

Article 20 SUPPLEMENTAL PROVISIONS

Section 20.1 Purpose

The purpose of this Article is to recognize that there are certain conditions concerning land uses that warrant specific exceptions, regulations, or standards in addition to the regulations contained elsewhere in this Ordinance, and to establish such exceptions, regulations, and standards. The following supplemental provisions apply to all uses and all zoning districts unless otherwise indicated.

Section 20.2 Conditional Approvals

A. Conditions on Discretionary Decisions: The Zoning Administrator, Planning Commission, Zoning Board of Appeals, and Township Board may attach conditions to the approval of a site plan, special land use, variance or other discretionary approval. Such conditions shall be based upon standards in this Ordinance and may be imposed to:

1. Ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
2. Protect the natural environment and conserve natural resources and energy.
3. Ensure compatibility with adjacent uses of land.
4. Promote the use of land in a socially and economically desirable manner.

B. Requirements for Valid Conditions: Conditions imposed shall meet all of the following requirements:

1. 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.
2. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
3. 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 insure compliance with those standards.

C. Record of Conditions and Changes: Any conditions imposed shall be recorded in the record of the approval action. These conditions shall not be changed except upon the mutual consent of the approving authority and the property owner.

D. Performance Guarantees: Performance guarantees may be required to ensure compliance with conditions on discretionary decisions pursuant to the requirements of Section 2.8.

Section 20.3 Moving Buildings

No existing building or structure within or outside of the Township shall be relocated on any lot in the Township unless the building or structure meets all provisions of this Ordinance and the Michigan Construction Code and a zoning permit has been issued for such relocation.

Section 20.4 Essential Services

Essential services as defined in this Ordinance shall be permitted as authorized and regulated by law and other ordinances of the Township, it being the intention hereof to exempt such essential services from the application of this Ordinance. This exception shall not apply to administrative buildings, communication towers, public utility storage yards, substations and similar above-ground structures and uses associated with such essential services, and shall be subject to all requirements of this Ordinance including minimum lot area and setbacks.

Section 20.5 Number of Dwellings and Principal Uses per Lot

A. Dwellings: No more than one (1) dwelling unit shall be established on a lot except as otherwise authorized by this Ordinance, such as in the case where Tables 3-2 or 3-3 of Article 3 authorize two-family or multiple family dwellings, or where a temporary dwelling may be authorized (Section 20.7, Temporary Dwellings).

B. Principal Uses: In addition to the restrictions of subsection (A), no more than one (1) principal use shall be established on a lot unless each use is permitted in the respective district according to Table 3-2 and 3-3 of Article 3, and subject to plot plan approval (Section 2.4), site plan approval (Article 14), and/or special land use approval (Article 15), as may be applicable.

Section 20.6 Single Family Dwelling Standards

A. All single family dwellings and modifications thereto shall comply with the requirements of this Ordinance including the following standards, provided that the foregoing standards shall not apply to temporary dwellings authorized according to Section 20.7, and mobile homes located in a licensed manufactured housing community, except to the extent required by State and Federal law.

1. **Floor Area:** The dwelling shall have a minimum total floor area of nine hundred sixty (960) square feet, measured from the exterior faces of exterior walls.
2. **Dimensions:** The dwelling shall have a minimum straight line dimension of twenty-four (24) feet across each of its front, side and rear elevations, and a minimum of seventy percent (70%) of the roof area shall reflect a minimum roof pitch of 4:12 vertical rise to horizontal run.
3. **Michigan Construction Code:** The dwelling and all modifications thereto shall comply in all respects with the Michigan Construction Code and any fire codes of the Township. Where a dwelling is required by law to comply with federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by such codes, then and in that event such federal or state standard or regulation shall apply.
4. **Foundation:** The dwelling shall be firmly attached to a permanent foundation constructed on the site in accordance with the building code and shall have a wall of the same perimeter dimensions of the dwelling, except in the case of cantilever architecture, and constructed of such materials and type as required by the building code for such dwelling.
 - a. In the case of a mobile home as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device, and shall be set on a concrete footing with a masonry wall extending from the perimeter wall of the dwelling to ground, or on a concrete footing with fireproof supports and shall have a continuous skirt extending from perimeter to ground, made of commercial quality or equivalent, and comply with the rules and regulations of the Michigan Mobile Home Commission, the Public Health Department, and HUD Regulations 24 CFR 3280, being the "Mobile Home Construction and Safety Standards". There shall be no exposed wheels, towing mechanism, undercarriage, or chassis.
5. **Additions:** Any additions or modifications to a dwelling shall be constructed of similar or better quality workmanship as the original structure, including permanent attachment to the principal structure and foundation.
6. **Storage Area:** The dwelling shall contain storage area equal to ten percent (10%) of the square footage of the dwelling or one hundred (100) square feet, whichever shall be less, and shall be located in a basement part of the dwelling, in an attic area, in closet areas, or in a separate structure constructed of similar or better quality workmanship as the dwelling. Such required storage area shall be in addition to any interior storage area used for the parking of vehicles.
7. **Sewage Disposal and Potable Water:** The dwelling shall be connected to a public sewer and water supply or to such private facilities approved by the County Health Department.
8. **Exterior Surface:** The dwelling shall have a finished surface that is non-reflective or glare-producing. The finished surface shall be of weather-protecting materials such as brick, wood, vinyl, concrete and similar protective materials commonly used by the housing industry and designed to resist deterioration and damage from weather conditions. Such surfacing shall be maintained to ensure an effective protective covering for the more interior parts of the dwelling's walls and roof and more interior areas and shall be promptly repaired upon deterioration or other damage.
9. **Innovation:** Nothing in this Section is intended to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed homes, provided there is compliance with the standards of this Section.

Section 20.7 Temporary Dwellings – Occupancy and Storage

A. Authorization and General Provisions: Temporary dwellings are prohibited except as approved according to this Section.

B. Occupancy of Temporary Dwelling on Occupied Lot During Repairs and for Elderly Assistance:

1. During Repairs: A temporary dwelling may be authorized by the Zoning Administrator to allow a recreational vehicle or mobile home to be placed on a lot while the existing permanent dwelling on the same lot is under repair due to damage by fire, collapse, explosion, Acts of God, or acts of a public enemy, to the extent that it is no longer safe for human occupancy and for which repairs a zoning permit and building permit have been issued.
2. Elderly Assistance: A temporary dwelling may be authorized by the Township Board to allow a recreational vehicle or mobile home to be placed on a lot on which a lawful permanent dwelling is located, to facilitate the care of one (1) or more aged parents of one (1) or more occupants of the permanent dwelling, where the parent(s) is not capable of functioning independently due to physical impairments. The Township Board may require medical documentation in support of the necessity for the assisted care.
3. Application: Application for and authorization of a temporary dwelling according to this subsection (B) shall require the submittal of a zoning permit application available from the Zoning Administrator including a plot plan prepared according to Section 2.4(B) and a letter signed by the applicant setting forth the need for the temporary dwelling.
4. Standards
 - a. In the case of a permit issued pursuant to subsection (B)(1), a temporary dwelling may be placed in any yard and shall comply with the setback standards of the District for the permanent dwelling.
 - b. In the case of a permit issued pursuant to subsection (B)(2), a temporary dwelling shall be placed in a side or rear yard only and shall comply with the setback standards of the District for the permanent dwelling.
 - c. A temporary dwelling shall comply with county health department rules and regulations for potable water and sewage disposal. The temporary dwelling shall be connected to a county-approved on-site septic system or sewer system unless the Zoning Administrator determines that the permanent dwelling is available to provide necessary potable water and sewage disposal.
5. Permit Duration and Removal
 - a. In the case of a permit issued pursuant to subsection (B)(1), the permit issued by the Zoning Administrator shall be for a period not exceeding one hundred eighty (180) days. The Zoning Administrator may renew a temporary dwelling permit no more than once and for a period not to exceed one hundred eighty (180) days, upon the applicant adequately demonstrating that construction delays have been beyond the control of the applicant and that construction completion is continuing in an earnest manner.
 - b. In the case of a permit issued pursuant to subsection (B)(2), the permit issued by the Township Board shall be for a period not exceeding twenty-four (24) calendar months. The Township Board may renew a temporary dwelling permit on a yearly basis, upon the applicant adequately demonstrating that the elderly family member continues to require assisted care. The Township Board may require medical documentation in support of the necessity for the assisted care.
 - c. A temporary dwelling shall be removed from the lot no later than the termination date of the permit or within thirty (30) days of the issuance of a certificate of occupancy for the permanent dwelling in the case of subsection (B)(1), whichever comes first. A performance guarantee in an amount prescribed by the Township Board's adopted fee schedule shall be required at the time a permit is issued to ensure the temporary dwelling is removed upon the termination of the permit.

C. Occupancy of Recreational Vehicle on Occupied Lot for Temporary Visitation: A recreational vehicle may be used as a temporary dwelling on a lot on which an occupied permanent dwelling is present, for temporary visitation purposes, subject to the following limitations and requirements:

1. Location: The recreational vehicle shall comply with minimum side and rear yard setback requirements for the dwelling according to Table 3-4 of Article 3.
2. Duration: The recreational vehicle shall not be located on the lot for more than thirty (30) days in any consecutive ninety (90) day period.
3. Number: No more than one (1) such recreational vehicle shall be located on the lot at any one (1) time.
4. Licensing/Registration: If the recreational vehicle relies on its own means of travel, as in the case of a self-contained engine, the vehicle shall be operational and comply with state licensing and registration requirements.

5. Potable Water and Sewage Disposal: The occupants of the recreational vehicle shall have unrestricted access to properly functioning potable water and sewage disposal facilities in the permanent dwelling.

D. Storage of Recreational Vehicle on Occupied Lot: A recreational vehicle may be maintained on a lot, unoccupied, subject to the following limitations and requirements:

1. Location: If maintained outdoors, the recreational vehicle shall be located in a side or rear yard only, shall be located a minimum of ten (10) feet from side and rear lot lines, and shall be no closer than fifteen (15) feet to any dwelling on such lot. If maintained within a structure, the structure shall be subject to the restrictions of Section 20.8 regarding accessory structures and buildings.
 - a. Front Yard Exception: The Zoning Administrator shall permit an unoccupied recreational vehicle to be maintained outdoors in a front yard upon making a written determination that no other feasible and practical option exists, provided such vehicle shall be maintained on the driveway of the permanent dwelling and is located a minimum of twenty (20) feet from the road right-of-way.
2. Duration: There are no duration restrictions on the maintenance of a recreational vehicle on an occupied lot where such vehicle is unoccupied. See subsection (E) regarding occupancy of a recreational vehicle on a lot on which an occupied permanent dwelling is not present.
3. Maintenance/Licensing/Registration: The recreational vehicle shall be maintained in good condition and not be permitted to exhibit a state of disrepair. If the recreational vehicle relies on its own means of travel, as in the case of a self-contained engine, the vehicle shall be operational and comply with state licensing and registration requirements.

E. Storage and Occupancy of Temporary Dwellings on Vacant Lot: A recreational vehicle may be used as a temporary dwelling on a vacant lot for reasons not delineated in subsection (B)(1) subject to the following limitations and requirements:

1. Setbacks: The recreational vehicle shall comply with the setback requirements for dwellings according to the District in which it is located but in no case shall the vehicle be parked or stored within fifty (50) feet of any lot line.
2. Duration: The recreational vehicle shall not be located on the lot for more than thirty (30) days in any consecutive ninety (90) day period. A zoning permit is not necessary for such temporary dwelling.
3. Number: No more than one (1) such recreational vehicle shall be located on the lot at any one (1) time.
4. Maintenance/Licensing/Registration: The recreational vehicle shall be maintained in good condition and not be permitted to exhibit a state of disrepair. If the recreational vehicle relies on its own means of travel, as in the case of a self-contained engine, the vehicle shall be operational and comply with state licensing and registration requirements.

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Section 20.8 Accessory Buildings and Structures

A. Scope:

1. Applicability: Accessory buildings and structures shall be subject to the regulations of this Section except where expressly regulated otherwise by this Ordinance.
2. Compliance with Definitions: No provisions of this Section shall be interpreted as authorizing accessory buildings, structures or uses that do not conform to the definitions of Article 21 pertaining to the same.
3. Clarification of "Accessory Building": For the purposes of this Section, a building shall be considered an accessory building if such building is not structurally attached to the principal building by either shared wall construction of a minimum five (5) feet in length or by a fully and structurally enclosed corridor.
4. Fences and Walls: This Section shall not apply to fences and walls. See Section 20.9.

B. Permit Required: No accessory building or structure shall be erected prior to the issuance of a Zoning Permit for such structure or building, provided however that a permit is not required in the case of a building or structure that is no more than two-hundred (200) square feet in area but such building or structure shall comply with all requirements of this Ordinance including height and setback standards. Applications for accessory buildings and structures shall be administered and reviewed as part of the original or proposed revised plot plan (Section 2.4(B)) or site plan (Article 14).

C. Placement and Setbacks:

1. Front Yard: No accessory building or structure shall be located in a front yard except in the case of a residentially-used lot in an Agricultural District, subject to the following requirements:
 - a. The lot is a minimum of ten (10) acres in size.
 - b. The accessory building shall be positioned so as not to block more than fifty percent (50%) of the dwelling's front elevation, as viewed from the lot's road frontage at a point perpendicular to the middle of the dwelling's front elevation.
 - c. The accessory building shall be set back from the front lot line a minimum distance of one-hundred (100) feet and if the building is greater than 1,000 sq. ft. in area, the accessory building shall be set back from the front lot line a minimum distance of ten (10) additional feet for each one hundred (100) sq. ft. of floor area in excess of one thousand (1,000) sq. ft.
 - d. The accessory building shall not exceed 2,000 sq. ft.
2. Side and Rear Yard Setbacks: Accessory buildings and structures are permitted in side and rear yards subject to the provisions of this Section. Accessory buildings and structures shall comply with the following table, which correlates minimum required side and rear yard setbacks with the square footage of accessory structures. A corner lot shall be construed to have two (2) front yards.

Ground Area/Floor Area of Accessory Structure	Less than 200 sq. ft.	200 sq. ft. to 500 sq. ft.	501 sq. ft. to 1,000 sq. ft.	1,001 sq. ft. to 2,000 sq. ft.	2,001 sq. ft. and greater
Minimum Required Lot Line Setback	5'	10'	20'	40'	50'

3. Separation Distances:
 - a. An accessory building shall not be located within fifteen (15) feet of a dwelling on the same lot.
 - b. An accessory building shall not be located within ten (10) feet of another building not constituting a dwelling, except as may be permitted by the State Construction Code according to properly rated fire walls, but in no case shall the separation distance be less than three (3) feet.
4. Utilities: An accessory building or structure shall not be located so as to interfere with the proper functioning of utilities including existing and proposed back-up septic drain fields.

D. Height: Accessory buildings and structures in all districts shall comply with the maximum height standards of the District according to Table 3-4 of Article 3.

E. Number, Area, Size and Lot Coverage: The provisions of this subsection (E) apply to Agricultural and Residential Districts only, excluding accessory buildings used principally for agricultural purposes.

1. Maximum Number
 - a. No more than two (2) accessory buildings and/or roofed structures shall be established except in the case where the lot is five (5) acres or greater in area, in which case one (1) additional building and/or covered structure may be established for each whole five (5) acres comprising the lot, up to a maximum of a total of four (4) such buildings and/or covered structures.
 - b. Subsection (a) shall not apply to accessory buildings and/or roofed structures less than one hundred fifty (150) sq. ft. in floor or ground area, up to a maximum of three (3) such structures.

2. **Maximum Total Yard Area:** The total area of all accessory buildings in a side or rear yard shall not exceed thirty percent (30%) of the area of such yard.
3. **Maximum Total Area of All Accessory Residential Buildings:**
 - a. An accessory building or structure shall not be erected that results in noncompliance with the lot coverage standards of the district in which it is located, according to Table 3-4 of Article 3 or as may be otherwise regulated by this Ordinance.
 - b. The maximum total square foot area of all accessory buildings on a lot shall not exceed fifty percent (50%) of the permissible maximum lot coverage for all principal and accessory buildings on the lot, according to Table 3-4 of Article 3 or as may be otherwise regulated by this Ordinance.
 1. In the case of a nonconforming lot due to deficient lot area, the maximum permitted total square foot area of all accessory buildings shall be reduced by the same percentage (%) as the percentage by which the lot area is less than the minimum required lot area for the district.
 - c. In addition to compliance with subsections (a) and (b), the maximum total square foot area of all accessory buildings on a lot used for single or two-family dwelling purposes shall be as provided by the following table, which correlates maximum permissible total area with the area of the lot:

Lot Area (acres)	Maximum Accessory Building Area (square feet)	Lot Area (acres)	Maximum Accessory Building Area (square feet)	Lot Area (acres)	Maximum Accessory Building Area (square feet)
1.0 or less	1,500 sq. ft.	3.0 acres	3,500 sq. ft.	5.0 to 6.0	5,000 sq. ft.
1.1	1,600	3.1	3,600	6.1 to 7.0	5,500 sq. ft.
1.2	1,700	3.2	3,700	7.1 to 8.0	6,000
1.3	1,800	3.3	3,800	8.1 to 9.0	6,500
1.4	1,900	3.4	3,900	9.1 to 10.0	7,000
1.5	2,000	3.5	4,000	10.1 to 11.0	7,500
1.6	2,100	3.6	4,100	11.1 to 12.0	8,000
1.7	2,200	3.7	4,200	12.1 to 13.0	8,500
1.8	2,300	3.8	4,300	13.1 to 14.0	9,000
1.9 acres	2,400 sq. ft.	3.9 acres	4,400 sq. ft.	14.1 to 15.0	9,500 sq. ft.
2.0 acres	2,500 sq. ft.	4.0 acres	4,500 sq. ft.	15.1 and greater	10,000 sq. ft.
2.1 acres	2,600 sq. ft.	4.1 acres	4,600 sq. ft.		
2.2 acres	2,700 sq. ft.	4.2 acres	4,700 sq. ft.		
2.3 acres	2,800 sq. ft.	4.3 acres	4,800 sq. ft.		
2.4 acres	2,900 sq. ft.	4.4 acres	4,900 sq. ft.		
2.5 acres	3,000 sq. ft.	4.5 acres	5,000 sq. ft.		
2.6 acres	3,100 sq. ft.	4.6 acres	5,000 sq. ft.		
2.7 acres	3,200 sq. ft.	4.7 acres	5,000 sq. ft.		
2.8 acres	3,300 sq. ft.	4.8 acres	5,000 sq. ft.		
2.9 acres	3,400 sq. ft.	4.9 acres	5,000 sq. ft.		

All lot acreages to be rounded to the nearest 0.1 acres.

F. Habitation of Accessory Buildings or Structures: No accessory building or structure shall be used or occupied as a dwelling except as may be authorized pursuant to Section 20.7, Temporary Dwellings, or elsewhere in this Ordinance.

G. Prior to a Principal Structure: Buildings and structures that customarily function as accessory to a principal structure or use such as, by example, a detached private garage, are prohibited in Agricultural and Residential Districts prior to the erection of all framing, siding and roofing of the principal structure, except as may be authorized pursuant to Section 20.7, Temporary Dwellings. Subsection (G) shall not be construed to prohibit the erection of buildings used as part of agricultural operations on the same lot.

1. **Contiguous Lots:** In the case of two (2) adjacent lots under same ownership where a dwelling is located on one lot only, an accessory building or structure shall not be established in the area within the unoccupied adjacent lot until such time that the two (2) adjacent lots are combined to form a single lot

with a single tax identification number. Any subsequent division of the combined lot where the accessory building or structure is not on the same lot as the dwelling, such accessory building or structure shall be rendered unusable until such time that a dwelling is erected on such lot. For the purpose of this subsection, "adjacent lots" shall be construed to mean two lots that share a lot line.

H. Items Prohibited as Accessory Uses, Buildings and Structures: The following are prohibited as an accessory use, building or structure:

1. Mobile homes, irrespective of how the home may be used including for storage purposes, except as authorized by Section 20.7, Temporary Dwellings.
2. Tractor trailers, storage crates or canisters designed for hauling by motor vehicle, and similar vehicles and vehicle parts, converted or otherwise, except as may be authorized in association with the principal use of the lot and upon site plan approval.
3. Any use, structure or other aspect of a lot that does not conform to the definitions of Article 21 pertaining to accessory uses, buildings and structures.

I. Materials/Construction: Accessory buildings and roofed structures shall comply with the following standards irrespective of the size of such buildings and structures.

1. A residential accessory building or roofed structure shall incorporate exterior materials commonly employed by the residential construction industry and which shall withstand local wind and other weather conditions, and which shall not be subject to rust, rot, or other degradation. In no case shall the exterior of an accessory building consist of exposed untreated wood, plywood or particle board, or wood scraps. No exterior surfaces shall be comprised of insulation or other materials not designed for and commonly considered as an exterior surface by the residential construction industry.
2. All accessory buildings and structures shall be of the same or better construction workmanship as the principal building on the premises including in regard to structural stability, finished appearance and ability to withstand weather conditions.

J. Decks and Similar Outdoor Structures: See Section 20.11.

Section 20.9 Fences and Walls

A. General Provisions: All fences and walls shall comply with the following irrespective of the purpose of the fence or the manner in which it is used:

1. **Setbacks:** Fences and walls shall not be subject to setback requirements except as may be required elsewhere in this Ordinance.
2. **Materials:** Fences and walls shall be constructed of materials designed and intended for such purposes. In no case shall a fence or wall be constructed of rotting lumber, pallets, glare-producing materials, rubbish, trash, tires, vehicle or vehicle component parts, tree stumps, or any materials that encourage habitats for pests and vermin.
3. **Maintenance:** All fencing and walls shall be maintained in good exterior and structural condition.
4. **Clear Vision:** No fence or wall shall be erected along or near a road in such a manner as to obstruct safe, free and clear vision of oncoming traffic or vehicles attempting to access such road or negotiate movement through an intersection. See Section 20.19 regarding clear vision zones.
5. **Double-Frontage Lots:** In the case of a double-frontage lot, the front yard height restrictions of this Section shall apply to both yards having such frontage unless provided otherwise.

B. Agriculture: Fences and walls accessory to agriculture as defined in Article 21 shall be subject to the following restrictions:

1. **Type and Height:** Containment of farm animals may be by a fence and/or wall. Any portion of such fence or wall in excess of four (4) feet in height as measured from the ground below shall be of unified open construction so as to permit the free flow of air through a minimum of seventy-five percent (75%) of the fence, but shall not exceed eight (8) feet in height measured from the ground below. In no case shall a containment fence or wall in excess of four (4) feet in height extend into the required front yard setback according to Table 3-4 of Article 3.
2. **Barbed and Electrified Devices:** Fences and walls intended solely for the purpose of the containment of farm animals may include barbs, spikes, nails, or other sharp or electrified devices.
3. **Zoning Permit Not Required:** Fences and walls for the containment of animals shall not require a zoning permit.
4. **General Provisions:** See also subsection (A).

C. Residential Uses: Fences and walls accessory to single-family and two-family residences shall comply with the following:

1. Type and Height:
 - a. No fence or wall of open or closed construction, exceeding three feet (3') in height as measured from the ground below, shall be erected in a front yard. This height restriction may be increased to four (4) feet provided any portion of the fence or wall that is greater than three (3) feet in height shall be of a minimum fifty percent (50%) open construction.
 - b. No fence or wall exceeding six feet (6') in height, measured from the ground below, shall be erected in any side or rear yard. Where the fence or wall is located on a berm, the berm height shall be included in the measurement of the fence/wall height.
2. Barbed and Electrified Devices: Fences and walls with barbs, spikes, nails, or other sharp or electrified devices are prohibited.
3. Finished Side Orientation: In the case where a proposed fence or wall is within twenty (20) feet of a dwelling on an abutting lot, the finished side of the fence or wall shall face the abutting lot.
4. Zoning Permit Not Required: Fences and walls accessory to single-family and two-family residences shall not require a zoning permit.
5. General Provisions: See also subsection (A).

D. Commercial, Industrial, Public, Institutional and Multiple Family: The location, height and character of all fences and walls proposed as part of the commercial, industrial, public, institutional, and/or multiple family use of a lot, or any other use of a lot requiring site plan approval pursuant to Article 14, shall be reviewed according to the site plan review provisions of Article 14. In addition, the following shall apply:

1. Heights: Fence and wall heights shall comply with the same standards applicable to residential uses except where the site plan approving body determines modifications to such height standards are warranted due to surrounding conditions or other pertinent factors.
2. Specifications: Site plan documents shall include construction details and specifications for fences and walls including specifications for posts, footings, the manner of securing fencing to posts, height specifications, and related construction information.
3. Finished Side Orientation: The finished side of the fence or wall shall face the abutting lot.
4. Zoning Permit Required: No fence or wall shall be erected prior to the issuance of a zoning permit.

E. Exceptions:

1. Public Welfare: The designated site plan approving body may permit and/or require fence or wall heights greater than otherwise provided in this Section upon finding that such a greater height shall have a substantial impact in more effectively protecting the public safety and/or welfare.
2. Construction Fences: This Section shall not apply to temporary construction fences in association with construction for which a building permit has been issued.
3. Snow Fences: This Section shall not apply to seasonal snow fences provided such fences shall not exceed four (4) feet in height and shall not be erected prior to November 1 and shall be removed no later than April 1.

Section 20.10 Home Occupations

A. Definitions: For the purpose of this Section and Ordinance, the following phrases and definitions shall apply:

1. Home Occupation: An occupation, profession or other income-producing activity, conducted on the same lot as an occupied dwelling and by an occupant of the dwelling, accessory to and incidental to the principal residential use of the lot. Agriculture, as defined in this Ordinance, shall not be construed to be a home occupation.
 - a. Class 1 Home Occupation: A home occupation that is conducted entirely within the dwelling, including an attached garage.
 - b. Class 2 Home Occupation: A home occupation that is conducted wholly or in part in an accessory building in an AR or RR District.

B. Authorization: The operating or conducting of a home occupation is permitted according to the regulations and standards of this Section.

1. Class 1 Home Occupation: A Class 1 Home Occupation is permitted as an accessory use to the principal residential use of a lot. A zoning permit is not required for the establishment of such a home occupation but such occupation shall comply with the standards of subsection (C) below.
2. Class 2 Home Occupation: A Class 2 Home Occupation is classified as a special land use and permitted in the AR and RR Districts only, and shall be subject to the provisions of Article 15 and the standards of subsection (C) below. A permit issued for such home occupation shall clearly delineate any conditions upon which such approval is granted. In addition to the information required by Article 15, an application

for a Class 2 home occupation shall also include a detailed description of the character of the home occupation such as service or product offered; the number of full-time and part-time employees of the business and the frequency at which such employees will be present on the residential lot; the type and frequency of vehicular traffic to be generated by the home occupation; the location of all parking, delivery and storage areas; and proposed landscaping/screening in association with any outdoor area, including parking and storage areas, to minimize negative impacts on nearby properties.

C. Standards: Class 1 and 2 home occupations shall comply with the following standards:

1. Management. A resident of the dwelling on the lot shall be actively and personally engaged in and be responsible for all home occupation operations.
2. Secondary and Incidental. The occupation shall be clearly secondary and incidental to the use of the dwelling as a place of residence, and shall not result in a change to the essential residential character of the premises including both the dwelling and yard areas.
 - a. The dwelling shall have no exterior evidence of the home occupation except for a sign as permitted by Article 9.
 - b. A Class 1 home occupation shall not occupy more than twenty-five percent (25%) of the gross floor area of any story of a dwelling and may occupy no more than fifty percent (50%) of the area of a basement. A Class 2 home occupation shall not occupy more than one thousand (1,000) sq. ft. of the accessory building.
3. Nuisance Conditions and Hazardous Materials.
 - a. The occupation shall not produce any noise, odors, vibration, vapors, fumes or smoke detectable to normal sensory perception beyond the lot lines. No equipment or process shall be used which creates electrical interference in any radio, television, or communication receivers off the premises, or cause fluctuations in line voltage off the premises.
 - b. The home occupation shall not involve the use or storage of explosive, flammable, or otherwise hazardous materials and waste not otherwise of a customary household nature, except as may be authorized in the case of a Class 2 home occupation. Refuse generated by a home occupation shall be safely and properly disposed of.
4. Employees. In the case of a Class 1 or Class 2 home occupation, no more than one (1) employee shall be present on the premises during the ordinary course of business excluding employees residing in the dwelling. This provision shall not prohibit the arrival of up to one (1) additional employee to the premises for the purpose of receiving daily instructions for work to be performed elsewhere and provided there is compliance with subsection (7) below.
5. Utilities. No Class 1 or Class 2 home occupation shall result in a demand for utilities beyond what might be reasonably expected by a dwelling, including electricity, potable water and sewage disposal.
6. Traffic and Parking.
 - a. Traffic in association with a home occupation shall not result in more than ten (10) pedestrian and/or vehicular arrivals during the daily course of business, including those by customers, salespersons, delivery persons, or other business visitors.
 - b. A minimum of two (2) and maximum of three (3) off-street parking spaces shall be provided for home occupation purposes and no such spaces shall be located in a front yard unless set back a minimum distance of one hundred (100) feet from the front lot line. The parking spaces shall be clearly visible to vehicle drivers and comply with the dimensional requirements of Article 9. This subsection (b) shall not apply upon the Township's determination that the home occupation shall not result in customer or service provider parking on a typical daily basis.
7. Setbacks. An accessory building housing a Class 2 home occupation shall not be located within fifty (50) feet of a lot line.
8. Outdoor Operations and Storage. No portion of a Class 1 or Class 2 home occupation shall be located outdoors including the storage of equipment and materials.
9. On-Site Sales. There shall be no Class 1 or Class 2 sales activities with the general public on the lot on which such home occupation occurs except in the case of products produced on such lot. This subsection shall not prohibit phone sales, internet sales, and similar sales where the general public does not typically arrive on the home occupation lot to acquire the product.

Section 20.11 Setbacks for Residential Decks and Similar Outdoor Structures

A. Setbacks: Decks and similar outdoor structures used for gathering, lounging, dining, and/or similar use, shall comply with the setback standards for accessory structures according to Section 20.8.

1. Exception: Decks and similar outdoor structures used for gathering, lounging, dining, and/or similar use, shall be setback a minimum distance of five (5) feet from side and rear lot lines provided such structure complies with the following:
 - a. The structure is unroofed.
 - b. The structure includes no fence, walls or similar screening of a height in excess of six (6) feet above the structure's floor surface.

Section 20.12 Keeping of Animals as Accessory Residential Use

A. Definitions: For the purpose of this Section, the following phrases shall have the following definitions:

1. "Vicious animal" shall be defined as any animal that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.
2. "Household pets" shall be defined as animals commonly maintained in a residence including dogs, cats, fish, birds, hamsters and similar animals.
3. "Large livestock" shall be defined as horses, ponies, cattle, and other livestock that can be reasonably expected to grow to a weight greater than (300) pounds upon reaching maturity.
4. "Medium livestock" shall be defined as sheep, goats, ostrich, swine, and other livestock that can be reasonably expected to grow to a weight of between forty (40) and three hundred (300) pounds upon reaching maturity.
5. "Small livestock" shall be defined as rabbits, chickens, fowl, mink, sable, fox, and other livestock that can be reasonably expected to grow to a weight of less than forty (40) pounds upon reaching maturity.
6. "Wild animal" shall be defined as any animal that is not considered widely and commonly domesticated by humans within the State of Michigan including, but not limited to, opossum, raccoon, bear, deer, moose, elk, wolf, coyote, elephants, and wild cats such as tiger, lion, and ocelot.

B. Keeping of Vicious Animals: No vicious and/or wild animal shall be kept permanently or temporarily in any District.

C. Keeping of Household Pets: The keeping of household pets as an accessory use in association with any residentially-used lot is permitted provided such activities do not constitute a kennel as defined in this Ordinance, unless approval for such kennel has been granted pursuant to this Ordinance.

1. Noise: Pets shall be managed so as to prohibit nuisance conditions associated with excessive noise including excessive dog barking.
2. Waste: The retention or storage of animal waste shall be managed so as not to create a nuisance due to odors, flies, fleas or other nuisance-generating conditions. The retention or storage of animal waste shall not occur within fifty (50) feet of a lot line.
3. Containment: Pets shall be contained within the dwelling or otherwise on the lot. Unrestricted or otherwise free-roaming pets are prohibited.

D. Keeping of Livestock: The keeping of livestock as an accessory use to the principal residential use of a lot shall be permitted in the AR and RR Districts only. This subsection (D) shall not apply to agriculture as defined in Article 21.

1. Small Livestock:
 - a. There is no minimum lot area requirement for the keeping of small livestock.
 - b. At no time shall the density of such livestock exceed one (1) animal per four thousand (4,000) sq. ft. comprising the lot.
 - c. Any building or structure housing small livestock shall be set back no less than fifty (50) feet from a lot line.
2. Medium Livestock:
 - a. The keeping of medium livestock shall occur only on a lot of two (2) acres or greater but in no case shall such livestock be kept within a platted subdivision or site condominium.
 - b. At no time shall the density of such livestock exceed one (1) animal per one-half acre comprising the lot.
 - c. Any building or structure housing medium livestock shall be set back no less than fifty (50) feet from a lot line.

3. Large Livestock:
 - a. The keeping of large livestock shall occur only on parcels of five (5) acres or greater but in no case shall such livestock be kept within a platted subdivision or site condominium.
 - b. At no time shall the density of such livestock exceed two (2) animals for the first five (5) acres and one (1) additional animal for each additional acre comprising the lot.
 - c. Any building or structure housing large livestock shall be set back no less than fifty (50) feet from a lot line.
4. Regulations Applicable to All Livestock Maintained as a Residential Accessory Use:
 - a. Livestock shall be managed by the occupants of the premises, and shall be maintained in a healthy condition.
 - b. All livestock shall be completely enclosed by a fence or other means, of an adequate height, design and construction to contain the animals.
 - c. The retention or storage of animal waste shall be managed so as not to create a nuisance, and in no case shall the storage of animal waste occur within fifty (50) feet of a lot line.
 - d. The facility shall be constructed and maintained so that dust and drainage from a stable or other animal containment area shall not create a nuisance or hazard to adjoining property or uses.
 - e. In the case of a lot less than two (2) acres in area, livestock shall be maintained in a rear yard only.
 - f. In the case of a lot less than two (2) acres in area, no more than two (2) newly born animals may be maintained on said lot where the maintaining of such newly born animals would increase the permitted number of animals beyond the animal density limitations of this Section, but in no case shall such newly born animals be maintained on the lot for more than six (6) months after birth.

Section 20.13 Seasonal Sales of Agricultural Products

A. Definition: For the purpose of this Section, an “agricultural product” shall be defined as a product harvested as part of an agricultural operation and/or comprised principally of processed agricultural products that results in a new product. Examples of agricultural products include Christmas trees; fire wood; apples, pumpkins and other fruits and vegetables; jams and preserves; honey, and maple syrup.

B. Authorization: The sale of seasonal agricultural products is a permitted use in all districts, subject to the provisions of this Section. Nothing in this Section shall be construed to prohibit a “farm market” as defined in the most current Generally Accepted Agricultural Management Practices as published by the Michigan Agriculture Commission, provided such farm markets are in compliance with such Practices.

C. Standards:

1. No seasonal sales structure in excess of one-hundred (100) sq. ft. shall be located within twenty-five (25) feet of a front, side and rear lot line.
2. No features of a seasonal sales area shall be permanent in character including display areas and enclosures. During any time the sales area is not being used for seasonal sales, no enclosures or display feature shall be maintained within one-hundred (100) feet of a front lot line and twenty-five (25) feet of side and rear lot lines,.
3. No parking shall be permitted in a public right of way. An area shall be provided for the orderly accommodation of a minimum of three (3) parking spaces.
4. The seasonal sales area shall not result in traffic hazards. Access drives shall be wide enough to accommodate two vehicles side-by-side.
5. Suitable containers for rubbish shall be placed on the premises for public use, and the seasonal sales area shall be kept free of litter.

Section 20.14 Outdoor Residential Swimming Pools

A. Permit/Application: No outdoor swimming pool on a residentially-used lot shall be erected prior to the issuance of a zoning permit from the Zoning Administrator, and the necessary building permits from the Building Inspector. Application for a zoning permit shall be made to the Zoning Administrator on a form for such purpose and shall be accompanied by a plot plan according to Section 2.4(B), which identifies the location of the pool, pool decks, adjacent buildings, fencing, and gates.

B. Standards

1. No pool shall be located in a front yard.
2. The interior wall surface of a pool shall comply with the same side and rear setback standards as required for the dwelling, according to Table 3-4 of Article 3. Setbacks for pool deck areas shall comply with Section 20.18.
3. No pool shall be located under electrical wires and similar utility devices.

4. All swimming pools shall be designed, constructed and maintained in compliance with all building codes and the rules and regulations of county and state health departments, including cleanliness, fencing, gates, and other safety measures.

Section 20.15 Condominiums

A. Intent: The intent of this Section is to provide regulatory standards for condominiums similar to those required for projects developed under other forms of ownership. This section is not intended to prohibit or treat condominiums different than similar projects developed under another form of ownership.

B. Applicability of District Regulations: A condominium project, including single family detached units, two-family units and multiple family developments, shall comply with all standards of the district within which it is located including use, setback, height, lot coverage, lot area, and lot width requirements, and all other provisions of this Ordinance. A condominium lot in a site condominium project is that portion of the project intended to function generally similar to a platted subdivision lot and shall comply with the use, setback, height, lot coverage, lot area, and lot width requirements of the District within which it is located and all other provisions of this Ordinance.

C. Review and Approval Procedures:

1. **Zoning Permit Required:** No grading or any other form of construction shall be initiated for a condominium prior to the approval of a final site plan and issuance of a zoning permit. The future erection of any dwelling or other structure or building in the condominium, not expressly approved as part of the final site plan, shall require an additional zoning permit prior to erection.
2. **Site Plan Approval Required:** The issuance of a zoning permit shall require the submittal and approval of a site plan pursuant to Article 14, Site Plan Review, and master deed and bylaw documents.
 - a. In addition to the site plan information required by Article 14, the applicant shall also submit information constituting a condominium subdivision plan, including the size, location, area, width, and boundaries of each condominium unit; building locations; the nature, location, and approximate size of common elements; and other information required by Section 66 of Michigan Public Act 59 of 1978, as amended.
3. **Master Deed/Bylaws Approval Required:** The applicant shall include as part of the zoning permit application a copy of the proposed master deed and bylaws. These shall be reviewed for compliance with Township ordinances and to ensure that an assessment mechanism has been included to guarantee adequate funding for maintenance of all common elements. The common area funding responsibility of the association shall include any necessary drainage-ways and the cost to periodically clean out such drainage ways to keep them functioning as intended in the approved plans. The master deed shall clearly state the responsibility of the owner and co-owners and shall state that all amendments to the master deed must conform to Township, County, and state laws and regulations. The Master Deed shall also include any variances granted by Township, County, or State authorities and include a hold harmless clause from these variances. All provisions of the condominium subdivision plan that are approved by the Township Board shall be incorporated, as approved, in the master deed for the condominium subdivision.
4. **Issuance of Zoning Permit:** Upon approval of a final site plan, by-laws and master deed, the applicant shall furnish the Zoning Administrator a recorded copy of the final bylaws and master deed, and a copy of the approved site plan. Upon the satisfactory submittal of these documents, the Zoning Administrator shall issue a zoning permit.
5. **Changes:** Any changes to an approved condominium including changes in the by-laws, master deed, or site plan, such as changes in lot line or road configuration and the addition or relocation of buildings, shall require approval by the Township Board prior to such change.

D. Building Permit: No building shall be erected prior to the issuance of a zoning permit by the Zoning Administrator, and a building permit by the Building Inspector.

E. Public Utilities: The condominium shall provide for the conveyance of easements to the appropriate agencies for the purposes of construction, operation, maintenance, inspection, repair, alteration, replacement and/or removal of pipelines, conduits, mains and other installations of a similar character for the purpose of providing all public utility services.

F. Roads: All roads within a condominium shall be designed and constructed in conformance with the standards of the Livingston County Road Commission unless private road approval has been granted under this Ordinance.

G. As-Built Plan and Occupancy: Submission of as-built plans of a condominium is required. The Township Board may allow occupancy of the project before all required improvements are installed provided that a financial performance guarantee is posted pursuant to Section 2.8.

H. Monuments: All condominium lots that are building sites shall be marked with monuments as if such lots were within a platted subdivision, and such monuments shall comply with the requirements of Public Act 288 of 1967, as amended, the Land Division Act.

Section 20.16 Outdoor Furnaces

A. Outdoor Furnace Defined: For the purpose of this Section and Ordinance, “outdoor furnace” shall be defined as an accessory structure intended not to be located within a building occupied by humans or domestic animals, which is designed for heating spaces or liquids within such occupied buildings and/or an outdoor swimming pool or spa, through the burning of fuel.

B. Approval Procedure: Outdoor furnaces are classified as an accessory structure and shall be subject to Zoning Administrator approval according to Section 2.4. The Zoning Administrator shall issue a zoning permit for such furnace upon finding that the application complies with the standards and regulations of this Section and Ordinance.

C. Standards: An outdoor furnace shall be installed and used only in accordance with the following provisions:

1. **Districts, Lot Area, Yards and Setbacks:**
 - a) An outdoor furnace shall be located in an AG or RR District only, on a lot of a minimum two (2) acres.
 - b) An outdoor furnace shall not be located in a front yard and shall be setback from all lot lines a minimum distance of fifty (50) feet.
2. **Construction:** An outdoor furnace shall comply with all building codes of the Township and all other regulations and requirements of county, state and federal agencies. An outdoor furnace shall meet the manufacturer’s specification for erection and operation and shall exceed such specifications where local codes, state or federal regulations require so, including the requirements of this Section.
3. **Chimney Height:** The furnace shall have a chimney that meets manufacturer’s specifications for height and in no case shall a chimney be less than two (2) feet above the peak of all buildings on another lot within one-hundred fifty feet (150’) of the furnace.
4. **Fuel:** No outdoor furnace shall rely on any fuel except wood, wood pellets, corn, agricultural seeds, newspaper, letter and office paper, and cardboard, provided such materials include no additives such as paints, varnishes, preservatives, resins, and glues. For clarification purposes, examples of prohibited fuels include rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses or waste; paint or painted materials; furniture; composite shingles; construction or demolition debris or other household or business waste; asphalt and products containing asphalt; plywood, composite wood or pressure treated woods; any plastic material including but not limited to nylon, PVC, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers; rubber including tires and synthetic rubber-like products; container board, and other similar materials.

Section 20.17 Prohibited Vehicles in Agricultural and Residential Districts

A. Prohibited Vehicles Identified: Any vehicle that meets one or more of the following is prohibited from being parked or stored overnight in a platted subdivision or condominium subdivision, or any lot less than (2) acres in area in an Agricultural or Residential District, irrespective of whether such parking or storage occurs outdoors or indoors:

1. Vehicles that have more than two axles.
2. Vehicles that have a gross vehicle weight rating in excess of 10,000 pounds that are used principally or regularly for commercial or industrial purposes including transporting of cargo, equipment or passengers.
3. Any vehicle that exceeds thirty (30) feet in length or nine (9) feet in height.
4. Semi-tractors or trailers, sand and gravel hauling trucks, bulldozers, graders and similar vehicles.

B. Exceptions: Subsection (A) shall not prohibit the parking of the following vehicles in Agricultural and Residential Districts provided all specified conditions are met:

1. Semi-tractors or trailers, sand and gravel hauling trucks, bulldozers, graders and other earthmoving vehicles, where such vehicles are parked or stored overnight on a lot currently under construction and such construction requires the use of such vehicles.
2. Recreational vehicles as regulated elsewhere by this Ordinance.

3. Vehicles expressly authorized as part of an approved home occupation or other use.
4. Agricultural vehicles and machinery on a lot devoted to agriculture and for which the vehicles and/or machinery is used.
5. Buses and commercially licensed vehicles on a lot devoted to the operations of a school, church or other institution located on such lot or on the lot on which the authorized driver of such vehicle resides.
6. Emergency vehicles such as ambulances, fire emergency vehicles and tow-trucks.
7. One (1) vehicle that is not included in exceptions (B)(1) – (6) provided there is compliance with the following:
 - a. The lot is a minimum of five (5) acres in area.
 - b. The vehicle is parked in the rear yard only.
 - c. The vehicle is parked a minimum of one-hundred (100) feet from side and rear lot lines and a minimum of two hundred (200) feet from any existing dwelling on another lot.

Section 20.18 Outdoor Display, Sales and Storage

A. Definition of Materials and Products: For the purpose of this Section, “materials and products” shall include lumber piles, crates, boxes, building supplies, discarded items, trash, junk, and similar items; finished or partially finished items intended for subsequent use or sale including pipes, logs, fire wood, and figurines; and motor vehicles, items intended for tow, landscape supply materials, and other items customarily stored, displayed or maintained outdoors.

B. Display and Sales: Outdoor display or sales of materials and products in association with a commercial or industrial use is prohibited except where expressly authorized pursuant to an approved site plan. Such display or sales area shall not extend into a required setback for the principal building. The maximum permitted outdoor display or sales area shall be ten percent (10%) of the use's indoor retail sales floor area except that this limitation shall not apply to the display and sales of plant nursery stock, landscape supply materials, motor vehicles, items intended for tow, or other items customarily stored outdoors.

1. Exception: Nothing in this subsection shall prohibit a commercial use dedicated principally to retail sales from displaying items for sale provided the display area and items do not extend more than five (5) feet from the wall of a building dedicated to such use and the display shall not exceed five (5) feet in height.

C. Non-Residential Storage: The outdoor storage of materials and products in association with a commercial or industrial use, or other non-residential use, not otherwise comprising outdoor display and sales as determined by the site plan approving body, is prohibited except where the site plan approving body finds that proposed screening or enclosure of such storage area adequately minimizes negative impacts upon existing and planned surrounding land uses. Such enclosure or screen shall be subject to site plan approval. No such outdoor storage of materials and products shall be located in a front yard and shall not constitute a fire hazard or contribute to unsanitary conditions.

1. Storage of Garbage and Waste: In the case of the storage of daily garbage, trash and similar refuse to be stored outdoors for subsequent disposal, the following restrictions and requirements shall apply:
 - a. Such stored materials shall be within containers that shall be screened by an enclosure constructed of wood, concrete, bricks or similar durable materials, the specifications for which shall be specified in the site plan submitted for the use including materials, dimensions, and wall and gate construction details.
 - b. Such storage can be consolidated to as few locations as practical and so located to minimize public view.
 - c. No such storage shall occur in a front yard.
 - d. Such storage areas shall be kept free of litter and shall be maintained to minimize negative impacts upon surrounding land uses and buildings.
 - e. In the case where the stored material is to be stored in a container for subsequent emptying into a waste vehicle by mechanical means, the container being commonly referred to as a “dumpster,” such container area shall have a concrete pad of a minimum of six (6) inches in thickness.

D. Residential Storage: The outdoor storage of materials and products in association with a dwelling, that exceeds fifty (50) sq. ft. in area, either as a single storage area or all items and storage areas cumulatively, shall be screened by a fence or wall to conceal the stored items from adjacent lots and right-of-ways. No items shall be stored outdoors that exceeds the height of such fence or wall. Storage areas shall be maintained so as to prohibit the presence of litter outside the storage area and the transferring of litter onto other lots. There shall be no storage of materials or items that constitute a fire hazard or contribute to unsanitary conditions.

E. Fences and Walls: See Section 20.9 regarding fencing and wall requirements.

F. Junk Yards: Nothing in this Section shall be construed as authorizing a junk yard as defined in Article 21.

Section 20.19 Clear Vision Zone

No fence, wall, hedge, screen, sign, structure, vegetation or other obstruction shall be located so as to impede vision between the height of three (3) and ten (10) feet above road elevation on any corner lot, within a fifty (50) feet radius of the intersecting road right-of-way lines. In the case of a driveway used for other than single-family or two-family purposes, no fence, wall, hedge, screen, sign, structure, vegetation or other obstruction shall be located so as to impede vision between the height of three (3) and ten (10) foot above road elevation within a twenty (20) foot radius of the intersecting driveway edge and road right-of-way line. The restrictions of this Section shall not apply in the case of a fence that is transparent across a minimum of eighty percent (80%) of its face within the above measurement areas unless otherwise determined necessary by the approving body due to the fence's configuration and/or location that unreasonably undermines public safety.

Section 20.20 Garage Sales

In the case of the sale of items belonging to members of the household living on the premises where the sale is being conducted, and which is commonly referred to as a garage and/or yard sale, the maximum number of such sales shall not exceed two (2) per calendar year and each sale shall not exceed four (4) calendar days in duration. A permit shall not be required for garage/yard sales. A garage sale shall not provide for sale any pre-packaged products produced off-premises or products purchased with the principal intent of resale. See Article 8 regarding permitted signs.

Section 20.21 Temporary Non-Residential Buildings and Uses

Temporary non-residential uses and buildings are subject to the Iosco Township Special Events Ordinance, as may be amended from time to time. Temporary non-residential uses and buildings that do not constitute a "special event" according to such Ordinance, such as in the case of a mobile home used by a contractor on a construction site, are permitted only after approval by the Zoning Administrator upon finding that such temporary feature shall not undermine public health, safety and welfare, shall not unreasonably impact neighboring land uses, and shall comply with the setback standards of Table 3-4 of Article 3. An approval shall include the date by which the temporary feature shall be removed. The Zoning Administrator may defer action on an application to the Planning Commission or otherwise seek the consultation of the Planning Commission.

Section 20.22 Medical Marihuana

A. Definitions: For the purpose of this Section, the following terms and phrases shall have the following meanings except where the context clearly indicates a different meaning:

1. Marihuana: As defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.
2. Primary caregiver: A person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana, who has been issued and possesses a registry identification card to do so according to the Michigan Medical Marihuana Act, and who otherwise meets the definition of a primary caregiver under the Act.
3. Qualifying patient: A person who has been diagnosed by a physician as having a debilitating medical condition, as defined by the Michigan Medical Marihuana Act, and who has been issued and possesses a registry identification card according to the Act.

B. Authorization: The growing, possession, distribution, provision and use of marihuana is prohibited except in accordance with the Michigan Medical Marihuana Act of 2008, provided that no more than one (1) primary caregiver shall reside in a dwelling; no more than one (1) primary caregiver shall occupy any portion of a non-residential building that has a United States Postal Service address specific to such portion of the building, for the principal or secondary purpose of growing, distributing, or providing medical marihuana; and the growing, distribution, and provision of medical marihuana is permitted only in the Agricultural Residential, Rural Residential and Manufactured Housing Community Districts.

1. Nothing in this Section shall be construed as authorizing any retail store, store front, office building, or other building or structure, or any type of mobile unit or entity, or any portion thereof, that dispenses, facilitates, stores, sells, or provides, in any manner, marihuana or cannabis or any product containing marihuana or cannabis, or any facility used to grow or otherwise cultivate marihuana, except as authorized by and in accordance with the Michigan Medical Marihuana Act.
2. Nothing in this Section shall be construed as authorizing any use that is subject to licensing under the Medical Marihuana Facilities Licensing Act including a "grower," a "processor," a "secure transporter," a

“provisioning center,” or a “safety compliance facility,” as defined in such Act.

C. Rights Unaffected by this Ordinance: This Section shall not affect the rights of any individual under Section 5 of the Michigan Regulation and Taxation of Marihuana Act or the Industrial Hemp Research Act. This Section shall not affect the rights or privileges of registered qualifying patients or registered primary caregivers under the Michigan Medical Marihuana Act and the Medical Marihuana Facilities Licensing Act.

(Section 20.22 amended 7-15-21)

End of Article 20

(Section 20.22 amended 7-15-21)