Township Fire Department to ensure compliance with the Michigan Fire protection Code; and
- I. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code is intended to grant, nor shall they be construed as granting immunity from criminal prosecution for growing, sale, consumption, use, distribution or possession of marijuana not in strict compliance with that Act and the General Rules, Also, since Federal law is not affected by that Act or the General Rules, nothing in this chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall be construed as granting immunity from criminal prosecution under Federal law. The Michigan Medical Marihuana Act does not protect users, caregivers or the owners of properties on which the medical use of marihuana is occurring from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act.

Section 12.07.00 of the Speaker Township Zoning Ordinance is hereby repealed and thereafter amended to provide as follows:

12.07.00 CAREGIVER CULTIVATION OF MARIJUANA FOR MEDICAL USE.

The caregiver cultivating marijuana for medical use pursuant to the Michigan Medical Marijuana Act of 2008, found at MCL 333.26421 et seq (as amended), is allowed as a Special Land Use that is accessory to a residential dwelling in any district where residential dwellings are allowed, subject to the following:

- A. All caregivers seeking approval to cultivate marijuana for medical use in the Township must submit proof (as part of the zoning application) that he or she is a properly licensed caregiver with the State of Michigan.*
- B. A caregiver cultivating marijuana for medical use must reside in the dwelling where the marijuana is being cultivated.*
- C. The caregiver cultivation of marijuana for medical use shall be clearly accessory, incidental, and subordinate to the residential dwelling use.*
- D. No outdoor storage or display of equipment, merchandise, and/or materials used in the caregiver cultivation of marijuana for medical use shall be allowed on the premises.*
- E. Traffic generated by the caregiver cultivation of marijuana for medical use shall not be greater than would normally be expected in a residential neighborhood.*
- F. The caregiver cultivation of marijuana for medical use must be conducted entirely within a dwelling unit.*
- G. No equipment or process shall be used in the caregiver cultivation of marijuana for medical use which creates noise, vibration, glare, fumes, lighting or odor detectable to the normal senses off the premises on which the caregiver cultivation of marijuana for medical use is located.*
- H. A floor plan shall be provided to verify the location and type of hazardous material (herbicides, pesticides, fertilizers, etc.) proposed to be stored or use onsite. MSDS sheets shall be provided for all chemicals onsite. An inventory of the chemicals, including quantity and location, shall be provided to the Township. The applicant shall provide the Township with an updated inventory as changes occur. but at a minimum the inventory shall be updated on a quarterly basis.*
- I. Township representatives have the right to conduct annual or random inspections to verify compliance.*

12.08.00 MOVING OF BUILDINGS OR STRUCTURES

Any building or structure shall not be moved upon any premises in the Township until a Land Use permit shall have been secured. Any such building or structure shall fully conform to all the provisions of this Ordinance and the State, County or Township Building Code in the same manner as a new building or structure. No building or structure shall be moved to any site within the Township until the owner has posted a cash deposit in an amount specified by the Township Board guaranteeing full compliance with the Land Use Permit and Township Ordinances. The site from which the building or structure has been moved shall be graded level, all debris shall be cleared away.

12.09.00 OCCUPANCY OF BUILDINGS OTHER THAN COMPLETED DWELLINGS

Garages, barns, and other accessory buildings shall not be occupied either temporarily or permanently as dwellings. No commercial or industrial buildings shall be occupied for dwelling purposes.

12.10.00 PONDS

12.10.01 Definitions

A pond is defined as any earth bordered structure naturally formed or designed and constructed for the purpose of water retention over an area of six hundred (600) square feet or more.

12.10.02 Information Source

Applicants under this section are encouraged to obtain copies of publications concerning ponds from the United States Soil Conservation Service and the Sanilac County Cooperative Extension Service. Applicants are also encouraged to obtain information about dry hydrants from the Fire Chief.

12.10.03 Requirements

The following requirements are to be met:

- A. A Speaker Township Land Use permit shall be obtained (with Site Plan to scale according to Article XVI, Site Plan Review) in addition to any other permits which may be required by the Michigan Department of Natural Resources, the Michigan Department of Environmental Quality and County Building Department.
- B. The pond shall not be greater than twenty (20) feet in depth.
- C. The pond may occupy not more than twenty percent (20%) of the property upon which it is placed.
- D. The pond shall be a minimum of fifty feet (50) from any dwelling, any septic field or any well. This requirement shall take precedence over the side yard setback requirement specified in item F below.
- E. The pond shall be set back a minimum of one hundred fifty feet (150) from the center of the road right-of-way.
- F. The pond shall be constructed and maintained such that a minimum setback of twenty-five feet (25) shall be provided between high water line and any property line.
- G. The pond bed within twenty feet (20) of the low water line shall be constructed and maintained at a twenty five percent (25%) grade (a one (1) to four (4) slope). Beyond twenty feet (20) of the low water line the pond bed may be constructed up to a maximum grade of fifty percent (50%) (a one (1) to two (2) slope).
- H. Excavated earth material created by construction of a pond shall be used to the maximum extent feasible for on-site purpose. However excess excavated earth materials not feasible for use on site may be removed or sold and taken from the property in compliance with an appropriate site plan and the following requirements. If the applicant proposes that any excess excavated earth is to be removed from the property he shall first provide a written statement of the cubic yards to be removed. The applicant be limited to this stated volume and any amount in excess of the stated volume to be removed must first be approved and the site plan amended. This statement or any amendments thereto shall either be shown on the site plan or physically attached to the site plan and shall be considered a part of the site plan for the purposes of review and approval or denial. Further, any excess excavated earth shall be removed within three (3) months after excavation, except under unusual circumstances such as long period of bad weather, then applicant may apply for one extension of three (3) months.
- I. Excavations undertaken primarily for the purpose of commercial soil or gravel and not primarily for the purpose set forth in this section above shall not be considered as “ponds” but shall be subject to the provisions of Article VI Section 6.01.03 “Quarrying of soil and gravel”.
- J. Any berms constructed around the pond must not obstruct the vision of an adjacent property owner across the pond owner’s property.
- K. All disturbed area around the pond shall be seeded with an adaptable grass and legumes.
- L. All ponds shall be constructed so as no open sewage or run-off from barnyards etc., from draining into the pond.
- M. If the pond is intended for swimming, the area shall be free of all underwater obstacles such as sudden drop-off, or trees, stumps, brush, wire or fences.

12.10.04 Inspections

Inspections need:

- A. Ponds must be staked out for site plan review.
- B. Final inspection needed when pond is completed.

12.10.05 Permit Fees

Zoning compliance permit fees for ponds will be set by Annual Fee Resolution.

12.11.00 PERFORMANCE STANDARDS

No use otherwise allowed shall be permitted within any Commercial or Industrial district which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as the minimum requirements to be maintained.

12.11.01 Smoke and/or Air Pollution control

The emission of gases, smoke, dust, dirt and fly ash should in no manner be unclean distributive, unhealthful, hazardous or deleterious to the general welfare. It shall be unlawful for any person, firm, or corporation to cause or permit to be discharged into the atmosphere from any single source of emission smoke of a density equal to or darker than No. 2 on the Ringelmann chart.

12.11.02 Open Storage

The open storage of junk, scrap or salvage, or other products shall be screened from public view, from public streets, and from adjoining properties not of a similar nature, by an enclosure consisting of an obscuring fence not less than eight (8) feet in height.

12.11.03 Glare

Glare from any process (such as welding or acetylene torch cutting), which emits harmful ultraviolet rays, shall be performed in such a manner as not to be seen from any point beyond the property line and as not to create a nuisance or hazard.

12.11.04 Vibration

No operation shall cause a seismographic displacement exceeding three-thousandth (0.003) on one (1) inch measured at the property line.

12.11.05 Decibel Levels

- A) Fifty-five (55) decibel limit from lot lines in residential communities and subdivisions.
- B) Sixty-five (75) decibel limit at common lot lines of commercial districts.
- A) Seventy (70) decibel limit at common lot lines of ag/residential, industrial and manufacturing.

12.12.00 PUBLIC SERVICES

Facilities provided by any utility company or by the Township government shall be permitted in all zoning districts. Facilities permitted by this Section shall include transmission lines, sewers, mains, pumping stations, sub-stations, towers, poles, and related equipment. Any buildings erected shall be subject to the site plan review requirements of Article XV. Any office, warehouse, manufacturing, or sales buildings must be located in a zoning district permitting that use.

12.13.00 RECREATIONAL VEHICLE OCCUPANCY *Amended 8/2/18*

Section 12.13.00 regarding recreational vehicle occupancy is hereby repealed in its entirety.

The owner or lessee of any premises not having a permanent residence located thereon, may permit temporary placement of one (1) recreational vehicle for temporary use for a period not to exceed four (4) months in one (1) calendar year. Recreational vehicles shall be deemed to include travel trailers motor homes, truck campers and similar vehicles, but shall not include mobile homes.

12.14.00 ROAD FRONTAGE

Every dwelling or other building shall be located on a lot or parcel which shall front upon a public street or upon a private road or private drive.

12.15.00 SIGNS *Amended 2/1/22*

All outdoor signs shall be regulated as follows:

- A. A Land Use Permit and site plan review by the Planning commission shall be required for the erection, construction or alteration of any sign, except as hereinafter provided.
- B. There shall be no flashing, oscillating or intermittent type of illumination on any sign. No moving parts shall be allowed on any sign.

Subsection B of Section 12.15.00 of the Speaker Township Zoning Ordinance is hereby amended to provide as follows:

- B. There shall be no flashing, oscillating, no moving parts on any sign. However, Intermittent types of illumination and scrolling text will be allowed with an 8 second duration.*
- C. No sign shall overhang or encroach upon any public right-of-way. All free-standing signs shall be set back at least five (5) feet from all public or private road right-of-way lines and from all property lines.
- D. Signs advertising real estate for sale or rent or directing the public to such real estate are permitted in all districts, provided that they are not larger than nine (9) square feet in area. No Land Use Permit or site plan review shall be required for such signs.
- E. Signs are permitted in all districts which advertise for sale either agricultural produce grown on the premises or personal property owned by a resident of said premises provided such produce or personal property was not purchased for the purpose of resale. Such signs shall not exceed nine (9) square feet and shall not require Land Use Permit or site plan review.
- F. Signs advertising home occupations shall be permitted in the R-1 District, providing said signs are not illuminated and do not exceed nine (9) square feet. No building permit or site plan review required.
- G. Signs advertising commercial, industrial, or other facilities located on the same parcel of land as the facility advertised shall be permitted subject to the following conditions:
 - 1. Any direct illumination for the sign shall be shielded from the view of persons on public roads or adjacent properties.
 - 2. No more than one permanent sign shall be permitted for each business.
 - 3. Permanent signs shall not exceed sixteen (16) square feet in area unless flush with the side of a building.
 - 4. Permanent signs which are flush with the side of a building may be as large as the side of the building. Such signs may not exceed above or beyond the wall on which they are located. No roof signs shall be permitted.
 - 5. No more than two (2) temporary signs shall be permitted any one time for any business.
 - 6. Temporary signs shall not exceed sixteen (16) square feet in area.
- H. Signs located on parcels of land separate from the commercial, industrial, or other facilities advertised on the signs shall be permitted only in C-Commercial and I-Industrial Districts, subject to the following conditions:
 - 1. Any direct illumination for the sign shall be shielded from the view of persons on public roads or adjacent properties.
 - 2. No such sign shall be permitted within six hundred and sixty (660) feet of any other such sign or of any sign permitted pursuant to paragraph G of this section.
 - 3. No sign shall exceed two hundred (200) square feet in sign area.
- I. Temporary signs promoting political candidates or election issues shall be permitted in all districts, provided that such sign shall not exceed thirty-two (32) square feet in area. All such signs shall be removed within ten (10) days after the election. No Land Use Permit or site plan review shall be required for such signs.

12.16.00 SINGLE FAMILY DWELLINGS

Any single-family dwelling (other than temporary mobile home parks) shall comply with the following minimum standards:

12.16.01 Minimum Size

Each dwelling shall contain the minimum number of square feet specified in Article XV, prior to any alterations or additions.

12.16.02 Foundation

Each dwelling shall be provided with adequate foundation supports. This shall involve either a concrete foundation or concrete piers which extend at least forty-two (42) inches below grade. If a foundation is utilized, it shall extend around the entire outside perimeter of the dwelling. If cement piers are utilized, skirting shall be placed around the entire outside perimeter of the dwelling. A crawl space of not less than twenty-four (24) inches shall be provided below the floor joists. Adequate additional support in the form of columns or beams shall be provided as required by the Building Inspector. Each dwelling shall be securely anchored to the foundation.

12.16.03 Storage Facilities

Each dwelling shall have a basement, garage or storage building which provides at least eighty (80) square feet of storage area constructed at the same time as the dwelling.

12.16.04 Roof

Each dwelling shall have a roof with no less than a 3-12 pitch, excluding mobile homes.

12.16.05 Construction Code

Each dwelling and dwelling addition shall comply with either the mobile home provisions or the construction provisions of the Michigan Construction Code.

12.17.00 SWIMMING POOLS

All swimming pools erected in the Township shall comply with the following requirements:

12.17.01 Land Use Permit

An application for a Land Use Permit to erect a swimming pool shall include the name of the owner, the location of the pool; a plot plan showing the location of adjacent buildings, fencing, gates and public utilities; specifications and plans to scale of pool walls, slope, bottom, walkway and diving boards, type and rating of auxiliary equipment, piping and valve layout and any other detailed information affecting construction and safety features deemed necessary by the Building Inspector.

12.17.02 Fence

All swimming pools shall be completely enclosed by a fence. All openings in any such fence shall be equipped with a self-closing, self-latching gate which shall be securely locked when the pool is not in use. This requirement shall not apply to aboveground swimming pools which have walls which extend four (4) or more feet above the ground and which have adequate means of preventing unsupervised access by small children.

12.18.00 TEMPORARY MOBILE HOMES

- A. The Zoning Administrator may issue a permit for a temporary mobile home to be occupied during the time that a permanent dwelling is being constructed. A temporary mobile home permit may be issued or renewed for a one-year period if the following requirements are complied with:
 1. A Land Use Permit for the permanent dwelling must be acquired before the mobile home is placed on the premises.
 2. The permanent dwelling must be completed, and the mobile home removed from the property before the expiration of the permit.
 3. The applicant must post a cash bond of Three Hundred (300) dollars with the Township Treasurer and execute an affidavit guaranteeing that the mobile home will be removed from the premises at the expiration of the permit period.
 4. A permit may be renewed only if reasonable progress has been made on the construction of the permanent dwelling.
- B. Variances to permit the occupancy of mobile homes within the Township may also be granted by the Board of Zoning Appeals pursuant to the procedures contained in Article XVII. Such variances for mobile home occupancy may only be granted for the purpose of housing farm labor or for the purpose of housing family members who are unable to reside elsewhere due to poor health or indigence. Any mobile home approved pursuant to this section shall be placed on a reinforced concrete pad or concrete piers and provided with adequate tie-downs and skirting.

12.19.00 TRANSMISSION OR DISTRIBUTION LINES

- A. All electric transmission or distribution lines, which shall include any electric utility transmission or distribution lines, whether underground or overhead, and related facilities, shall at all times remain in compliance with Electric Transmission Line Certification Act (PA 30 of 1995).

- B. All electric transmission or distribution lines in any zoning district that are not subject to the exclusive control and certification requirements of the Michigan Public Service Commission under the Electric Transmission Line Certification act (PA 30 of 1995) shall require a Special Land Use Permit approved by the Township Board after recommendation by the Planning Commission following a public hearing.
- C. An application for a Special Land Use Permit for transmission or distribution lines shall contain all of the following:
 - 1. The planned date for the beginning construction.
 - 2. A detailed description of the proposed transmission, or distribution line, its route, expected configuration and use, and the anticipated maximum and minimum voltage,
 - 3. A detailed drawing of dwelling setbacks, with the minimum allowable setback for any underground or overhead collection line to be at landowner's discretion.
 A description and evaluation of one or more alternate transmission or distribution line routes and a statement of why the proposed route was selected.
 - 5. If the Zoning Ordinance prohibits or regulates the location or development of any portion of a proposed route, a description of the location and manner in which that Zoning Ordinance prohibits or regulates the location or construction of the proposed route.
 - 6. The estimated overall cost of the proposed transmission or distribution line.
 - 7. Information supporting the need for the proposed transmission or distribution line, including identification of known future wholesale users of the proposed transmission or distribution line.
 - 8. Estimated quantifiable and non-quantifiable public benefits of the proposed transmission or distribution line.
 - 9. Estimated private benefits of the proposed transmission or distribution line to the applicant or any legal entity that is affiliated with the applicant.
 - 10. Information addressing potential effects of the proposed transmission or distribution line on public health and safety.
 - 11. A detailed description of troubleshooting guidelines and methods for handling damage to the transmission or distribution lines or system (i.e., wires down or storm damage).
 - 12. A summary of all comments received at any public meetings and the applicant's response to those questions.
 - 13. Information indicating that the proposed transmission or distribution line shall comply with all applicable local, state, and federal environmental standards, laws, and rules.
 - 14. Other information reasonably required by the Township Planning Commission and Township Board.
 - 15. A meeting shall be set with the Planning Commission to review the application for completeness prior to scheduling the public hearing on the matter.
- D. The transmission line fee shall be set on a per mile basis by the Speaker Township Annual Fee Ordinance.
- E. The Special Land Use Permit application shall be accompanied by the required fee as set by the Speaker Township Annual Fee Ordinance.

12.20.00 USE OF VEHICLES OTHER THAN AS ORIGINALLY INTENDED

No person shall use or permit the use of any automobile, bus, truck, trailer, van, semi-trailer, railroad car, pick-up camper, mobile home or other vehicle in any manner other than that for which it was originally designed, intended or manufactured. Such prohibited uses include, but are not limited to use of such units primarily for storage, tool or machine sheds, livestock shelters, etc. This prohibition shall not apply to duly licensed and insured farm vehicles in which feed, seed, fertilizer, minerals, herbicide is temporarily stored in anticipation of use within one year.

12.21.00 WIRELESS COMMUNICATION TOWERS

12.21.01 Authorization

Changing technology in the field of communications has resulted in a reliance upon more versatile convenient forms of communication. Businesses, individuals and government have all developed a strong dependence upon the ability to quickly contact others. The use of radios and cellular phones have proven themselves over and over again in emergency situations.

12.21.02 Qualifying Condition

- A. The following site and developmental requirements shall apply to all wireless communication towers designed or utilized for commercial purposes.
1. A minimum site of two (2) acres and one hundred twenty-five (125') feet of road frontage.
 2. The use of guide wires is strictly prohibited within Residential District.
 3. The base of the tower and wire cable supports shall be fenced with a minimum five (5) foot high fence topped with barbed wire.
- B. Special Performance Standards:
1. The tower must be setback from all property lines a distance equal to its height, unless engineering plans and specifications have been verified by the Township Engineer that the structural integrity of the tower will withstand high winds and impacts, and the likelihood of a tower failure is minimal. The applicant shall incur all cost associated with Township Engineering review.
 2. Accessory structures are limited to uses associated with the operation of the tower and may not be located any closer to any property line than thirty (30) feet.
 3. Accessory structures shall not exceed six hundred (600) square feet of gross building area.
 4. All buffer yard requirements within the Zoning Ordinance shall be met.
 5. The plans of the tower construction shall be certified by a registered structural engineer.
 6. The applicant shall provide verification that the antenna mount and structure have been reviewed and approved by a professional engineer and that the installation is in compliance with all applicable codes.
 7. All towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.
 8. Communication towers in excess of one hundred twenty-five (125) feet in height above grade level shall be prohibited within a two (2) mile radius of a state recognized public or private airport or one half (1/2) mile radius of a helipad.
 9. No part of any tower or antenna shall be constructed, located or maintained at any time, permanently or temporarily, on or upon any required setback area for the district in which the antenna or tower is to be located. In no case shall a tower or antenna be located within thirty (30) feet of a property line.
 10. Metal towers shall be constructed of, or treated with, corrosive-resistant material.
 11. Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.
 12. Towers with antenna shall be designed to withstand a uniform wind loading as prescribed in the building code.
 13. All signals and remote-control conductors of low energy extending substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least eighty-one (81) feet above the ground at all points, unless buried underground.
 14. Towers shall be located so that they do not interfere with reception in nearby residential areas.
 15. Towers shall be located so there is no room for vehicles doing maintenance to maneuver on the property owned and or leased by the applicant.
 16. Minimum spacing between tower locations shall be two thousand (2,000) feet.
 17. Height of the tower shall not exceed one hundred and seventy-five (175) feet from grade within a Residential District, two hundred (200) feet from grade with a Business District and three (300) feet from grade within a Manufacturing and Ag Res District.

18. Towers shall not be artificially lighted except as required by the Federal Aviation Administration.
19. Existing on-site vegetation shall be preserved to the maximum extent practicable.
20. There shall not be displayed advertising or identification of any kind intended to be visible from the ground or other structures, except as required for emergency purposes
21. The antenna shall be painted to match the exterior treatment of the tower. The chosen paint scheme should be designed to minimize off-site visibility of the antenna.
22. Structures shall be subject to any state and federal regulations concerning nonionizing electromagnetic radiation. If more restrictive state or federal standards are adopted in the future, the antenna shall be made to conform to the extent required by such standard or the Special Use approval will be subject to revocation by the Township Planning Commission. Cost for testing and verification of compliance shall be borne by the operator of the antenna.
23. There shall be no employees located on the site on a permanent basis to service or maintain the antenna or tower. Occasional or temporary repair and service activities are excluded from this restriction.
24. Where the property adjoins any residentially zoned property or land use, the developer shall plant two (2) alternating rows of evergreen trees with a minimum height of five (5) feet on twenty (20) foot centers along the entire perimeter of the tower.
25. The tower shall be removed by the property owner or lessee within six (6) months of being abandoned.

C. Surety Bond

1. The Planning Commission shall, to ensure strict compliance with any regulations or required conditions of a permit for wireless communication towers, require the permittee to furnish a bond in an amount of five percent (5%) of the total cost of the tower project to insure compliance.

12.21.03 Co-location

A Statement of Policy

It is the policy of the Township to minimize the overall number of newly established locations for wireless communication facilities and wireless communication support structures within the community and encourage the use of existing structures for attached wireless communication facility purposes, consistent with the statement of purpose and intent, set forth in Paragraph A of this section above. Each licensed provider of a wireless communication facility must, by law, be permitted to locate sufficient facilities in order to achieve the objectives promulgated by the United States Congress. However, particularly in light of the dramatic increase in the number of wireless communication facilities reasonably anticipated to occur as a result of the change of federal law and policy in and relating to the Federal Telecommunications Act of 1996, it is the policy of the Township that all users should collocate on attached wireless communication facilities and wireless communication support structures in the interest of achieving the purposes and intent of this section, as stated above, and as stated in paragraph A of this section. If a provider fails or refuses to permit collocation on a facility owned or otherwise controlled by it where collocation is feasible the result will be that a new and unnecessary additional structure will be compelled, in direct violation of and in direct contradiction to the basic policy, intent and purpose of the Township. The provisions of this subsection are designed to carry out and encourage conformity with the policy of the Township.

B. Feasibility of Co-location

Co-location shall be deemed to be “feasible” for purposes of this section where all of the following are met;

1. Wireless communication provider entity under consideration for collocation will undertake to pay market rent or other market compensation for collocation.

2. The site on which colocation is being considered, taking into consideration reasonable modification of replacement of a facility, is able to provide structural support.
3. The colocation being considered is technologically reasonable. e.g., the colocation will not result in unreasonable interference, given appropriate physical and other adjustment in relation to the structure, antennas, and the like.
4. The height of the structure necessary for colocation will not be increased beyond a point deemed to be permissible by the Township. point deemed to be permissible by the Township.

C. Requirements for Co-location

1. Special land use permit for the construction and use of a new wireless communication facility shall not be granted unless and until the applicant demonstrates that a feasible colocation is not available for the coverage area and capacity needs.
2. All new and modified wireless communication facilities shall be designed and constructed so as to accommodate colocation.
3. The policy of the community is for colocation. Thus, if a party who owns or otherwise controls a wireless communication facility shall fail or refuse to alter a structure so as to accommodate a proposed and otherwise feasible colocation, such facility shall thereupon and thereafter be deemed to be a nonconforming structure and use, and shall not be altered, expanded or extended in any respect and subject to removal as a not conforming structure.
4. If a party who owns or otherwise controls a wireless communication facility shall fail or refuse to permit a feasible colocation, and this requires the construction and/or use of a new wireless communication support structure, the party failing or refusing to permit a feasible colocation shall be deemed to be in direct violation and contradiction of the policy, intent and purpose of the Township, and, consequently such party shall take responsibility for the violation, and shall be prohibited from receiving approval for new wireless communication support structures within the Township for a period of five (5) years from the date of the failure or refusal to permit the colocation. Such a party may seek a variance from the Zoning Board of Appeals if and to the limited extent the applicant demonstrates entitlement to variance relief which, in this context, shall mean a demonstration that enforcement of the five (5) year prohibition would unreasonably discriminate among providers of functionally equivalent wireless communication services, or that such enforcement would have the effect of prohibiting the provision of personal wireless communication services.

D. Incentive

Review of an application for colocation, and review of an application for a permit for use of a facility permitted under paragraph C above, shall be expedited by the Township.

12.21.04 Removal

- A. A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners upon the occurrence of one or more of the following events:
 1. The facility has not been used for one hundred eighty (180) days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of non-use.

2. Six (6) months after new technology is available at reasonable cost as determined by the municipal legislative body, which permits the operation of the communication system without the requirement of the support structure, or with a support structure, which is lower and/or less incompatible with the area.
- B. The situations in which removal of a facility is required, may be applied and limited to portions of a facility.
 - C. Upon the occurrence of one or more of the events requiring removal, the property owner or persons who had used the facility shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with and complete the demolition/removal restoring the premises to an acceptable condition as reasonably determined by the Zoning Administrator.
 - D. If the required removal of a facility or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions thereof, with its actual cost and reasonable administrative charge to be drawn, collected and/or enforced from or under the security posted at the time application was made for establishing the facility.
 - E. The person who had used the facility shall immediately notify the Township Clerk in writing if and as soon as use of a facility ceases.

12.21.05 Effect of Approval

- A. Subject to the following paragraph, final approval under this section shall be elective for a period of six (6) months,
- B. If construction of a Wireless Communication Facility is commenced within two thousand (2,000) feet of the land on which a facility has been approved, but on which construction has not been commenced during the one year period of effectiveness, the approval for the facility that has not been commenced shall be void thirty (30) days following notice from the Township of the commencement of the other facility unless the applicant granted approval of the facility which has not been commenced demonstrates that it would not be feasible for it to collocate on the facility that has been newly commenced.

ARTICLE XIII
NON-CONFORMING LOTS, USES, AND STRUCTURES

13.00.00 CONTINUED USE PERMITTED

Within the districts established by this Ordinance there exist lots, structure, and uses of land and structures, which are lawful prior to adoption of this Ordinance. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

13.01.00 NON-CONFORMING LOTS OF RECORD

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot or parcel of record at the effective date of adoption or amendment of this Ordinance, provided the width, depth, and area is not less than sixty-six and two thirds (66 2/3) percent of that required by this Ordinance. The purpose of this provision is to permit utilization of recorded lots which lack adequate width, depth, or area, as long as reasonable living standards can be provided.

13.02.00 NON-CONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption of this Ordinance that could not be built under the terms of this Ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity.
- B. Should such non-conforming structure be destroyed by any means to an extent of more than one hundred fifty (150%) percent of its state equalized value, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
- C. Should such structure be moved for any reason whatever, shall thereafter conform to the regulations for the district in which it is located after it is moved.

13.03.00 NON-CONFORMING USES OF LAND OR STRUCTURES

Where at the time of passage of this Ordinance lawful use of land or structures exists which would not be permitted by the regulations imposed by this Ordinance, the use may be continued so long as it remains otherwise lawful, provided:

- A. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land or additional structures than that occupied at the effective date of adoption or amendment of this Ordinance.
- B. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
- C. If any such non-conforming use ceases for any reason for a period of more than twelve (12) months any subsequent use shall conform to the regulations specified by this Ordinance.
- D. No additional structure not conforming to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.

- E. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
- F. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.

ARTICLE XIV
OFF-STREET PARKING AND LOADING REQUIREMENTS

14.00.00 PARKING REQUIREMENTS

In all zoning districts, off-street parking facilities for the storage and parking of self-propelled motor vehicles for the use of occupants, employees, and patrons of the buildings erected, altered or extended after the effective date of this Ordinance, shall be provided as herein prescribed. Such space shall be maintained and shall not be encroached upon so long as said main building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.

14.00.01 Area for Parking Space

For the purpose of this section, three hundred (300) square feet of lot area shall be deemed a parking space for one (1) vehicle, including access aisles.

14.00.02 Location of Parking Space for One- and Two-Family Dwellings

The off-street parking facilities required for one- and two-family dwellings shall be located on the same lot as the buildings they are intended to serve, and shall consist of a parking strip, parking apron, and/or garage.

14.00.03 Location of Parking Space for Other Land Uses

The off-street parking facilities required for all other uses shall be located on the lot or within five hundred (500) feet of the permitted uses requiring such off-street parking, such distance to be measured along lines of public access to the property between the nearest point of the parking facility to the building to be served.

14.00.04 Seating Capacity of Seats

As used in this Article for parking requirements, seats shall mean that each twenty-four (24) inches of seating facilities shall be counted as one (1) seat, except that where specifications and plans filed with the Building Inspector specify a certain seating capacity for a particular building, such specified seating capacity shall be used as the basis for required parking space.

14.00.05 Similar Uses and Requirements

In the case of a use not specifically mentioned, the requirements of off-street parking facilities for a use which is so mentioned, and which said use if similar, shall apply.

14.00.06 Existing Off-Street Parking at Effective Date of Ordinance

Off-street parking existing at the effective date of this Ordinance which serves an existing building or use, shall not be reduced in size less than that required under the terms of this Ordinance.

14.00.07 Collective Provisions

Nothing in this Section shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses, provided such facilities collectively shall not be less than the sum of the requirements for the various individual uses computed separately.

14.01.00 TABLE OF OFF-STREET PARKING REQUIREMENTS

The amount of required off-street parking space for new uses of buildings, **additions** thereto, and additions **to existing buildings** as specified above shall be determined in accordance with the following table, and the space so required shall be stated in the application for a Land Use permit and shall be irrevocably reserved for such use.

Required Number Use	Unit of Parking Spaces	Measure as Follows
1 Auditoriums, Assembly Halls, Theaters, Churches, Private Clubs, Lodge Halls	1	Two seats based upon maximum seating capacity in the main place of assembly therein, plus one space for every two employees
2 Automobile Service Stations	1	Each gasoline pump and lubrication stall
3 Banks; Business or Professional Offices; Libraries	1	Two hundred (200) square feet of usable floor area. Each teller window for drive in banks.
4 Barber Shops & Beauty Parlors	3	Each barber or beauty operator
5 Bowling Alleys, Golf Courses	5	Each bowling lane or each hole on a golf course
6 Furniture, appliances & household equipment repair showroom of a plumber, decorator, electrician or similar trade, clothing and shoe repair, laundry, motor vehicle salesroom, hardware stores, wholesale sores and machinery stores	1	Six hundred (600) square feet of usable floor area, shops, plus one space for each two (2) employees
7 Hotels, Tourist Homes, Motel, Hospitals, Convalescent Homes	1	Each guest bedroom and each two (2) employees
8 Industrial Establishments	1	One and one-half (1- 1/2) employees computed on the basis of the greatest number of persons employed at any one (1) period during the day
9 Residential-Single, Two Family or multiple dwelling or mobile home	2	Each dwelling unit
10 Restaurant or establishments in which is conducted the sale and consumption on the premises of beverages, food or refreshments	1	Fifty (50) square feet of usable floor area, plus one (1) space for each four (4) employees. Minimum of (40) spaces for drive-in restaurants.
11 Retail establishments and businesses, except as otherwise specified	1	One hundred (100) Square feet of usable floor space.
12 Schools	1	Two (2) teachers, employees or administrators in addition to the requirements for the auditorium or assembly hall therein.
13 Service Garages, auto salesrooms, auto repair, collision or bumping shops, car wash establishments	1	Two hundred (200) square feet of usable floor area, plus one (1) space for each two (2) employees plus (2) spaces for each auto service space.
14 Warehouse and storage buildings	1	Each employee or one (1) space for every seventeen hundred (1700) square feet of door space, whichever is greater

14.02.00 PARKING REQUIREMENTS FOR OFF-STREETLOADING

On the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse, goods, display department store, wholesale, market, hospital, mortuary, laundry dry cleaning, or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, and unloading services in order to avoid undue interference with public use of the streets, alleys, or any required access for off-street parking areas.

Such loading and unloading space, unless adequately provided for within a building, shall be an area ten (10) feet by thirty (30) feet with a fourteen (14) foot height clearance, and shall be provided according to the following schedule:

Gross Floor Area in Square Feet	Loading and Unloading Spaces Required in Terms of Square Feet of Gross Floor
0-2,000	None
2,000-20,000	One (1) space
20,000-100,000	One (1) space plus (1) space for each twenty thousand (20,000) square feet in excess of twenty thousand (20,000) square feet
100,000-500,000	Five (5) spaces plus 1 space for each forty thousand (40,000) square feet in excess of one hundred thousand (100,000) square feet
Over 500,000	Fifteen (15) spaces plus one (1) space for each eighty thousand (80,000) feet in excess of five hundred thousand (500,000) square feet

14.03.00 GENERAL REQUIRMENTS

- A. All parking areas shall be drained so as to dispose of surface water which might accumulate within or upon such area. No surface water from such parking area shall be permitted to drain onto adjoining private property.
- B. All illumination for such parking areas shall be deflected away from adjacent residential areas.

ARTICLE XV
AREA, SETBACK, AND HEIGHT REQUIREMENTS

Section 15.00.00

Zoning District	Minimum Lot Area Per Dwelling Unit or Commercial / Industrial	Minimum Lot Width (in feet) (a)	Minimum Front Yard Setback (in feet) (b) (c)	Minimum Site yard Setback (in feet) (c)	Minimum Rear Yard Setback (in feet) (c)	Minimum floor Area Per Dwelling (in Sq. feet)	Maximum Floor Area	Maximum Building Weight
AR	2 acres	150	100	25	25	900 (d)		35 (e)
Res Type	2 acres	100	100	US	15	900		35
Agri. Type	acres	200	100	25	25	900	<5,000 sq ft	35
Comm. Type	acres	200	150	25	25	900	<5,000 sq k	35
Ind. Type	acres	200	200	25	25	900	<5,000 sq k	35
R	acres	100	100	25	25	900 (<I)		35
R-Multi	acres	150	200	25	25	900 ()		35
C	acres	150	150	25	US			35
I	2 acres	150	200	25	30			50

(b) Measured from center of road right-of-way.

(c) In no case shall a building be constructed within one hundred (100) feet of any Section Line and/or within one hundred (100) feet of the centerline of any public or private road right-of-way.

(d) The ground floor area of all multi-story dwellings shall contain not less than seven hundred fifty (750) square feet.

(e) Not applicable to farm structures such as barns, silos or grain elevators.

(f) One hundred (100) additional square feet required for each bedroom beyond the first.

ARTICLE XVI
SITE PLAN REVIEW

16.00.00 SCOPE

A site plan shall be prepared and submitted for every construction project requiring a Land Use permit, except that no site plan shall be required for single-family residences, or construction which only involves repairing an existing building.

16.01.00 PROCEDURE

All site plans shall be submitted first to the Zoning Administrator, who shall review the plans for compliance with the requirements of the Zoning Ordinance. The Zoning Administrator shall then refer to site plan to the Planning Commission for review and decision. Once a site plan is approved by the Planning Commission, it shall not be altered without the consent of the Planning Commission.

16.02.00 CONTENT

Each site plan shall include the following:

- A. Area of the site in acres
- B. Date, north point and scale
- C. Dimensions of all property lines
- D. Location and dimensions of all existing and proposed structures on the property or on adjacent properties within one hundred (100) feet of the property lines.
- E. Location and dimensions of all existing and proposed roads, driveways, sidewalks, and parking areas.
- F. Location of all existing and proposed utility lines, wells, septic systems, and storm drainage.
- G. Location, dimensions and details of proposed plantings and greenbelt and landscaped areas..
- H. Exterior drawings of proposed new buildings or major additions to existing buildings.
- I. Location, dimensions, and drawings of existing and proposed signs.
- J. Name, address and telephone number of the person who prepared the site plan.

16.03.00 STANDARDS

In determining whether to approve, modify, or deny a site plan, the Planning Commission shall consider the following:

- A. Adequacy of traffic ingress, egress, circulation and parking.
- B. Adequacy of landscaping to protect adjoining properties and enhance the environment of the community.
- C. Location and design of proposed structures so as to ensure that detrimental effects on adjacent properties will be minimized.
- D. Adequacy of storm drainage.
- E. Location and design of signs so as to prevent highway visibility obstructions, driver distractions, encroachments, and adverse effects on the community environment.

16.04.00 BONDS

A cash or surety bond shall be posted with the Township as a guarantee that the project will be completed in accordance with the approved site plan. Upon the completion of the project in accordance with the approved site plan, the bond shall be released. The amount of the bond shall be determined by the Planning Commission based upon the size and nature of the project.

ARTICLE XVII
SPECIAL LAND USES

17.00.00 APPLICATION

For all special land uses, a written application shall be submitted to the Planning Commission. Such application shall contain a description of the proposed use, a legal description and street location of the property on which the proposed use would be located, the signature of the property owner, the signature of the petitioner (if different from the property owner) and a scale drawing of the site. The scale drawing shall show existing and proposed buildings, driveways, points of ingress and egress, parking areas, fencing and landscaping, signs and road rights-of-way.

17.01.00 HEARING

Requests for special land uses may be heard and decided at a regular or special meeting of the Planning Commission provided the petitioner has presented all required information and proper notice has been given. Notices of public hearing on uses permitted after special approval shall be sent to the person requesting the special land use and to owners and occupants of property within a minimum of fifteen hundred (1500) feet from the property lines of the property which is the subject of the request for special approval. Notice shall be sent by regular mail and shall be sent to the property owners as shown on the latest tax assessment roll. A notice shall also be published once in a local newspaper. All notices shall be given not less than fifteen (15) days prior to the hearing.

17.02.00 STANDARDS

Request for special land uses shall be granted or denied based on the following standards:

- A. The location, size and character of the proposed use shall be in harmony with and appropriate to the surrounding neighborhood.
- B. The proposed use shall not result in the creation of a hazardous traffic condition.
- C. The site layout, intensity of use, and time periods of use shall not be such as to create a nuisance to dust, noise, smell, vibration, smoke or lighting.
- D. All specific requirements of the zoning district where the proposed use would be located shall be complied with.

17.03.00 DECISION

The Planning Commission may deny, approve, or approve with conditions any request for a Special Land Use. The decision of the Planning Commission shall be incorporated in a statement containing the conclusion on which the decision is based, and any conditions imposed. Any condition imposed shall meet all of the following requirements:

- A. Be designed to protect natural resources, the health, safety and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity and the community as a whole.
- B. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
- C. Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to
- D. the standards established in the Ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.

17.04.00 EXPIRATION

Planning Commission permission for a Use Permitted After Special Approval shall expire one (1) year from the date of the meeting at which permission is granted unless the premises has actually been occupied by the use permitted or unless construction has been undertaken to prepare the premises for the use permitted within the one (1) year period.

ARTICLE XVIII
ZONING BOARD OF APPEALS

18.00.00 ESTABLISHMENT

There is hereby established a Zoning Board of Appeals as authorized by Article VI of the Michigan Zoning Enabling Act (MZEA) P.A. 110 of 2006, as amended. The Zoning Board of Appeals shall consist of five members appointed by the Township Board. One member shall also be a member of the Township Board. One member shall also be a member of the Planning Commission. The remaining three members shall be electors who are not employees or contractors of the Township unless allowed under the exceptions section of the Incompatible Offices Act specifically MCL 15.183 Act 566 of 1978. Each member shall be appointed for a term of three (3) years, except that the term of office of the members who are also members of the Township Board or Planning Commission shall terminate if their membership on the Township Board or Planning Commission terminates. The Zoning Board of Appeals shall elect a chairman, vice-chairman, and Secretary. The Township Board member may not serve as chairman.

18.01.00 APPEALS

An appeal may be taken to the Zoning Board of Appeals by any person wishing to appeal any ordinance provision or any final decision of the Zoning Administrator or the Planning Commission. All appeals must be applied for in writing on forms provided by the Township. The Zoning Board of Appeals shall give notice of the hearing to the parties involved. The Zoning Board of Appeals shall also give notice to owners and occupants of property within a minimum of three hundred (300) feet from the property lines of the property which is the subject of the appeal. Notice shall be by regular mail and shall be sent to property owners as shown on the latest tax assessment roll.

18.02.00 POWERS

The Zoning Board of Appeals shall have the power to vary or modify any ordinance provision whenever there are practical difficulties or unnecessary hardships imposed on a property owner if the strict letter of the Ordinance is carried out. The Zoning Board of Appeals shall decide appeals in such a manner that the spirit of the Ordinance is observed, public safety secured, and substantial justice is done.

18.03.00 DECISIONS

The Zoning Board of Appeals may require the appellant to provide such additional information as is necessary to make a decision. In making a decision, the Zoning Board of Appeals may impose such conditions as it may deem necessary to comply with the spirit or decision overruled unless at least three (3) members vote in favor thereof. Any variance shall expire six (6) months from the date it is granted unless a building permit has been acquired and construction undertaken pursuant to the variance. The Zoning Board of Appeals shall state the grounds of each decision.

Any conditions imposed by the Zoning Board of Appeals shall meet the following requirements:

- A Be designed to protect natural resources, the health, safety, and welfare and the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- B Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
- C Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.

ARTICLE XIX
PLANNING COMMISSION

19.00.00 CREATION OF PLANNING COMMISSION

Pursuant to the provisions of the Michigan Planning Enabling Act, PA 33 of 2008 MCL 125.3801, et seq., and Michigan Zoning Enabling Act (MZEA) P.A. 110 of 2006, MCL 125.3101, et seq., as amended, Speaker Township hereby creates the Speaker Township Planning Commission.

19.01.00 PURPOSE

The purpose of the Speaker Township Planning Commission shall be to make, adopt, extend, add to or otherwise amend, and to carry out plans for the unincorporated portions of the township and, as provided in the Michigan Zoning Enabling Act (MZEA) P.A. 110 of 2006 as amended, to promote public health, safety and general welfare; to encourage the use of resources in accordance with their character and adaptability; to avoid the overcrowding of land by buildings or people; to lessen congestion on public roads and streets; to facilitate provision for a system of transportation, sewage disposal, safe and adequate water supply, recreation and other public improvements; and to consider the character of each township and its suitability or particular uses judged in terms of such factors as the trend in land and population development. The Planning Commission shall also assume the responsibilities of the Speaker Township Zoning Board as provided by the Michigan Planning Enabling Act (2008 PA 33) as amended and the Speaker Township Zoning Ordinance.

19.02.00 MEMBERSHIP

19.02.01 Five (5) member panel

The Speaker Township Planning Commission shall consist of five (5) members who are representative of the major interests in the township.

19.02.02 Ex Officio member

One member of the Board of Trustees shall serve, *ex officio*, on the Planning Commission.

19.02.03 Appointment

All members shall be appointed by the supervisor with the approval of the Township Board.

19.02.04 Removal

Members may be removed by the township supervisor, after a hearing, with the approval of the Township Board.

19.02.05 Term of office

The term of each member shall be for three (3) years, except that of the members first appointed, one (1) shall serve for one (1) year, two (2) for two (2) years and two (2) for three (3) years.

19.02.06 Successor in office

A successor shall be appointed not more than one (1) month after the term of the preceding Commission member has expired.

19.02.07 Vacancies in office

All vacancies for unexpired terms shall be filled for the remainder of such term.

19.03.00 COMPENSATION

Members of the Planning Commission may be compensated for their services as provided by the township board in the annual fee resolution.

19.04.00 DUTIES OF THE PLANNING COMMISSION

19.04.01 Planning and Zoning

As provided in the purposes clause, the Planning Commission shall, in its advisory capacity, make, adopt, extend, add to or otherwise amend, and to carry out plans for the unincorporated portions of the Township and assume the administrative responsibilities of the Speaker Township Zoning Board.

A. Basic plan

The Planning Commission shall make and adopt a basic plan as a guide for the development of unincorporated portions of the Township or any district thereof. The basic plan shall include:

- 1) Maps, plats, charts and descriptive, explanatory and other related matter and shall show the Planning Commission's recommendations for the physical development of the unincorporated area of the township.
- 2) Those of the following subjects which reasonably can be considered as Pertinent to the future development of the Township:
 - a) A land use plan and program, in part consisting of a classification and allocation of land for agriculture, residence, commerce, industry, recreation, ways and grounds, public buildings, schools, soil conservation, forest, wildlife refuges and other uses and purposes.
 - b) The general location, character and extent of streets, roads, highways, railroads, bridges, waterways and waterfront developments, flood prevention works, drainage, sanitary sewers and water supply systems, works for preventing pollution and works for maintaining water levels; and public utilities and structures.
 - c) Recommendations as to the general character, extent and layout for the redevelopment or rehabilitation of blighted districts and slum areas, and the removal, relocation, widening, narrowing, vacating, abandonment, changes or use or extension of ways, grounds, open spaces, buildings, utilities or other facilities Recommendations for implementing any of its proposals.

B. Consultation

The Planning Commission shall consult, in respect to its planning, with representatives of adjacent townships, with the county Planning Commission, if any; with any representatives of incorporated municipalities within the township, and with the regional Planning Commission, if any.

C. Resources

The Planning Commission may make use of expert advice and information which may be furnished by appropriate federal, state, county, and municipal officials, departments, and agencies having information, maps, and data pertinent to township planning.

D. Hearing on master plan

1. Before the adoption of the plan or any part, amendment, extension, or addition to the plan, the Planning Commission shall hold at least one (1) public hearing thereon.
2. Notice of the hearing shall be given by one (1) publication in a newspaper of general circulation in the township, not less than fifteen (15) days before the date of the hearing.

E. Adoption of master plan

1. The Planning Commission by majority vote of its membership may adopt the basic plan as a whole by a single resolution or may by successive resolutions adopt successive parts of the plan, the parts corresponding with major geographical sections or divisions of the township or with functional subdivisions of the subject matter of the basic plan and may adopt any amendment or extension thereof or addition thereto as herein provided.
2. Following the adoption of the basic plan or any part thereof, the Planning Commission shall transmit a copy of the plan to the Township Board and to the county Planning Commission for approval.

19.04.02 Procedure

A. Officers

1. The Planning Commission shall elect a chairperson, vice-chairperson, and secretary from its members and shall create and fill other offices or committees as it considers advisable.
2. The term of each officer shall be one (1) year.

B. Advisory Committees

The Planning Commission may appoint advisory committees outside of its membership.

C. Meetings

1. Regular meetings - The Planning Commission shall hold not less than four (4) regular meetings each year, and by resolution shall determine the time and place of the meetings.
2. Special meetings - A special meeting may be called by:
 - a. Two (2) members upon written request to the secretary
 - b. By the chairperson, or
 - c. Pursuant to requests under the zoning ordinance

The secretary shall send written notice of a special meeting commission members not less than forty-eight (48) hours in advance of the meeting.

3. Open Meetings

- a. The business which the Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws.
- b. Public Notice of the time, date, and place of a regular or special meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

19.04.03 Planning Personnel, Contracts and Expenses

The Township Board, upon recommendation of the Planning Commission, may

- A. Employ planning director or other planning personnel,
- B. Contract for the services of planning and other technicians, and
- C. Pay or authorize the payment of expenses within the funds budgeted and provided for planning purposes,

19.04.04 Rules, Records and Reports

The Planning Commission shall:

- A. Adopt rules for the transaction of business,
- B. Keep a public record of its resolutions, transactions, findings, and determinations,

- C. Make an annual written report to the Township Board concerning its operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development. A writing prepared, owned, used, in the possession of, or retained by the Planning Commission in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

19.04.05 Travel compensation

The Planning Commission may make and administer regulations relative to compensation for the travel of its members and employees when engaged in the performance of activities authorized by the township Planning Commission, including attendance at conferences and meetings.

19.04.06 Annual Budget

The Planning Commission shall prepare a detailed budget and submit same to the Township Board for approval or disapproval.

19.05.00 FUNDING

19.05.01 Appropriation and grant match

The Township Board may annually appropriate and make available funds for carrying out the purposes and functions permitted under this Act, and may match Township funds with federal, state, county or other local government or private grants.

19.05.02 Grants

The Township Board may accept and use gifts and grants for Planning Commission purposes. Money so accepted shall be deposited with the Township Treasurer in a special nonreverting Planning Commission Fund for expenditure by the Planning Commission for the purpose designated by the donor. The township treasurer shall draw warrants against the special nonreverting fund only upon vouchers signed by the chairman and secretary of the Planning Commission and upon orders drawn by the Township Clerk.

19.05.03 Limitation on expenditures

The expenditures of the Planning Commission, exclusive of gifts and grants, shall be within the amounts appropriated by the Township Board.

ARTICLE XX
AMENDMENTS

20.00.00 INITIATION OF AMENDMENTS

Amendments to this Ordinance may originate through:

- A. The Township Board, or
- B. The Township Zoning Board by resolution of the majority of their respective members, OR
- C. Written petitions signed by no less than sixty (60) percent of the owners of property located in the unincorporated portion of the Township and within fifteen hundred (1500) feet of all boundaries of property to be rezoned and filed with the Township Clerk. Such petition shall include the address of each signer and the location of his property in the Township. OR
- D. Written petition signed by all owners of property for which rezoning is requested.
 - 1. Any petition signed requesting rezoning of individual parcels of land (by the owners) shall state the specific use or purpose for which rezoning is sought.
 - 2. If granted, it shall be illegal to use such parcel for any purpose other than that specifically authorized through such other use or purpose is permitted under the district regulations in which the parcel is classified, unless separate proceedings are pursued for such other use.

20.01.00 PROCEDURE

- A. Each proposed amendment not originating with the Planning Commission shall be referred to said Commission for its consideration and recommendations.
- B. The Planning Commission shall hold at least one (1) public hearing on its recommendations, as required by the Michigan Zoning Enabling Act (MZEA) P.A. 110 of 2006 as amended.
 - 1. Notice of the Planning Commission hearing on an amendment shall:
 - a. Contain
 - i A summary of the purpose of the hearing
 - ii. The date, time and place of the hearing
 - iii. The dates, times and places where the tentative text and maps may be examined.
 - b. Be published in a newspaper in general circulation in the Township no less than fifteen (15) days.
 - c. Be mailed, not less than twenty (20) days before the hearing, to each public utility or railroad that registers its name and address with the Township for the purpose of receiving the notice.
 - d. Be mailed at least fifteen (15) days before the hearing to the owner(s) of the property to be rezoned and to all owners of property and occupants of dwellings within fifteen hundred (1500) feet of the premises to be rezoned (only apply to rezoning).
 - e. Be posted on the property to be rezoned (only apply to rezoning):
 - i for at least thirty (30) days preceding the date of the hearing
 - ii With at least one two (2) ft by two (2) ft sign
 - f. Be evidenced by an affidavit of mailing to owner(s), occupant(s), utilities and railroads filed before the hearing (only apply to rezoning)
 - g. Be evidenced by affidavit(s) of publication.

2. During and as a result of the Zoning Ordinance amendment hearing(s), the Planning Commission shall:
 - a. Review the proposed amendment
 - b. Hear and summarize comments from the public
 - c. Consider the amendment (and changes thereto)
 - d. Submit copies of the summary, text, maps and the Planning Commission's recommendations to the County Planning Commission and file affidavit of mailing.
 - e. Submit copies of the summary, affidavits, text, maps and the Zoning Board's recommendations to the Township Board.
3. Upon receipt of the summary, text, maps, affidavits and the Planning Commission's recommendations, the Township Board:
 - a. Shall wait thirty (30) days after the County Planning Commission's receipt of the amendment(s) for its recommendations. If no response is received in thirty (30) days, then the Board may proceed without the County Planning Commission's recommendations.
 - b. May hold additional hearing(s) for comments, if deemed necessary, in which case notice shall be published in a newspaper in circulation in the Township not less than fifteen (15) days before the hearing indicating date, time, place and purpose of the hearing.
 - c. Shall refer the proposed text back to the Planning Commission for the report on any suggested amendments, changes, additions, or departures from the text as originally presented.
 - d. May adopt the amendment(s) by a vote of a majority of its membership, after a hearing at a regular meeting (or a special meeting called for the purpose), to be effective upon publication or on any date thereafter.

20.02.00 FINALITY

Any decision made by the Planning Commission or the Board of Appeals pertaining to a particular parcel of land prior to the adoption of any amendment to this Ordinance shall be final and not affected by any subsequent amendment unless that parcel of land is the subject of the amendment.

20.03.000 CONSIDERATION OF AMENDMENTS

Any amendments to this ordinance (as well as permits for special land uses and variances) shall be made with reasonable consideration, among other things, to:

- A. The character of each district;
- B. Its peculiar suitability for particular purposes;
- C. Conservation of property values;
- D. General trend and character of land, building and population development;
- E. Master plan for general trend and character of land, building and population development;
- F. Conservation of natural resources and energy;
- G. Prevention of improper uses of land;
- H. Appropriate locations and relations of various uses;
- I. Hazards to life and property;
- J. Population and traffic density;
- K. Environmental impact;
- L. County Planning Commission recommendations; and
- M. Effect of amendment upon adjacent municipalities.

ARTICLE XXI
REPEAL OF PRIOR ORDINANCES

21.00.00 REPEAL OF PRIOR ORDINANCES

The former Zoning Ordinance for the Township of Speaker, adopted January 10, 1966 and all amendments thereto are hereby repealed.

ARTICLE XXII
VIOLATIONS

22.00.00 PENALTY

Any person, persons, firms or corporations, or anyone acting on behalf of said person, persons, firm or corporation, who shall violate any of the provisions of this Ordinance, or who shall fail to comply with any of the regulatory measures or conditions of the Zoning Board of Appeals or the Planning Commission, adopted pursuant hereto, shall upon determination of responsibility, be liable for a Grade a Civil Infraction and court costs, unless otherwise specified. Each day such violation continues shall be deemed a separate offense. The imposition of any infraction penalties shall not exempt the offender from compliance with the requirements of this Ordinance.

22.01.00 NUISANCE PER SE

A building or structure which is used, erected, altered, raised or converted or any use of any premises which is begun or changed subsequent to the passage of this Ordinance and in violation of any provisions of this Ordinance, is hereby declared to be a nuisance per se.

22.02.00 COSTS AND ATTORNEY FEES

The defendant found culpable in any civil or criminal action shall be responsible for all actual court costs, attorney fees, expert witness fees and any other expenditure incurred by the Township in the prosecution of this Ordinance.

ARTICLE XXIII
SEVERABILITY

23.00.00 SEVERABILITY

This Ordinance and the various articles, sections, paragraphs, sentences, and clauses thereof, are hereby declared to be severable. If any article, section, paragraph, sentence, or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby.

ARTICLE XXIV
ENACTMENT

24.00.00 ORDINANCE ENACTED

The provisions of this Ordinance are hereby enacted and declared to be immediately necessary for the preservation of the public peace, health, safety and welfare of the people of the Township of Speaker.

24.01.00 EFFECTIVE DATE

This Ordinance is therefore ordered to be given immediate effect of the date of its passage by the Township Board, pursuant to Section 11 of Act 184, Michigan Public Acts of 1943, as amended.

24.02.00 CERTIFICATION

I, Ronald Scott, Speaker Township Clerk, do hereby certify that this Ordinance is a true copy of that Ordinance duly adopted by the Speaker Township Board, at a meeting held on the 9th day of September 1980. I further certify that a notice of adoption of this Ordinance was duly published in the Brown City Banner on the 23rd day of September 1980.

Ronald Scott
Original Signature on file
Speaker Township Clerk

TOWNSHIP OF SPEAKER

PRINCIPAL PERMITTED USES ZONING ORDINANCE AMENDMENT

Ordinance No. 21221

An Ordinance to amend the Speaker Township Zoning Ordinance, adopted on September 9, 1980, as amended, to add the Principal Permitted Uses from the Agricultural-Residential District (A-R) to the list of Principal Permitted Uses in the Commercial District (C) and Industrial District (I).

THE TOWNSHIP OF SPEAKER ORDAINS:

Section 10.00.00 PRINCIPAL USES PERMITTED of the Speaker Township Zoning Ordinance is hereby amended to repeal the current subsection J and to add subsections J and K, as follows:

- J. Any and all Principal Permitted Uses as allowed under Section 6.00.00.
- K. Buildings, structures and uses which are accessory to any of the above-permitted uses.

Section 11.00.00 PRINCIPAL USES PERMITTED of the Speaker Township Zoning Ordinance is hereby amended to repeal the current subsection H and to add subsections H and I, as follows:

- H. Any and all Principal Permitted Uses as allowed under Section 6.00.00.
- I. Buildings, structures and uses which are accessory to any of the above-permitted uses.

The undersigned Supervisor and Clerk of the Township of Speaker hereby certify that this Zoning Ordinance Amendment was duly adopted by the Township Board at a meeting held on the 1st day of November, 2022, and was published in the Sanilac County News on the 9th day of November, 2022. This Zoning Ordinance Amendment shall take effect seven (7) days after said date of publication.


William Maitland, Township Supervisor


Dawn Cubitt, Township Clerk

SPEAKER TOWNSHIP PLANNING COMMISSION PROPOSED

PERMITTED USES ZONING ORDINANCE AMENDMENT

RESOLUTION OF RECOMMENDATION

At a special meeting of the Speaker Township Planning Commission, Sanilac County, Michigan, held on 16th day of August 2022, at 7:00 p.m., the following resolution was offered by **MURRAY** and supported by **KESTELOOT**.

WHEREAS, the Speaker Township Planning Commission has been working on a proposed Principal Permitted Uses Zoning Ordinance Amendment for the Township; and

WHEREAS, notice of the public hearing was published in the Sanilac County News; and

WHEREAS, the public hearing on the proposed Principal Permitted Uses Zoning Ordinance Amendment was held on the 16th day of August 2022 at the Speaker Township Hall; and

WHEREAS, all the requirements of the Michigan Zoning Enabling Act, being Public Act 110 of 2006 as amended, have been complied with; and

NOW, THEREFORE, be it resolved that the Speaker Township Planning Commission hereby recommends the adoption of the attached proposed Principal Permitted Uses Zoning Ordinance Amendment for the Township of Speaker.

ROLL CALL VOTE

AYES: MURRAY, DAMBACHER, STEINHOFF, SMITH, and

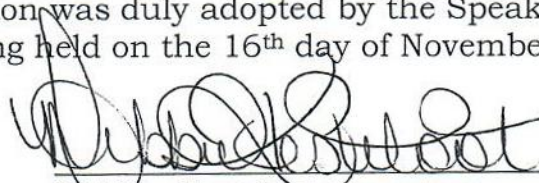
KESTELOOT NAYS: 0

ABSTAIN: 0

ABSENT: 0

RESOLUTION DECLARED ADOPTED.

The undersigned Secretary of the Speaker Township Planning Commission hereby certifies that this Resolution was duly adopted by the Speaker Township Planning Commission at a meeting held on the 16th day of November 2021.



Debbie Kesteloot, Secretary
Speaker Township Planning Commission


AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) ss.
COUNTY OF SANILAC)

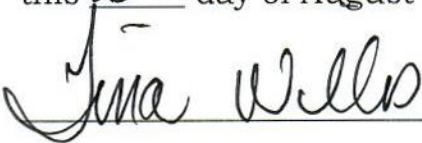
Dawn Cubitt, being first duly sworn, deposes and says:

1. That attached is a copy of the Proposed Principal Permitted Uses Zoning Ordinance Amendment for the Township of Speaker and the Resolution of the Speaker Township Planning Commission recommending its adoption.

2. That on the 25th day of August 2022, I mailed a copy of the Proposed Principal Permitted Uses Zoning Ordinance Amendment for the Township of Speaker and the Resolution of the Speaker Township Planning Commission recommending its adoption to the Sanilac County Planning Commission.


Dawn Cubitt
Speaker Township Clerk

Subscribed and sworn to before me
this 25th day of August 2022



Notary Public
Sanilac County, Michigan
My Commission Expires: 10/29/2024
Acting in Sanilac County, Michigan

TOWNSHIP OF SPEAKER

PLANNING COMMISSION ORDINANCE

ORDINANCE NO. 2022-2

An ordinance to authorize a Speaker Township Planning Commission; to enumerate powers and duties of the Planning Commission; to provide for the appointment, term of office, compensation and removal of members; to establish meeting requirements; and to provide for the appropriation of funds for the operation of the Planning Commission.

THE TOWNSHIP OF SPEAKER ORDAINS:

ARTICLE I

Planning Commission Authorization

Section 1.1. In accordance with the Michigan Planning Enabling Act (Public Act 33 of 2008), the Speaker Township Board establishes a Planning Commission with the powers and duties set forth in this Ordinance.

ARTICLE II

Membership and Appointment

Section 2.1. The Planning Commission shall consist of seven (7) members who are qualified electors of the Township. Members shall be appointed by the Township Supervisor with the approval of the Township Board. One (1) of the Planning Commission members shall also be a member of the Township Board. Vacancies occurring for any reason shall be filled for the remainder of the unexpired term by appointment of the Township Supervisor with the approval of the Township Board. The membership of the Planning Commission shall be representative of important segments of the community, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry and commerce. No employee of the Township shall be a member of the Planning Commission.

ARTICLE III

Terms of Office

Section 3.1. Each appointed member, except the Township Board member, shall serve for a three (3) year term. Terms shall be staggered so that no more than two (2) of the members' terms (not counting the Township Board member's term)

shall expire in any one (1) year. Members may be eligible for reappointment at the discretion of the Township Supervisor. Current members shall serve until their current terms expire, unless they are removed in accordance with Section 6 of this Ordinance or they resign. The term of office of the Township Board member who serves on the Planning Commission shall correspond to that member's term of office on the Township Board.

ARTICLE IV
Planning Commission Officers

Section 4.1. The Planning Commission members shall elect a Chairperson, Vice-Chairperson, and a Secretary for terms of one (1) year. The Township Board member may not serve as the Chairperson or the Vice Chairperson.

ARTICLE V
Compensation and Expenses

Section 5.1. Members of the Planning Commission shall be compensated for their services and reimbursed for expenses as provided by the Township Board.

ARTICLE VI
Removal for Cause

Section 6.1. A member of the Planning Commission may be removed by the Township Board, after written charges and a public hearing, for nonfeasance, misfeasance, or malfeasance in office. Failure to disclose a potential conflict of interest as defined in the Bylaws of the Planning Commission shall be considered malfeasance. Failure to repeatedly attend Planning Commission meetings shall be considered nonfeasance.

ARTICLE VII
Planning Commission Meetings

Section 7.1. The Planning Commission shall not hold less than four (4) regular meetings during each calendar year. The majority of the Commission shall constitute a quorum for the transaction of ordinary business. All questions which shall arise at Planning Commission meetings shall be determined by a vote of the majority of the members present, except for approval of a proposed Master Plan or Master Plan Amendment which shall be by affirmative vote of a majority of all Planning Commission members.

ARTICLE VIII
Annual Report and Budget

Section 8.1. The Planning Commission shall submit an annual report to the Township Board which shall include a proposed Planning Commission budget. The Township Board shall annually appropriate the funds necessary, in its judgment, for the operation of the Planning Commission during the fiscal year.

ARTICLE IX
Statutory and Ordinance Authority

Section 9.1. The Planning Commission shall have all of the powers and duties set forth in the Michigan Planning Enabling Act (Public Act 33 of 2008, as amended) and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), which shall include the following:

- a. Preparation of a Township Master Plan and any necessary amendments for recommendation to the Township Board;
- b. Preparation of a Township Zoning Ordinance and any necessary text amendments for recommendation to the Township Board;
- c. Consideration of requested re-zonings of property and recommendation to the Township Board;
- d. Consideration of proposed subdivision plats and recommendation to the Township Board;
- e. Hear and decide any requests for special land use approvals;
- f. Review and decide any requests for site plan approval;
- g. Prepare and adopt Bylaws for the Planning Commission; and
- h. Perform any other duties as may be assigned to it by the Township Board or pursuant to Township ordinances, Bylaws and records, or State statutes.

ARTICLE X
Bylaws and Records

Section 10.1. The Planning Commission shall adopt Bylaws for transaction of business. The Commission shall also keep a record of its resolutions, findings, and determinations, all of which shall be public records.

ARTICLE XI
Repeal of Conflicting Provisions

Section 11.1. All resolutions or ordinance provisions or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

ARTICLE XII
Enactment and Effective Date

Section 12.1. This Ordinance was adopted by the Speaker Township Board at a meeting duly held on the 13th day of October 2022 and was published in the Saantac County News on the 20th day of October 2022.

Section 12.2. This Ordinance shall take effect thirty (30) days after the date of publication specified in Section 12.1.



William Maitland, Supervisor



Dawn Cubitt, Clerk

**TOWNSHIP OF SPEAKER
PLANNING COMMISSION ORDINANCE
ORDINANCE NO. 2022-2.**

An ordinance to authorize a Speaker Township Planning Commission; to enumerate powers and duties of the Planning Commission; to provide for the appointment, term of office, compensation and removal of members; to establish meeting requirements; and to provide for the appropriation of funds for the operation of the Planning Commission.

THE TOWNSHIP OF SPEAKER ORDAINS:

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