

CHARTER TOWNSHIP OF YPSILANTI
MINUTES FOR TUESDAY, MARCH 7, 2017 REGULAR MEETING

Revised at the Request of the Board of Trustees – Added comments Verbatim for Ordinance 2017-473

Supervisor Stumbo called the meeting to order at approximately 7:05 pm in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited and a moment of silent prayer.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees: Heather Jarrell Roe, Jimmie Wilson Jr., Monica Ross-Williams

Member Absent: Trustee Stan Eldridge

Legal Counsel: Wm. Douglas Winters

PUBLIC COMMENTS

Myla Harris, Vice President AFSCME Local 3451 thanked the Board for restoring the custodial position at the Recreation Center to full time.

Arloa Kaiser, Township Resident, encouraged residents to go on line and voice their objections to FERC regarding the Nexus pipeline.

JoAnn McCollum, Township Resident stated that Ypsilanti Township needs an updated Recreation Center.

Kayla Stersick, Township Resident encouraged the board to allow chickens on all properties.

Lisa Dolinger, Township Resident for 29 years encouraged the board to make chickens available to all residents.

Dale Dolinger, Township Resident stated having chickens would provide freedom and self-sufficiency for residents to be able to produce food for their families.

Marsha Burton, Township Resident would like the board to reconsider the mandatory one acre of land to have chickens.

Tina Eldridge, Township Resident is against having chickens in the subdivisions.

Angela Barbash, Township Resident voiced her support for the Three Ring Brewery and Makerspace.

Julia Tanquay, Township Resident stated she supported having chickens in residential neighborhoods without the 1 acre limitation.

Kayla Stersick, Township Resident. I was here to comment on the proposed ordinance change with respect to chickens. I regret I was unable to attend all the previous discussions on the subject but I'm encouraged to see that the board recognizes the value that pet chickens can provide to our families and to our community at large. I applaud the board for taking steps to revise an ordinance

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that will remove the general prohibition and make them available to some people. An acre land requirement is going to exclude the vast majority of our residents. I would like to encourage the board to take steps further in that direction to either reduce the lot size requirement or eliminate it altogether as many other communities have done.

Lisa Dolinger, 29 year Township Resident. If the ordinance changed to allow all residents to have chickens not everyone would run out and get chickens. They are a lot of work and they take commitment. People do not have to worry that every neighbor will have chickens it is not going to happen trust me. As people grow concerned about food safety and our environment, emergency preparedness and animal welfare they are returning to the basic skills our grandparents understood well, vegetable gardening, canning food, and raising hens. In response to citizens' request many municipalities across the country adopted ordinances allowing residents to keep a limited number of egg laying hens as pets. In 2008 it was 65% of major cities and that's expanded since then. The Township of Ypsilanti seems unjust to prohibit owners who have less than five acres and possibly one which still doesn't help us and it seems out of touch with modern urban residents and discriminates against township residents unable to afford to move or acreage. Ypsilanti Township seems backwards as opposed to the progressive culture of neighboring municipalities that have embraced the concept of self-sufficiency allowing residents to raise a few hens for non-commercial backyard hobby purposes. Those communities Ypsi City, Ann Arbor City, Milan, Chelsea, Belleville, Auburn Hills, Dearborn, Lansing, Farmington Hills, Grand Rapids, the list goes on. All these communities are doing it and doing it well, if there's a problem that's what you have ordinances for. Same as our wayward pooches or whatever they're taken care of by an ordinance. If your dog is doing things on other peoples' lawn or barking unnecessarily that is something that is taken care of by an ordinance so I just want to encourage again making them allowable and good letting us get back to our roots where our grandparents were able to do that. Have a few hens they're very quiet, they make 30 seconds worth of noise for six hens once a day so when they lay an egg you get the barking dog all night long and we can use their waste for fertilizer and so many other good things. We can cut down the waste that are taken care of by chickens because they eat it. I'm just encouraging all those different things and I'm going to leave information here we would really like to see a change and an acceptance of the way of life and things people are trying to get back too.

Dale Dolinger, Township Resident I agree with the information that had already been presented here this evening. I also like to make a comment I've talked with some of the Trustees before and one of the comments we've heard was there's not support for that type of an ordinance and I think that that's the wrong approach altogether see we are talking about freedom alright we're talking about the freedom to be able to produce some of your own food so that's like one of the four the freedom of want we can provide that for our families, very little cost by just having a few hens in the backyard provides enough eggs for a family of four or it depends on how many eggs you eat I suppose. Again, I applaud you for trying to reduce the amount of property one would need but again that doesn't help the

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majority of property owners here in Ypsilanti. There is a lot of fallacies in regard to owning chickens, they smell it's the same thing if you don't take care of your dog, they attract rodents and raccoons and all that it's been proven that that doesn't happen. Those things are already around you many notice them but chickens don't magically make raccoons and rats and possums to appear there already in your neighborhood so that's untrue. If you keep your feed and things put away like a responsible person that's not going to be a problem. Anyway, I would also pretty much reiterate this is an issue of self-sufficiency and the issue of freedom and an issue that many many municipalities in this United States have embraced. Ypsilanti Township, I believe, would like to be a progressive municipality right now with the proposal that we had five acres and now we have one acre I don't think that's progressive at all. I think that's a very backward way to look at things. So I'd like to thank you for giving me an opportunity to voice my opinion and you all have a good evening.

Marsha Burton, Township Resident, I just want to say thank you for putting this on the agenda, that's good, one acre not so good. We could edge down towards the acreage. I also want to say thanks again for not negotiating with Nexus. It's so cool. I didn't know if you guys would do it or not and you did, I just wanted to thank you guys.

Tina Eldridge, Township Resident, Evidently I'm in the minority here tonight because I am not in favor of chickens. I don't mind the one acre but I live in a subdivision, a house right next door I don't want chickens next door. I understand that there are rodents in the neighborhood this is going to cause more, I can't say yes but they can't say no. So I just wanted to voice my opinion that one acre to me I can live with that if you wanted farm animals move to a farm. Thanks

Julia Tanquay, Township Resident I support chickens and I also support not having the one acre limitation. That's it I'm sure you've heard all the pros and cons but thank you now you know how I feel.

CONSENT AGENDA

A. MINUTES OF THE FEBRUARY 21, 2017 WORK SESSION AND REGULAR MEETING

B. STATEMENTS AND CHECKS

1. STATEMENTS AND CHECKS FOR MARCH 7, 2017 IN THE AMOUNT OF \$960.645.50

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the Consent Agenda.

Motion carried unanimously.

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ATTORNEY REPORT

A. GENERAL LEGAL UPDATE

Attorney Winters updated the board on several issues in the Township. He said the lowering of the Tyler Pond was an important project and would help ACM and the Township by bringing in \$300,000.00 in Township revenue once completed. He shared information on the Payment in Lieu of Taxes (PILOT) from Clark East Towers and other funding for police and fire services they would pay to the township. He discussed the restart of Creekside Manors Development and the upcoming development of Redwood Apartments.

NEW BUSINESS

- 1. BUDGET AMENDMENT #4 - Removed from the Agenda by the Board**
- 2. REQUEST FOR LOCAL GOVERNMENT APPROVAL OF A MICRO BREWER LICENSE FOR MELISSA ZEMPER OF THREE RING BREWERY AND MAKERSPACE TO BE LOCATED AT 2839 E. MICHIGAN AVENUE**

A Motion was made by Lovejoy Roe, supported by Treasurer Doe to Approve Request for Local Government approval of a Micro Brewer License for Melissa Zemper for Three ring Brewery and Makerspace to be Located at 2839 E. Michigan Avenue.

The motion carried unanimously.

- 3. REQUEST OF FRIENDS IN DEED FOR LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSE**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve Request of Friends in Deed for Local Governing Body Resolution for Charitable Gaming License.

The motion carried unanimously.

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4. 1st READING OF RESOLUTION 2017-04, PROPOSED ORDINANCE 2017-472, AN ORDINANCE OF AMEND THE TOWNSHIP ZONING CODE, SECTION 2109 SIGNS

A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Approve 1st Reading of Resolution 2017-04, Proposed Ordinance 2017-472, an Ordinance of Amend the Township Zoning Code, Section 2109 Signs (see attached).

Jarrell Roe:	Yes	Ross-Williams:	Yes	Lovejoy Roe:	Yes
Stumbo:	Yes	Doe:	Yes	Wilson:	Yes

The motion carried unanimously.

5. 1st READING OF RESOLUTION 2017-05, PROPOSED ORDINANCE 2017-473, AMENDING THE TOWNSHIP ZONING CODE, SECTION 401 TO PERMIT RAISING UP TO FOUR (4) HENS ON RESIDENTIAL PARCELS WITH ONE ACRE OR MORE

A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams to Approve 1st Reading of the Resolution 2017-05, Proposed Ordinance 2017-473, Amending the Township Zoning Code, Section 401 to Permit Raising up to Four (4) Hens on Residential Parcels with one Acre or More (see attached).

Trustee Jarrell Roe stated she was concerned that many residents who would like to have hens do not live on one acre or more and this ordinance would exclude them from having hens. Trustee Ross-Williams said an accurate count of residents for or against having hens has not been established and she would like to look into this further. Trustee Wilson stated he feels moving the Ordinance from requiring five acres to one acre is an appropriate compromise. He said he would like the board to revisit this Ordinance in the near future and he hoped we could have additional input from our residents.

Clerk Lovejoy Roe read an email from Trustee Eldridge on the Ordinance (see attached).

Clerk Lovejoy Roe read other emails and comments from residents on the Ordinance (see attached). Clerk Lovejoy Roe stated she had chickens on a smaller lot and she knew there was no odor. She said she thought that sometimes as a board member we should support issues that residents request that would do no harm to others. She said nothing compares to fresh eggs and there is no comparison to the flavor and if you try and buy fresh eggs you would pay about \$6.00 a dozen.

Clerk Lovejoy Roe made an amendment that the Planning Commission revisit this ordinance at the beginning of 2018 to look at reviewing the language and host public hearings on an ordinance for smaller lots and also requests our planning

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consultants to research other municipalities' ordinances on this subject and problems they have experienced, if any.

Arloa Kaiser said she was opposed to having chickens on less than one-acre lots. She also stated that in her deed for her home it states she cannot have farm animals and she feels chickens are farm animals.

Trustee Jarrell Roe said we discussed this at length at the work session of course I'm an avid chicken supporter but my personal concerns with this Ordinance just because many of our residents within our community don't live on 1-acre lots or more. I just was surveying everyone who spoke in favor of the chickens today and I can say I can safely say that most of you don't live on 1-acre lots and it really excludes many of our residents so I just wanted for the record to state my personal stance on that.

Trustee Ross-Williams said she would just go ahead and reiterate what I said during the work session which is I would be inclined in order to look at subdivisions I just want to make sure that those that may not had the opportunities on the subject you can call them say the people could be the majority or minority have had the opportunity to say if they support or not and I definitely in my opinion believe that this is a step forward and I am willing as my vote to go forward with this step and look at other steps and actions and put them on the table

Trustee Jimmie Wilson, Jr said that looking at the history that was broken down in the work session this seems like a great compromise. I know that there are residents that wanted us to go further bargaining in good faith you come up with a compromise you may want something you could have just been denied altogether. I would say that come from 5 acres seems like the reasonable solution would be to cut it in half. So since our Planning Commission has come all the way down to 1 acre that seems like a compromise however, like Supervisor Stumbo has said we definitely should get a nice proposal from the community and potential revisit this in the near future. We'll see how things are going, definitely more response from the residents. I am in favor of what's before us today the one acre.

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A motion was made by Clerk Lovejoy Roe to restate and clarify with the friendly amendment, supported by Trustee Ross-Williams to Approve 1st Reading of the Resolution 2017-05, Proposed Ordinance 2017-473, Amending the Township Zoning Code, Section 401 to Permit Raising up to Four (4) Hens on Residential Parcels with one Acre or More with the amendment that the Planning Commission revisit this ordinance at the beginning of 2018 to look at reviewing the language and host public hearings on an ordinance for smaller lots and also requests our planning consultants to research other municipalities’ ordinances on this subject and problems they have experience, if any (see attached).

Jarrell Roe:	No	Ross-Williams:	Yes	Lovejoy Roe:	Yes
Stumbo:	Yes	Doe:	Yes	Wilson:	Yes

The motion carried.

**6. REQUEST OF JEFF ALLEN, RESIDENTIAL SERVICES DIRECTOR FOR
AUTHORIZATION OF THE DECLARATION AND NOTICE AS REQUIRED BY THE
DEPARTMENT OF NATURAL RESOURCES TO RESTRICT THE DEED TO FORD
LAKE PARK TO COMPLETE THE GRANT FOR THE RENOVATION OF THE FORD
LAKE PARK TENNIS COURTS**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve the Request of Jeff Allen, Residential Services Director for Authorization of the Declaration and Notice as Required by the Department of Natural Resources to Restrict the Deed to Ford Lake Park to Complete the Grant for the Renovation of the Ford Lake Park Tennis Courts (see attached).

The motion carried unanimously.

**7. REQUEST OF JEFF ALLEN, RESIDENTIAL SERVICES DIRECTOR FOR
AUTHORIZATION OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION
RESOLUTION FOR RIGHT OF WAY ACCESS**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to Approve Request of Jeff Allen, Residential Services Director for Authorization of the Michigan Department of Transportation Resolution for Right of Way Access (see attached)

The motion carried unanimously.

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- 8. REQUEST TO MIKE RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION TO ABATE PUBLIC NUISANCE DRUG HOUSES BY PADLOCKING LOCATED AT 2368 PINERIDGE COURT AND 139 WIARD ROAD IN THE AMOUNT OF \$10,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023**

A motion was made by Treasurer Doe, supported by Clerk Lovejoy Roe to Approve Request To Mike Radzik, OCS Director for Authorization to Seek Legal Action to Abate Public Nuisance Drug Houses by Padlocking Located at 2368 Pineridge Court and 139 Wiard Road in the Amount of \$10,000.00 Budgeted in Line Item #101-950-000-801-023

The motion carried unanimously.

- 9. REQUEST OF BRIAN MCCLEERY, ASSISTANT ASSESSOR TO ENTER INTO NEGOTIATIONS FOR THE SALE OF TOWNSHIP OWNED PROPERTY LOCATED AT 110 JOHNSON STREET PARCEL #K-11-10-211-004**

A motion was made by Trustee Jarrell Roe, supported by Treasurer Doe to Approve Request of Brian McCleery, Assistant Assessor to Enter into Negotiations for the Sale of Township Owned Property Located at 110 Johnson Street Parcel #K-11-10-211-004

The motion carried unanimously.

OTHER BUSINESS

AUTHORIZATION AND BIDS

- 1. REQUEST OF MIKE SARANEN, HYDRO OPERATIONS TO AWARD THE LOW BID FOR THE PURCHASE AND COMMISSION OF ONE (1) NEW DUEL FUEL GAS GENERATOR WITH SELECTED OPTIONS IN THE AMOUNT OF \$21,207.00 BUDGETED IN LINE ITEM #252-252-000-977-000**

A motion was made by Treasurer Doe, supported by Clerk Lovejoy Roe to Approve Request of Mike Saranen, Hydro Operations to Award the Low Bid for the Purchase and Commission of One (1) New Duel Fuel Gas Generator with Selected Options in the Amount of \$21,207.00 Budgeted in Line Item #252-252-000-977-000

The motion carried unanimously.

- 2. REQUEST OF JEFF ALLEN, RESIDENTIAL SERVICES DIRECTOR TO AWARD THE LOW QUOTE FOR THE PURCHASE OF A TORO BAT WING MOWER TO SPARTAN DISTRIBUTORS IN AN AMOUNT NOT TO EXCEED \$62,000.00 BUDGETED IN LINE ITEM #101-774-000-977-000**

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A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams to Approve Request of Jeff Allen, Residential Services Director to Award the Low Quote for the Purchase of a Toro Bat Wing Mower to Spartan Distributors in an Amount not to Exceed \$62,000.00 budgeted in Line Item # 101-774-000-977-000

The motion carried unanimously.

- 3. REQUEST TO WAIVE THE FINANCIAL POLICY AND AUTHORIZE THE THREE FULL TIME OFFICIALS TO AWARD THE LOW QUOTE FOR THE GREEN OAKS COURSE PATH IMPROVEMENTS IN AMOUNT NOT TO EXCEED \$250,000.00 BUDGETED IN LIEN ITEM #584-584-000-971-000 – Removed from the Agenda by the Board**

A motion was made by Trustee Wilson, supported by Treasurer Doe to Adjourn.

The motion carried unanimously.

The meeting was adjourned at approximately 8:06p.m.

Respectfully Submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

RESOLUTION 2017-04
(In Reference to Ordinance 2017-472)

**A Resolution Amending the Sign Ordinance of the
Charter Township of Ypsilanti**

Whereas, the Township Planning Consultants have recommended certain changes to the Charter Township of Ypsilanti's (Township) Planning Commission (Commission), involving the Sign Ordinance as contained in the Township's Zoning Code specifically Article XXI entitled "**General Provisions**," and specifically, Section 2109 of that Article entitled "**Signs**;" and

Whereas, at its at its regularly scheduled meeting held **February 28, 2017**, the Commission recommended approval of the Planning Consultant's proposed changes to Section 2109 to the Township Board which changes can be summarized as follows:

1. While most sections of the Zoning Ordinance have a stated intent, Section 2109 did not. Sign ordinances having a stated intent and purpose is useful in legal proceedings interpreting their meaning.
2. Definitions: A definition of "**bench sign**" has been added due to current issues involving these types of signs.
3. Permitted Accessory Signs: Temporary signs (i.e. construction, real estate, etc.) are addressed in two sections in the existing ordinance. Ordinance No. 2017-472 consolidates all temporary sign regulations in a single section, Section 2109.3e entitled "**Temporary Signs**."
4. Non-Accessory Signs: The prohibition on advertising tobacco and alcohol has been removed because it is content based as prohibited by United States Supreme Court.
5. Insurance: Township legal counsel has requested that the Ordinance specify an amount of insurance to be carried by businesses "**engaged or continuing in the business of erecting, servicing, repairing or dismantling of signs**" in the amount of one million dollars. This provision only applies to commercial signs.

6. Removal of Abandoned Signs: The existing language has been replaced with a more specific procedure in the proposed Ordinance; and

Whereas, proposed Ordinance No. 2017- 472 has revised the current existing Ordinance in such a fashion as to incorporate the above changes recommended; and

Whereas, the Charter Township of Ypsilanti Board of Trustees (Board) agrees with the request of the Planning Commission;

Now Therefore,

Be it resolved, that the Charter Township of Ypsilanti Board of Trustees does hereby approve **Ordinance No. 2017-472** as attached, by deleting in its entirety, current existing Article XXI, Section 2109 of the Township's Zoning Code in its entirety, replacing it with proposed **Ordinance No. 2017-472**, which ordinance reflects the suggestions and input of the Township's Planning Consultant as recommended by the Commission.

PROPOSED ORDINANCE 2017-472

**An Ordinance Amending the Sign Ordinance of the
Charter Township of Ypsilanti**

The Charter Township of Ypsilanti hereby ordains that the Sign Ordinance Section 2109, the **Ypsilanti Township Zoning Code**, adopted May 18, 1994, shall be amended as follows:

- I. **Delete in its entirety subsection 2109 – Signs.**
- II. **Add the following new Section 2109 Signs to read as follows:**

Sec. 2109. - Signs:

1. Purpose, Intent and Definitions.

- a. These regulations establish rules and standards for the construction, location, maintenance and removal of all signs except those exempted from regulation by this ordinance. Directional, emergency, or traffic-related signs owned by the township, county, state or federal government agencies are not regulated by this section. The execution of these regulations recognizes that the purpose of this chapter is to protect the interest of public health, safety and welfare and to ensure the maintenance of an attractive physical environment while satisfying the needs of sign users for adequate identification and communication. In order that such purposes can be achieved, the following objectives shall be applied for this ordinance and any future additions, deletions and amendments:
 - (1) General. Ensure that signs are located, designed, constructed, installed and maintained in a way that protects life, health, morals, property and the public welfare.
 - (2) Public Safety. Protect public safety by prohibiting signs that:
 - i. are structurally unsafe or poorly maintained;
 - ii. cause unsafe traffic conditions because they unreasonably distract motorists, have similarities to official traffic signs or hinder vision; and
 - iii. impede safe movement of pedestrians or safe ingress and egress from buildings or sites.
 - (3) Protect Aesthetic Quality of Districts and Neighborhoods. Prevent blight and protect aesthetic qualities by preventing visual clutter and protecting views. Prevent proliferation of signs in residential areas and eliminate abandoned signs and sign structures on unused properties. Avoid glare and light trespass through selection of proper fixture type(s) and location, lighting technology, and control of light levels.
 - (4) Free Speech. Ensure that the constitutionally guaranteed right of free speech is protected and allow signs as a means of communication.
 - (5) Reduce Conflict. Reduce conflict among signs and light and between public and private information systems.
 - (6) Business Identification. Allow for adequate signage for business identification and other commercial speech, non-commercial speech, and dissemination of public information, including but not limited to, public safety information and notification as may be required by law.
 - (7) Foster Economic Development. Ensure that signs are located in a manner that does not cause visual clutter, blight, and distraction, but rather

promotes identification and communication necessary for sustaining and expanding economic development in the city.

b. Sign definitions: The following definitions are related to signs:

- (1) Sign: Any announcement, declaration, display, billboard, illustration and insignia when designed and placed so as to attract general public attention. Such shall be a single sign whenever the proximity, design, content or continuity reasonably suggest a single unit, regardless of any physical separation between parts. Signs shall include banners, bulbs, other lighting devices, streamers, pennants, balloons, propellers, flags or similar devices.

For purposes of this Ordinance, the following additional definitions shall apply:

- (a) Abandoned sign: A sign that is accessory to or associated with a legal use that has been discontinued or terminated.
- (b) Bench sign: A bench or chair or an attachment to a building which provides a bench, chair or seating device which has been painted, or in any other way has attached to it, a sign.
- (c) Billboard: A nonaccessory sign, other than an off-premises directional sign, which does not pertain to the principal use of the premises on which it is located.
- (d) Building-mounted sign: A display sign which is painted on, adjacent to or attached to a building wall, door, window or related architectural feature. Such signs would include, but are not limited to canopy, marquee, wall, window or temporary signs.
- (e) Canopy sign: A sign which is painted on or attached to an awning or canopy.
- (f) Damaged sign: A sign or supporting structure which is torn, damaged, defaced, destroyed or has otherwise been found to be in a damaged condition by the building official.
- (g) Decorative display: A decorative, temporary display designed for the entertainment or cultural enrichment of the public and having no direct or indirect sales or advertising content.
- (h) Entrance sign: Multiple-family residential, condominium, Mobile Home Park and single family residential subdivisions with more than 20 dwelling units or lots may erect signs bearing the name of the development. Such signs shall contain no advertising or information other than the name of the development, status of occupancy, management organization and contact information.
- (i) Erect: To build, construct, attach, hang, place, suspend, affix or paint.
- (j) Front face area: The area of the front wall, including doors and windows, of the principal building facing a public street and where the address or primary public entrance is located. Buildings on corner lots may have up to two front faces if each face satisfies the above criteria. If the building is devoted to two or more uses or businesses, the front face area for each use or business shall be determined by the building official based upon the proportionate share of the building occupied by each use or business.
- (k) Ground sign: A display sign supported by one or more columns, uprights or braces in or on the ground surface. Such signs shall have a maximum of seven feet and minimum of three feet clearance above ground level.
- (l) Illegal sign: A sign for which no valid permit was issued by the township at the time such sign was erected, or a sign which is not in compliance with the current zoning ordinance and does not meet the definition of a legal nonconforming sign.
- (m) Legal nonconforming sign: A sign for which the township issued a permit at the time such sign was erected, but which is not in compliance with the current zoning ordinance. Such signs must be located outside of any existing right-of-way, away from any public or private easement and wholly

upon the parcel to which it is associated. Such signs must have all necessary structural and decorative parts, including, but not limited to supports, sign box or enclosure and electrical equipment. The sign face or sign copy area must be intact and illuminated signs must be capable of immediate illumination.

- (n) Marquee sign: A display sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line. Every marquee sign shall be thoroughly secured to the building by iron or metal anchors, bolts, supports, rods or braces.
- (o) Nameplate: A wall sign denoting the name of the occupant in a residential dwelling unit or denoting only the name and profession of the occupants in a commercial, public or other institutional building.
- (p) Noncombustible material: Any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature.
- (q) Off-premises directional sign: A sign which provides direction to a location within the township.
- (r) Portable sign: A sign and sign structure which is not attached to a building and is capable of being moved within the zoning lot on which it is located or from one zoning lot to another.
- (s) Roof sign: A display sign which is erected, constructed and maintained on or above the roof of the building.
- (t) Sign area: The gross surface area within a single continuous perimeter enclosing the extreme limits of a sign, and in no case passing through or between any adjacent elements of same. Such perimeter shall not include any structural or framing elements, lying outside the limits of such sign, and not forming an integral part of the display. For computing the area of any sign, the area shall be deemed to be the total of the combined area of the smallest rectangular figure which can encompass all letters and descriptive matter on the sign.
- (u) Sign, accessory: A sign which pertains to the principal use of the premises.
- (v) Sign copy: Portion of a sign which describes the business or service establishment, including, but not limited to, the name, type of, and nature of said establishment.
- (w) Sign, nonaccessory: A sign which does not pertain to the principal use of the premises.
- (x) Temporary sign: A display sign, banner, or other advertising device constructed of cloth, canvas, fabric, plastic or other light temporary material, with or without a structural frame, or any other sign intended for a limited period of display, but not including decorative displays for holidays or public demonstration.
 - i. Construction: Signs advertising the lots and/or buildings erected in any subdivision or multiple-family development. Display signs for the construction or remodeling of nonresidential buildings, such as, but not limited to, churches and schools. Such signs shall be removed upon completion of construction or upon cessation of work for a period of six months.
 - ii. Garage sale: Garage sale signs may be used to advertise a garage sale and shall be promptly removed upon completion of the garage sale.
 - iii. Real estate: Signs advertising the rental, sale or lease of the property upon which they are located.
 - iv. Sale of produce: Such signs may be erected for the period of the local harvest season for the produce being sold. Written permission

of the property owner on whose property such sign is located shall be submitted to the office of community standards.

- v. Special events: Banners and pennants may be erected for special events, including but not limited to "open houses" for new homes or businesses. No banner shall be strung across any public right-of-way except as authorized by the township board and county road commission for special community events only. Banners found to be in a torn, damaged or unsafe condition shall be removed by the owner immediately.
 - vi. Political campaign signs: Signs announcing the candidacy of persons running for public office or issues to be voted upon at an election and other information pertinent to elections are permitted provided permission to locate such signs on private property has been obtained from the owner or occupant of the property on which such signs are located.
- (y) Unsafe sign: A sign that is not properly secured, is in danger of falling or has otherwise been found to be unsafe by the building official.
- (z) Wall sign: A display sign which is painted on, adjacent to or attached to a building wall, door, window or related architectural feature and projecting not more than 18 inches from the wall.
- (aa) Window sign: A sign affixed to a window or so as to be observable from the opposite side of the window to which such sign is located or affixed.

2. General requirements for all signs:

- a. Construction: All signs shall be securely constructed and in conformance with applicable building and electrical codes and standards. Wood products shall be of wolmanized or equal treatment. A lightning grounding device shall be provided where required. All letters, figures, characters or representation in cutout or irregular form, shall be safely and securely built or attached to the sign structure. All signs of a greater area than 24 square feet shall have a surface or facing of noncombustible material. All signs shall be attached by means of metal anchors, bolts or expansion screws. In no case shall any sign be secured with wire, strips of wood or nails.
- b. Accessory to principal use: All signs which direct attention to a business, entertainment, service or commodity must be accessory to the business, entertainment, service or commodity offered, conducted or sold on the premises on which the sign is located, except real estate signs, off-premises directional signs and non-accessory signs specifically allowed in specified districts.
- c. Wind pressure and dead load requirements: Ground, projecting, wall and marquee signs shall be designed and constructed to withstand wind pressure and shall be constructed to receive dead loads as required in the township building code or other ordinances of the township.
- d. Illumination: Internally and externally lighted, reflectorized, glowing and other forms of illumination shall be permitted on all signs. All illumination shall be concentrated on the area of the sign to prevent glare upon the street or adjacent property. No sign shall be illuminated by other than electrical means or devices. All illuminated signs must be in compliance with section 2110 and shall not be of a flashing or intermittent flashing type.
- e. Signs not to constitute a traffic hazard: No sign shall be erected in such a manner as to obstruct free and clear vision or constitute a traffic hazard. No sign shall interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No sign shall make use of the words "stop," "look," "danger" or other word, phrase or symbol in a manner that is confusing or misleading. At street intersections, no signs other than municipal traffic control signs shall be located within eight feet of the ground surface in the triangle formed by the property lines paralleling the streets and extending

for a distance of 25 feet each way from the intersection of the right-of-way lines at the corner lot.

- f. Face of sign shall be smooth: No nails, tacks or wires shall be permitted to protrude from the front of any sign. This shall not exclude, however, the use of block letters, electrical reflectors, or other devices which may extend over the top and in front of the advertising structure.
- g. Obscene matter prohibited: It shall be unlawful for any person to display upon any sign or other advertising structure any obscene matter.
- h. Public right-of-way: No sign shall be erected or placed within the public right-of-way. The owner of any sign which has been removed by the township from the right-of-way due it is in violation of this provision, shall pay to the township the sum of \$25.00 before recovering the sign. If any sign is not claimed within 14 days, said sign shall be disposed of.
- i. Sign setbacks: All permitted ground and-temporary signs shall be set back not less than 15 feet from all property lines and existing street right-of-way lines unless otherwise specified herein.
- j. Glass in signs: Glass sheets used in any sign for which a permit is required, and in which wire mesh is not imbedded, shall not be less than three-sixteenth inch thick and shall not exceed 100 square inches in area for any one piece. Provided, however, that pieces of glass not less than one-eighth inch thick, covered with metal except for area cut in form letter, numerals, or figures may be used, but the area of such piece of glass shall not exceed 340 square inches. Glass in sheets shall not exceed 720 square inches in area.

3. Permitted accessory signs by use or type of sign:

a. Residential uses:

Sign Type/ Purpose	Ground Entrance	Wall Name Plate							
Sign permit required	Yes	No							
Maximum number of signs	Footnote 1	1							
Maximum sign face area (sq. ft.)	24	2							
Maximum number of sign faces per sign	1	1							
Maximum sign height	6	—							
Setback from property line/right- of-way (feet)	10	—							

Setback from structures (feet)	50	—							
May be illuminated ? (sec. 2110)	No	No							
Maximum length of time for display (days)	—	—							

Footnotes:

- (1) One sign per entrance from a collector road or thoroughfare.
- (2) One ground-mounted sign per side of lot with frontage on a public street and one building-mounted sign per side of building with a public entrance.

b. Non-residential building-mounted signs:

Sign Type	Wall	Canopy	Marquee	Window
Sign permit required	Yes	Yes	Yes	No
Maximum sign face area (sq. ft.)	Footnote(s) 1, 5	Footnote 1	Footnote 1	Footnote 4
Maximum number of sign faces per sign	1	—	3	2
Maximum sign height	Footnote 2	Footnote 2	Footnote 3	—
Minimum height above ground (feet)	—	7	9	—
Setback from property line/right-of-way (feet)	—	5	5	—
May be illuminated? (sec. 2110)	Yes	Yes	Yes	No

Footnotes:

- (1) The sign face area of all building-mounted signs shall not exceed ten percent of the area of the front face of the building space occupied by the use associated with the sign, up to a maximum of 240 square feet. For multiple-tenant non-residential buildings, written permission from the building owner to install a sign shall be supplied to the office of community standards, and a minimum of four square feet of available sign face area shall be reserved for each tenant or use, up to the maximum permitted by section 2109.3.b.

(2) Wall and canopy signs shall not extend higher than the height of the face of the building upon which they are located.

(3) Marquee signs may extend up to 15 percent above the height of the face of the building upon which they are located.

(4) Temporary or permanent window signs shall be permitted to be installed on the inside of a building in a manner visible from the public way provided that such signs or graphics do not exceed two signs per window and further do not cover more than 20 percent of the window surface area. Window signs shall be limited to the company name and or logo occupying the given space. Signage shall not include the advertisement of products, services or other non-company affiliated graphics. Hours of operation and street numbers are exempt from this requirement.

(5) One illuminated time and temperature sign, not exceeding 24 square feet in area, may be included as part of a sign, subject to the requirements of section 2110.

c. Non-residential ground signs:

Maximum height (feet)	Minimum setback required (feet)	Maximum sign face area (sq. ft.) footnotes (2), (3)	Maximum number of signs
6.0	6.0	24.0	Footnote (1)
6.5	6.5	25.5	
7.0	7.0	27.0	
7.5	7.5	28.5	
8.0	8.0	30.0	
8.5	8.5	31.5	
9.0	9.0	33.0	
9.5	9.5	34.5	
10.0	10.0	36.0	

Footnotes:

(1) Not more than one ground sign may be erected accessory to any development parcel or zoning lot, except where otherwise provided for herein. A maximum of two ground signs may be permitted if the development parcel or zoning lot has a minimum of 500 feet of frontage on a collector road or thoroughfare, or a minimum of 700 feet of total frontage on two collector roads or thoroughfares, provided that all ground signs related to the use or uses of the development parcel or zoning lot are in compliance with this ordinance.

(2) The sign face area of one ground sign associated with a non-residential use may be increased to 150 percent of the maximum permitted by section 2109.3.c. if the sign abuts a collector road or thoroughfare with a road right-of-way width of 100 feet or more (or one-half right-of-way width of 50 feet or more).

(3) The sign face area of one ground sign associated with a development parcel or zoning lot that has been improved with a multiple-tenant non-residential building containing five or more separate tenants or uses may be increased to 150 percent of the maximum permitted by section 2109.3.c., provided that written permission from the property owner shall be supplied to the office of community standards for each tenant or use to install sign copy on this sign, and provided that all ground signs related to the use or uses of the development parcel or zoning lot are in compliance with this ordinance.

d. Temporary signs:

Sign Type/ Purpose	Temporary Construction	Temporary Garage Sale	Temporary Special Event	Temporary Real Estate	Temporary Sale of Produce	Temporary Builder Directional	Temporary Political
Sign permit required	Yes	No	No	No	No	No	No
Maximum number of signs	Footnote 1	Footnote 2	Footnote 2	1	1	Footnote 5	---
Maximum sign face area (sq. ft.)	24	4	Footnote 4	4	16	3	16
Maximum number of sign faces per sign	2	2	2	2	2	2	2
Maximum sign height	6	—	—	6	6	3	---
Setback from property line/right- of-way (feet)	10	5	5	5	5	5	---
Setback from structures (feet)	50	—	—	—	—	25	---
May be illuminate	No	No	No	No	No	No	No

d? (sec. 2110)							
Maximum length of time for display (days)	Footnote 3, 6	14 days/year Footnote 3, 6	30 days/year Footnote 3, 6	Footnote 3, 6	120 days/year Footnote 3, 6	Footnote 3, 6	---

Footnotes:

- (1) One sign per entrance from a collector road or thoroughfare.
- (2) One sign per side of lot with frontage on a public street and one sign per side of building with a public entrance.
- (3) A removal agreement or security bond to guarantee removal of the sign may be required. The sign must be removed within three days after completion of the activity for which it was erected.
- (4) Up to ten percent of the area of the front face of the building space occupied by the use associated with the sign.
- (5) Temporary signs, if located on a building, shall not extend higher than the height of the front face of the building.
- (6) Temporary signs shall be located so as to provide adequate traffic circulation and emergency vehicle access, and shall not reduce the number of off-street parking spaces by more than ten percent.

4. Nonaccessory signs:

- a. Not adjacent to Interstate 94 (I-94).
 - (1) Area and height limitations: No billboard may be erected or maintained of a greater surface area than 300 square feet per sign face or of a greater overall height above ground than 35 feet or the bottom surface of which extends to within less than three feet above the ground surface.
 - (2) Location: Billboards may be erected only in I-2, I-3, I-C districts. No billboard may be erected within 500 feet of any residential use or district, hospital, public park, recreation ground, public reservation, bridge, school, library or church, nor within 50 feet of street right-of-way lines at any street intersection and shall have a minimum setback of 25 feet from all property lines or shall meet the setback requirements of the district, whichever is greater. Billboards shall be located no closer to one another than 1,000 feet.
 - (3) Material required: All billboards shall have a surface or facing of noncombustible material. No wood products or other combustible materials shall be permitted to support such signs.
 - (4) Limitations: No billboard shall be approved at any time when there are 20 or more billboard sign faces in the township except for that a new billboard structure may be granted approval only in exchange for the removal of four nonconforming billboard faces.
- b. Adjacent to Interstate 94 (I-94).
 - (1) Area and height limitations: No billboard may be erected or maintained of a greater surface area than 672 square-feet per sign face or of greater overall

height above ground than 50 feet or the bottom surface of which extends to within less than three feet above the ground surface.

- (2) Location: Billboards may be erected only in I-1, I-2, I-3 or I-C zoning districts. No billboard may be erected within 500 feet of any residential use or district, hospital, public park, recreation ground, public reservation, bridge, school, library or church and shall have a minimum setback of 25-feet from all property lines or shall meet the setback requirements of the district for which it is located, whichever is greater. Billboards shall be located no closer to one another than 1,000-feet on the same side of the given thoroughfare.
- (3) Material required: All billboards shall have a surface of facing of noncombustible material. No wood products or other combustible materials shall be permitted to support such signs.
- (4) Limitations: No billboard shall be approved at any time when there are 20 or more billboard sign faces in the township except for that a new billboard structure may be granted approval only in exchange for the removal of four nonconforming billboard faces.

5. Electronic changeable message signs and billboards:

- a. Such signs shall contain static messages only and shall not have movement or flashing on any part of the sign structure, design or pictorial segments of the sign, nor shall such sign have varying light intensity during display of any single message.
- b. Each display on an electronic changeable sign shall remain fixed for a minimum of ten seconds.
- c. When a message on an electronic changeable sign is changed, said change shall be accomplished immediately. No fading of the copy shall be permitted.
- d. No auditory message or mechanical sounds may be emitted from the sign.
- e. Electronic changeable message signs may not operate at brightness levels of more than 0.30 foot candles above ambient light level as measured at the following distances:

Sign Square Feet	Distance (feet)
<300	150
301-378	200
379-672	250
>672	350

- f. The owner of said electronic changeable message sign shall arrange for an annual certification of the foot candles showing compliance by a certified independent contractor and supply said certification to the Ypsilanti Township Office of Community Standards.
- g. Each sign shall have a light sensing device that will adjust to the brightness of the display as the natural ambient light conditions change.
- h. All electronic changeable message signs shall conform to all Michigan Department of Transportation rules and regulations.

6. Prohibited signs: The following signs are prohibited within the township:

- a. It shall be unlawful for any person to display upon any sign or other advertising structure any obscene material.

- b. Portable signs, swinging signs or any signs which incorporate flashing or moving lights or animation.
 - c. String lights used in connection with business premises for commercial purposes other than holiday decorations.
 - d. Any sign unlawfully installed, erected or maintained.
 - e. Signs on trees, utility poles or benches, whether located on public or private property.
 - f. Signs mounted on the roof of a building or extending above the height of the front face of the building upon which it is mounted, except where otherwise permitted herein.
 - g. Posting prohibited: No person shall post any placard, poster or other advertising matter on any post, tree or other object within any street area or upon any public property, except legal notices which shall be posted on boards established at three places designated by the township. No person, except an officer of the township, shall post any notice on such boards or remove or mutilate any notice posted thereon.
7. Permits and fees: It shall be unlawful for any person to erect, repair, alter or relocate a sign, repair a nonconforming sign damaged by winds, vandalism, fire or an act of God unless the appropriate permits have first been obtained from the building official and the required permit fees have been paid to the township according to the schedule established by resolution of the township board.
- a. Signs for which a permit is not required:
 - (1) Repairs to an existing sign: Repair of a sign damaged by winds, vandalism, fire or an act of God provided that the sign is in conformance with the current zoning ordinance standards, that the sign is restored to its original design and that all work is in compliance with necessary structural and electrical codes.
 - (2) Service on an existing sign: Painting, servicing or cleaning of existing signs shall not require a sign permit unless a structural change or any change to the sign box or enclosure is made.
 - (3) Nameplates, not exceeding two square feet in area.
 - (4) Memorial signs or tablets, building names and dates of construction when cut into any masonry surface or when constructed of bronze or aluminum.
 - (5) Traffic or other municipal signs, legal notices, danger and such temporary emergency or non-advertising signs as may be approved by the township.
 - (6) Gasoline price signs not exceeding six square feet on pump islands.
 - (7) Political campaign signs in conformance with section 2109.3.
 - (8) Directional signs: Signs regulating on-site traffic and parking of not more than four square feet in area. One such sign for each public entrance from a collector or arterial street up to a maximum of two such signs per zoning lot or development parcel.
 - (9) Posting of no more than one "Private Property" or similar notice per side of a residential zoning lot with frontage on a public street, provided that the lot is greater than one acre in size. Such signs shall be no more than 1.5 square feet in area and located a minimum of five feet from any lot line or right-of-way line.
 - (10) Flags bearing the official design of a nation, state, municipality, educational institution or organization as approved by the building official.
 - (11) Barber poles when a minimum of seven feet above the pedestrian right-of-way.
 - (12) Non-illuminated window signs on the inside of windows in non-residential districts that do not obstruct vision by more than 20 percent.

- (13) Menu boards at drive-through restaurants with a maximum size of 60 square feet.
- b. Permits required:
 - (1) Sign permit: see section 2109.3.a—d.
 - (2) Building permit: Required for all permanent building-mounted and ground signs, except such signs that are painted on an existing wall.
 - (3) Electrical permit: Required for all illuminated signs or signs in which electrical wiring will be used in connection with the structure.
- c. Sign permit application: Applications for permits shall be made upon forms provided by the building official and shall contain or have attached thereto the following information:
 - (1) Name, address and telephone number of the applicant.
 - (2) Sketch plan: Three copies of a sketch plan in compliance with section 2115 that includes the lot survey, easements and setback dimensions, location of all buildings, other structures and all proposed and existing signs on the development parcel or zoning lot where such signs are to be erected. Elevation drawings of all buildings on the site shall be provided showing the location of all existing and proposed building-mounted signs.
 - (3) Construction drawings: Three blueprints or drawings of the plans, specifications, methods of construction and installation, materials list and method and type of illumination for each sign. All construction drawings or attachment details shall be signed and sealed by a licensed design professional.
 - (4) A photometric grid that is in conformance with section 2110 must be overlaid on the sketch plan showing the location of each proposed sign and the overall light intensity (in foot-candles) from all existing and proposed sources of illumination throughout the area affected by the proposed sign.
 - (5) Copy of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the township. Provided, further, that where the building official deems it advisable, he may require the approval of the structural design by a registered architect or engineer.
 - (6) Name of person, firm, corporation or association erecting the sign or sign structures.
 - (7) Written and notarized consent of the owner where the sign is to be erected on vacant land.
 - (8) Insurance policy or bond as required by section 2109.8.
 - (9) Removal agreement: The township may require a signed removal agreement satisfactory to the township attorney for the removal of certain signs as applicable. A bond or other acceptable surety to guarantee such removal may also be required.
 - (10) Other information that the building official may require to show full compliance with this and all other township ordinances.
- d. Sign permit issued if application in order: It shall be the duty of the building official, upon the filing of a complete application for a sign permit, to examine the plans and specifications and other data. If the proposed structure is in compliance with all requirements of the zoning ordinance and applicable building and electrical codes, the appropriate permits shall be issued within thirty (30) days.
- e. Sign permit revocability: All work associated with a sign permit shall be completed within six months after date of issuance. Such rights and privileges accrued under the provision of this ordinance are mere licenses and may be immediately revoked upon the violation of any of the conditions contained herein.
8. Insurance: Every person, before engaging or continuing in the business of erecting, servicing, repairing or dismantling signs in Ypsilanti Township, shall first furnish the

township a public liability insurance policy in an amount of no less than one (1) million dollars in a form that is satisfactory to the township attorney. This policy must indemnify the Charter Township of Ypsilanti and its prior, present and future officials, representatives and employees from all damage suits or actions of every nature brought or claimed against the erector for or on account of injuries or damages to persons or property received or sustained by any person or persons through any act of omission or negligence of said erector, his servants, agents or employees in the erection, repair, service or dismantling of any sign. Said policy shall contain a clause whereby it cannot be canceled or changed until after a written notice of intention to cancel has been filed with the township clerk and building official at least 30 days prior to the date of cancellation.

9. Legal nonconforming signs: Non-conforming signs are those signs lawfully erected prior to the adoption of this Ordinance. All existing legal nonconforming signs shall be permitted to continue as such until removed or until changes other than painting or servicing are made, at which time they shall conform to the provisions of this ordinance. The zoning official may permit a reduction of the minimum required setback for ground signs from property lines and street rights-of-way to allow changes to an existing legal nonconforming ground sign, subject to the following:
 - a. The sign is located outside of any street right-of-way.
 - b. The sign is in compliance with section 2109.2 (general requirements for all signs).
 - c. The sign is in compliance with section 2109.3 maximum height and sign face area standards.
10. Class A nonconforming sign designation: Class A nonconforming signs shall be considered to be conforming signs for purposes of repair, service or the changing of sign copy in a manner that does not require structural changes or any change to the sign box or enclosure. The planning commission may grant a Class A nonconforming sign designation in those instances where a determination is made after public hearing that the continuance of a nonconforming sign meets both the criteria found in section 2102.3 and the following:
 - a. The granting of a continuance of the nonconforming sign will not create unfair advertising advantage over other properties in conformance with the sign provisions of this article.
 - b. A nonconforming use shall not be permitted to add additional signs to the building or premises. Existing signs accessory to nonconforming uses may be maintained.
11. Enforcement: It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, or move any sign or structure in the township, or cause or permit the same to be done in violation of any of the provisions of this article. Any sign unlawfully erected or altered may be removed by the township at the expense of the sign owner. The township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
12. Removal of abandoned, damaged, illegal or unsafe signs:
 - a. Abandoned signs:
 - (1) Any sign located on property in the Township that has been vacant for more than one hundred and twenty (120) days, and any sign that pertains to a use or activity that no longer exists on property in the Township, shall be presumed to have been abandoned
 - (2) At such time as the Building Official shall become aware of the sign that is presumed to have been abandoned under subsection (1) of this section, a notice of sign abandonment declaring that the sign is deemed abandoned, and directing the removal of the sign, shall be sent to the owner of the property.
 - (3) If the owner of the property to whom such a notice has been sent claims that the sign has not been abandoned, such owner shall, within sixty (60) days from the date of the notice, file a written response to the Building Official stating facts which rebut the presumption of abandonment and demonstrate the intent not to abandon the sign.

- (4) At the end of such sixty (60) day period, if a written response stating facts to rebut the presumption of abandonment has not been submitted to the Building Official, the sign shall be deemed abandoned, and a notice to such effect shall be sent to the owner.
- (5) If a written response stating facts to rebut the presumption of abandonment has been submitted to the Building Official, and if the response demonstrates in the discretion of the Building Official that the sign has not been abandoned, the sign shall be permitted to remain until further evidence of abandonment appears, or some other basis for removal arises. If the Building Official determines that the response fails to demonstrate that the sign has not been abandoned, the notice of sign abandonment, and the response from the owner, shall be placed upon the agenda of a meeting of the Zoning Board of Appeals, and notice of the time, place and date of the meeting shall be sent to the owner. After a review of the notice and response, and after affording an opportunity to be heard by the owner and the director, together with any and all other information and argument deemed appropriate by the Zoning Board of Appeals, the Zoning Board of Appeals shall make a final determination with respect to whether the sign has been abandoned.
- (6) Any sign deemed abandoned under subsection (4), or found by the Zoning Board of Appeals to be abandoned under subsection (5) shall be removed within ten (10) days of such determination, and a failure to do so shall constitute a violation of this section.

The building official may remove such signs or sign copy at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the building official and has not done so within 30 days. The township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.

- b. Damaged signs: Damaged signs shall be repaired, replaced or removed within ten days of the damage by the owner, agent or person having the beneficial use of the building or structure upon which said sign shall be found. Such signs may be removed by the building official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the building official and has not done so within ten days. The township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
 - c. Illegal signs: Illegal signs may be removed by the building official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the building official and has not done so within 30 days. The township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
 - d. Unsafe signs: Unsafe signs shall be immediately removed or made to conform to the provisions of this article by the owner, agent or person having the beneficial use of the building or structure upon which said sign shall be found. If such action is not taken within 24 hours, the unsafe signs may be removed by the building official at the expense of the sign owner. The township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
13. Sign maintenance: The building official may order the removal of any sign that is not maintained in accordance with the provisions of this article. Such signs may be removed by the building official at the expense of the sign owner after said owner has been ordered in writing to remove said sign by the building official and has not done so within 30 days. The township shall then place a lien on the property, adding necessary removal expenses to the tax bill for the property.
- a. Maintenance: All signs for which a permit is required, together with all their supports, braces, guys and anchors, shall be maintained in good working order; and when not galvanized or constructed of approved corrosion-resistant, noncombustible materials, shall be painted when necessary to prevent corrosion. The exteriors of all signs, supporting members, painted surfaces, advertising materials and lettering shall be kept painted and in good repair, so as to present a neat and orderly appearance. All bulbs or component parts of the sign, including

the electrical switches, boxes and wiring used in the illumination of the sign must be well maintained and in good repair.

- b. Housekeeping: It shall be the duty and responsibility of the owner or lessee of every sign to maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.

Severability

In the event that any one or more sections, provisions, phrases or words of this ordinance shall be found to be invalid by a Court of competent jurisdiction, such holding shall not affect the validity nor the enforceability of the remaining sections, provisions, phrases or words of this Ordinance unless expressly so determined by a Court of competent jurisdiction.

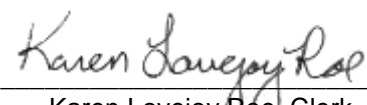
Publication

This ordinance shall be published in a newspaper of general circulation as required by law.

Effective Date

This ordinance shall become effective upon publication in a newspaper of general circulation as required by law.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2017-472 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on March 7, 2017. The second reading is scheduled to be heard on March 21, 2017.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

RESOLUTION NO. 2017-05
(In Reference to Ordinance 2017-473)

Amending the Township Zoning Code, Section 401 to permit raising up to four (4) hens on residential parcels with one acre or more.

Whereas, the Township has seen an increased interest in raising chickens in residential backyards for the benefit of consuming fresh home grown eggs;

Whereas, the Ypsilanti Township Zoning Code Section 401 currently allows chickens to be raised on parcels of at least five (5) acres;

Whereas, the Township Board desires to allow up to four (4) hens to be raised on parcels with a minimum of one acre provided certain standards regarding the construction and location of enclosures; the disposal of waste material associated with raising chickens; and

Whereas, Ordinance 2017-473 sets standards for the location, size, construction and maintenance of up to four (4) hens;

Whereas, allowing a maximum of four (4) hens to be raised on parcels with one acre or more will improve the health and quality of life of Township residents;

Now, Therefore,

Be it resolved, that Ordinance No. 2017-473 is hereby adopted by reference.

PROPOSED ORDINANCE NO. 2017-473

An Ordinance amending the Charter Township of Ypsilanti Code Ordinance No. 74, Section 401, describing principal uses permitted in R-1 through R-4 One Family residential districts:

The Charter Township of Ypsilanti hereby ordains that Section 401, of the Ypsilanti Township Zoning Code, adopted May 18, 1994, shall be amended as follows:

I. Delete in its entirety Section 401 entitled Principal Uses

II. Add the following new section 401 entitled Principal Uses Permitted

Sec. 401. - Principal uses permitted:

In a one-family residential district, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this ordinance:

1. One-family detached dwellings.
2. Farms on those parcels of land separately owned outside the boundaries of either a proprietary or supervisor's plat, having an area of not less than five acres, all subject to the health and sanitation provisions of the Township of Ypsilanti and provided further that no farms shall be operated as piggeries, or for the disposal of garbage, sewage, rubbish, offal or rendering plants, or for the slaughtering of animals except such animals as have been raised on the premises or have been maintained on the premises for at least a period of one year immediately prior thereto and for the use and consumption by persons residing on the premises.
3. Publicly owned and operated libraries, parks, parkways and recreational facilities.
4. Public, parochial and other private elementary schools offering courses in general education, and not operated for profit.
5. Family day care homes for up to six children, to be registered by the state department of social services.
6. Home occupation subject to the following:
 - a. No home occupation shall be permitted that:
 - (1) Changes the outside appearance of the dwelling or is visible from the street.
 - (2) Generates traffic, parking, sewerage or water use in excess of what is normal in the residential neighborhood.
 - (3) Creates noise, vibration, glare, fumes, odors or results in electrical interference, or becomes a nuisance.
 - (4) Results in outside storage or display of anything including a sign.
 - (5) Requires the employment of anyone in the home other than one dwelling occupant.
 - (6) Requires exterior building alterations to accommodate the occupation.
 - (7) Occupies more than 20 percent of the ground floor area of the dwelling, or 50 percent of a detached garage.
 - (8) Requires parking for customers or visits for business purposes that cannot be accommodated on the site and/or not exceeding one parking space at curb side on the street.

- (9) Requires the delivery of goods or the visit of customers before 6:00 a.m. and after 8:00 p.m.
 - (10) Would generate 20 or more customers or visits for business purposes by persons per week.
 - b. The following are permitted home occupations provided they do not violate any of the provisions of the previous paragraph:
 - (1) Dressmaking, sewing and tailoring.
 - (2) Painting, sculpturing or writing.
 - (3) Telephone answering.
 - (4) Home crafts, such as model making, rug weaving and lapidary work.
 - (5) Tutoring, limited to four students at a time.
 - (6) Computer application not including sale of computers.
 - (7) Salesperson's office or home office of a professional person.
 - (8) Laundering and ironing.
 - (9) Repair of clocks, instruments or other small appliances which do not create a nuisance due to noise, vibration, glare, fumes, odors or result in electrical interference.
 - (10) Barbershops and beauty parlors; limited to one operator.
 - (11) Dance studios; limited to four students at a time.
 - c. The following are prohibited as home occupations:
 - (1) Private clubs.
 - (2) Repair shops which may create a nuisance due to noise, vibration, glare, fumes, odors or electrical interference.
 - (3) Restaurants.
 - (4) Stables or kennels.
 - (5) Tourist homes.
 - (6) Automobile repair or paint shops.
 - (7) Medical marihuana dispensaries.
 - (8) Medical marihuana nurseries.
 - d. Any proposed home occupation that is neither specifically permitted by paragraph b. nor specifically prohibited by paragraph c. shall be considered a special use and be granted or denied upon consideration of those standards contained in paragraph a. above and under the procedures specified in sec. 402.
 - e. Home occupation permits shall be limited to the applicant who legally resides in the residence.
 - f. Home occupation shall be based on a permit for such home occupation.
7. The keeping of up to 4 hens on those parcels of land separately owned outside the boundaries of either a proprietary, supervisor's plat or site condominium and having an area of not less than one acre; subject to the health and sanitation provisions of the Township of Ypsilanti subject to the following:
- a. The principle use of the property where the hens are to be kept is as a single-family dwelling as defined by the Township Zoning Ordinance
 - b. Hens may only be kept by a person permanently residing at the subject residence.
 - c. The keeping of roosters shall be prohibited

- d. Chickens shall be provided with a secure, well-ventilated, roofed, and lockable structure (heretofore referred to as a “hen house”) which shall not exceed 25 square feet in area.
 - e. A covered enclosure or fenced enclosure, constructed in a workmanlike manner, shall be erected around the hen house to prevent the hens from leaving the enclosed area.
 - f. No enclosure shall be located closer than twenty (20) feet from a property line nor shall it be located closer than forty (40) feet to any adjacent residential structure.
 - g. Both the hen house and the fenced pen, run, or enclosure must be located in the rear yard
 - h. All enclosures for the keeping of chickens shall be constructed or repaired to prevent rats, mice or other rodents from being harbored underneath, within, or within the walls of the enclosure.
 - i. All food shall be stored indoor and within a rodent-proof container.
 - j. The slaughtering of hens shall be prohibited.
 - k. Waste materials (feed, manure and litter) should be disposed of in an environmentally responsible manner. The materials can be composted or bagged and disposed of in the trash. It is not acceptable to pile waste materials on the property.
8. Accessory buildings and uses customarily incident to any of the above permitted uses.

Severability Clause

The various parts, sentences, paragraphs, and clauses of this ordinance are 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.

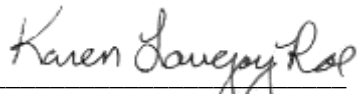
Publication

This Ordinance shall be published in a newspaper of general circulation as required by law.

Effective Date

This Ordinance shall be effective upon publication in a newspaper of general circulation as required by law.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify approval of the first reading of Proposed Ordinance No. 2017-473 by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held on March 7, 2017. The second reading is scheduled to be heard on April 4, 2017.



Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

Zimbra

klovejoyroe@ytown.org

Fwd: Board Meeting

From : kroe1975 <kroe1975@comcast.net Tue, Mar 07, 2017 01:46 PM >

Subject : Fwd: Board Meeting

To : Karen Lovejoy Roe <klovejoyroe@ytown.org>

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Stan Eldridge <mipanthers@aol.com>

Date: 3/7/17 8:28 AM (GMT-05:00)

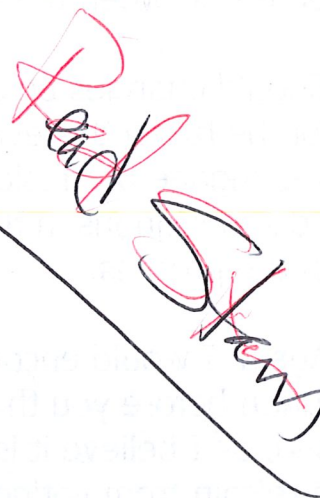
To: bstumbo@ytown.org, ldoe@ytown.org, klovejoyroe@ytown.org, jwilson@ytown.org, hjarrellroe@ytown.org, mrosswilliams@ytown.org, mcwinlaw@gmail.com, heather.roe7@gmail.com, monica@monicarosswilliams.com, jimmiewilsonjr@gmail.com

Subject: Board Meeting

Board Members,

As I have reviewed the upcoming Board agenda for Tuesday, March 7th, I wanted to take a moment to share my thoughts on an item. I would ask that Clerk Lovejoy-Roe include this email in the minutes of the meeting, as I cannot be present this evening.

In regards to the 1st reading of the resolution to allow four (4) hens on residential parcels with one acre or more, while I know that there may be differing opinions and thoughts on this issue, I would strongly encourage that you vote solely on the resolution as it is being presented to you, in its current format.



Being the Board representative to the Planning Commission, this issue has been discussed at length and this resolution is what the commission has forwarded to the Board for your consideration. I believe that the process was thorough in arriving at the 1 acre parcel size. In fact, there was much discussion that the reduction from the current 5 acres should only be reduced to 2.5 acres. This was the belief and recommendation of our former Planning Director, as well as our current contractual Planners. However, after additional discussion and consideration the reduction to 1 acre was approved with the belief that this would be a fair compromise between the varying requests of multiple parties.

Should changes be desired, it would be my recommendation that no action be taken this evening. Rather, I would suggest, and propose, that we engage our residents, Neighborhood Watch Groups and Neighborhood Associations in further dialogue so that we are inclusive of all voices in the process.

Again, I would encourage my fellow Board members to vote on the resolution before you this evening, as it is currently written and being proposed, as I believe it is a fair compromise for all. If the decision is made to refrain from voting this evening, I will look forward to the future discussion on this issue.

Thank you and best wishes,

Stan Eldridge
Ypsilanti Township Trustee

I am a 29 year resident of Ypsilanti twp. First of all I d like to state something may not have been considered. If the ordinance were changed to allow all residents to raise a few hens, not everyone is going to rush out and get hens, inherently they do take commitment and work. It's not for everyone.

As people grow more concerned about food safety, our environment, emergency preparedness, and animal welfare, they are returning to the basic skills their grandparents understood well: vegetable gardening, canning food, and raising hens. In response to citizens' requests, many municipalities across the country have adopted ordinances allowing residents to keep a limited number of egg-laying hens as pets. (in 2008 Newsweek reported "65 percent of major cities allow chicken keeping" <http://www.newsweek.com/craze-urban-chicken-farming-85359>) the trend has expanded to cities where raising hens was already legal, including Los Angeles, San Francisco, and Chicago. "Chicken has become the symbol, a mascot even, of the local food movement," said Owen Taylor of New York City, who knows of at least 30 community gardens that raise poultry, mostly for their eggs.

The Township of Ypsilanti unjustly prohibits owners of properties less than five acres (possibly one) from keeping hens. This policy is out of touch with modern urban residents, and discriminates against township residents unable to afford a move or acreage. Ypsilanti Township is backwards as opposed to the progressive culture of neighboring municipalities that have embraced the concept of self-sufficiency, allowing residents to raise a few hens for non-commercial, backyard hobby purposes. such as Ypsilanti City, Ann Arbor City, Milan, Chelsea, and Belleville, Auburn hills Dearborn Lansing Farmington hills Grand rapids the list goes on along with the 65% of major cities in the U.S, have honored the rights of their citizens to raise hens for things such as: backyard egg production, fertilizing of grass and gardens, reducing residential waste, animal welfare, small-scale hobby and perhaps, just as importantly, preserving the rich cultural significance backyard chickens have played in the history of the United States.

Major objections cited for resistance are unfounded.

Odor: The fear of odor problems caused by backyard chickens is unwarranted. Chickens themselves do not smell. It's only their feces that have the **potential** to stink, which is more true of feces from dogs, cats, or any other animal that leaves waste in the yard. But unlike dogs and cats, who may leave waste on the lawns of their neighbors or in public places, chicken waste would be confined to the area/coop in the yard of the owner, because we stipulate that the hens must be enclosed at all times. We have ordinances to address that type of problem just as with problem pooches.

It's also important to realize that the maximum number of chickens allowed will be small. Six hens weigh less than 30 pounds collectively, which, according to Krista a volunteer at the Huron Valley Humane Society, is less than the average weight of one medium size dog. Hens will typically generate less waste than one average dog, Furthermore, chicken manure is a highly valued fertilizer that can be used in the garden and on lawns, whereas waste from dogs and cats cannot as it can harbor parasites and human diseases.

According to Dr. Hermes, an extension poultry specialist at Oregon State University , "once [chicken waste is] added to the compost or tilled into the soil, the odor causing compounds are no longer able to cause objectionable odors." The reason people fear an odor problem is because often their only experience with chickens is a farm or commercial poultry operation. In these situations, chickens are viewed as a commodity, and are raised with the intention of profit from meat or egg production. Under those circumstances, hundreds, if not thousands, of chickens are kept in crowded conditions with poor ventilation or go without regular cleaning. As a result, ammonia can build up and these facilities will smell. Comparatively, a small number of chickens in close proximity to the owner's home are extremely unlikely to create an odor problem for neighbors.

Noise:

Only roosters crow loudly, not hens. Hens never crow, and are generally quiet animals. Although they may announce the arrival of a freshly laid egg with some clucking. This sound is short-lived, lasting a few minutes at most, and takes place once every 24 to 36 hours; it never occurs at night. Some hens are more vocal than others, depending on the breed, but there is no comparison to the sound of a clucking hen to a barking dog that may bark for hours at a time. Short lived clucking heard from hens are significantly quieter than other common noises frequently heard in neighborhoods such as power tools, lawn mowers, garbage trucks, motorcycles, , kids playing, car alarms, sirens, or airplanes.

Pest and Rodents:

Chickens do not attract insects. They eat them! They love to eat all types of bugs, including those that can carry human diseases like mosquitoes and ticks. Rather than attract flies, they eat fly larvae before they can grow up to become adult flies. In Dr. Hermes letter, he supported our claim that if chickens have access to fly larvae, flies will never become a problem. They also eat slugs that would otherwise harm garden crops, especially here in the Midwest.

Dr. Hermes also stated that chickens do not attract rodents. A chicken pen is not likely to attract rodents or wildlife.

Hens are world-class recyclers. Within 24 hours, they turn garden and kitchen scraps, bugs, and weeds into one of two things we can use, eggs and fertilizer.

A handwritten signature in cursive script, reading "Lisa Dolinger". The signature is written in dark ink and is located at the bottom of the page.

Zimbra

klovejoyroe@ytown.org

Fwd: SAVE THE DATE: Chicken Ordinance Tuesday, March 7th 7:00 PM Board Meeting

From : Karen Lovejoy Roe <klovejoyroe@ytown.org> Tue, Mar 07, 2017 02:52 PM

Subject : Fwd: SAVE THE DATE: Chicken Ordinance Tuesday, March 7th 7:00 PM Board Meeting

To : Heather Roe <hjarrellroe@ytown.org>, Monica Ross-Williams <mrosswilliams@ytown.org>, Jimmie Wilson Jr. <jwilson@ytown.org>, Stan Eldridge <seldridge@ytown.org>, Larry Doe <lroe@ytown.org>, Brenda Stumbo <bstumbo@ytown.org>, Karen Lovejoy Roe <klovejoyroe@ytown.org>

Angel Barbash

Hi Karen, I don't know if I'll be able to make it to the meeting so just in case I'd like to submit this for the record:

"To place a 1 acre limitation on the ownership of chickens is to deny lower income residents the right to produce a healthy food product for themselves and their family. The point of this conversation has always been to participate in the resurgence of urban chickens. Nothing about 1 acre of land says "urban".

Every primary argument - noise, odor, pests - against small lot neighborhood chicken ownership is already covered by existing nuisance ordinances, so why the 1 acre limitation? This not only disenfranchises lower income residents, it also makes Ypsilanti Township look disconnected from the voice of the people and irrelevant in the face of cultural, economic, and residential attraction trends.

This is embarrassing after so many people have voiced support for small lot neighborhood chickens, as evidenced by surveys, Next Door conversation threads, and community meetings."

Angela Barbash,

Founder | Chief Consultant

Reconsider

215 W. Michigan Ave.

Ypsilanti, MI 48197

(734) 260-3095 cell

(734) 527-9172 fax

www.timetoreconsider.com

reconsider | purpose | innovation | value

Zimbra**klovejoyroe@ytown.org**

Chicken Ordinance

From : Jennifer Whaley <whaleyje@yah oo.com> Wed, Dec 14, 2016 09:09 PM

Subject : Chicken Ordinance

To : klovejoyroe@ytown.org

Reply To : whaleyje@yahoo.com

Good evening,

I understand that Township leadership is evaluating the chicken ordinance and is considering allowing chickens on 1 acre or more. As an Ypsi Township resident/homeowner, I ask that you please consider adopting an ordinance similar to the cities of Ypsilanti and Ann Arbor. When I lived in the city of Ypsilanti I kept four laying hens blocks from downtown. I was overwhelmed by the positive response of neighbors, and their curiosity about my project. I was able to educate them on where food comes from, and shared the bounty of delicious fresh eggs. There was not a single complaint about noise nor odor. Disallowing backyard chickens is an obsolete concept in this age of sustainability. Can we try an "innocent until proven guilty" approach instead of letting unfounded fears drive our policy?

I almost didn't buy a house in the township when I discovered that chickens weren't permitted, but did so with the hope that we would see progress one day. Please feel free to contact me if you would like additional feedback or discussion. Thank you for your time.

Regards,
Jennifer Whaley
616-745-1141

Zimbra**klovejoyroe@ytown.org**

chicken ordinance

From : Julie Bray <jlmg.bray@gmail.com> Sat, Dec 17, 2016 12:08 PM
Subject : chicken ordinance
To : klovejoyroe@ytown.org

Hi,

I'm writing in support of removing the 1 acre lot limit in the proposed chicken ordinance.

Personally our family lives at less than 150% of the poverty level. We depend on our large garden for food and would be grateful to add chickens to increase our independence and well being. We strive for a healthy source of food and grocery store eggs are reaching \$6 a dozen for humanely raised chickens. Backyard chickens are not big agriculture. Raising 4 hens for pleasure and food is a common part of gardening all over the country, even in urban areas with very small lots. Please consider adopting a policy more similar to our progressive thinking neighbors in Ypsilanti and Ann Arbor.

Thank you,
Julie Bray

Dear Karen Lovejoy-Roe,

I/we are really hoping you will consider adopting Ypsilanti City's chicken ordinance so "All" of us in the township will have a choice in the matter - not just those who are lucky enough to have two acres of land. The people involved in the Ypsilanti city's chicken ordinance have reported that they have actually removed some of restrictions due to the fact that residents having chickens have not been a problem and it has become a non-issue. I have had chickens before and they are amusing. They are not loud nor do they smell if taken care of properly (as with any animal). They eat mosquitoes, ticks and so on :) They also eat weeds. From what I have researched once an ordinance is passed it becomes a non-issue due to the fact chickens do not cause problems...they are easy and no one knows they are around - that's how problematic they are !!!
Again, please consider Ypsi city's ordinance ! Help us do this in a constructive way, but do not keep this from us.

*** A BIG shout out to the board for passing a Resolution against the Nexus Pipeline !!!!!!!!!!!!!!!
Thanks for your time,
Marcia Burton

Hoping to get this on the agenda.



Zimbra**klovejoyroe@ytown.org**

backyard chickens

From : Web Message from YTown.org <we Sat, Feb 04, 2017 05:48 PM
bmaster@ytown.org>

Subject : backyard chickens

To : klovejoyroe@ytown.org

You have a new submission.

Subject: backyard chickens

Message: Hello,

It has recently come to my attention that the Township is considering lowering the restrictions for backyard chickens to one acre. While I am encouraged by the potential loosening of the regulations, I feel that requiring a full acre is still very unreasonable and unnecessary, and won't make a difference for most residents who want to raise chickens. I personally have a third of an acre with an extra lot, and having had experience raising chickens in the past, this is more than enough space to do it responsibly, without causing any disturbance to our neighbors. I would highly encourage the Board to consider the policies in the Cities of Ypsilanti and Ann Arbor that seem to be working very well for both communities.
1956 Outer Ln Dr

Name: Janelle Palmer

Phone Number:

Email: j.a.p.two@gmail.com

IP Address: 162.158.75.77

Zimbra**klovejoyroe@ytown.org**

RE: Support chickens

From : Brenda Stumbo <bstumbo@ytown.org> Tue, Jan 03, 2017 07:48 PM

Subject : RE: Support chickens

To : Julie Tanguay <jtanguay55@gmail.com>

Cc : Karen Lovejoy Roe <klovejoyroe@ytown.org>, Lisa Garrett <lgarrett@ytown.org>

External images are not displayed. [Display images below](#)

Ok. My understanding is that what will be before the board from the planning commission is changing from 5 acre minimum to 1 acre. I have forwarded your email to Clerk Roe for the record to be included with the board packet.

Happy New Year.

Sent from YTown Webmail mobile.

----- Original message -----

From: Julie Tanguay <jtanguay55@gmail.com>

Date: 12/29/16 10:02 AM (GMT-05:00)

To: Brenda Stumbo <bstumbo@ytown.org>

Subject: Re: Support chickens

No, I support **NO** acreage requirement

On Dec 29, 2016, at 8:10 AM, Brenda Stumbo <bstumbo@ytown.org> wrote:

Ok. You Don't Support t
Allowing people with one acre to ha e chickens?

Sent from YTown Webmail mobile.

----- Original message -----

From: Julie Tanguay <jtanguay55@gmail.com>

Date: 12/28/16 8:45 PM (GMT-05:00)

To: Brenda Stumbo <bstumbo@ytown.org>

Subject: Re: Support chickens

I support it without the 1 acre requirement.

On Dec 28, 2016, at 11:47 AM, Brenda Stumbo <bstumbo@ytown.org> wrote:

I will let the clerk know for the record. Thank you

Sent from YTown Webmail mobile.

Charter Township of Ypsilanti

Charter Township of Ypsilanti

Julie Tanguay
305 Hewitt
Ypsilanti, MI 48197

jtanguay55@gmail.com
734-223-2634

Zimbra**nwyrybk@ytown.org**

Backyard Chickens

From : Nancy Wrybkowski
<nwyrybk@ytown.org>

Tue, Dec 13, 2016 02:00 PM

Subject : Backyard Chickens

To : Nancy Wrybkowski
<nwyrybk@ytown.org>

The OCS received the following - regarding the Backyard Chicken ordinance:

1. Received call from Linda Hahn expressing her opposition to backyard chickens in residential areas.
 2. Received call from Valerie Bilanski expressing her opposition to backyard chickens in residential areas.
 3. Phil Wrybkowski also expressed his opposition to allowing chickens in residential neighborhoods.
-

Zimbra**nwyrybk@ytown.org**

Chicken ordinance comment

From : Jane Carr <jcarr@ytown.org>

Tue, Dec 13, 2016 01:19 PM

Subject : Chicken ordinance comment**To :** Nancy Wrybkowski
<nwyrybk@ytown.org>

Nancy,

During lunch today we received a voicemail from Sheila Widmayer (734.740.0174), a Township resident. She wishes to relay her opposition to the proposed chicken ordinance. She feels that we are no longer a farming community, and she does not want the risk of disease chickens could potentially bring into the area.

JC



Zimbra**nwyrybk@ytown.org**

Planning Commission Proposal

From : Arnold, Larry <larryer@med.umich.edu> Tue, Dec 13, 2016 01:55 PM
Subject : Planning Commission Proposal
To : 'Nancy Wrybkowski'
<nwyrybk@ytown.org>

Dear Members of the Ypsilanti Township Planning Commission,

As a resident of Ypsilanti Township and the Millpointe Subdivision, I am opposed to any plans that would allow residents to possess chickens as pets or for other commercial purposes. Thanks for your attention this matter.

Regards,
Larry Arnold
7274 Hogan Drive
Ypsilanti, MI 48197

Electronic Mail is not secure, may not be read every day, and should not be used for urgent or sensitive issues

Zimbra

nwrybk@ytown.org

backyard chickens

From : Rhonda Butts <rbutts@emich.edu>

Tue, Dec 13, 2016 11:58 AM

Subject : backyard chickens**To :** nwrybk@ytown.org

I am **NOT** in favor of backyard chickens. My opinion is that the chicken coups should **not be allowed on property lines**. The waste of the chickens run off on others property which creates an odor and spread of disease. If people want chickens let them smell the poop and place the coups close to there house. Also, the planning committee's neighbors would most likely not have chickens.

Rhonda Butts
1815 Smith
Ypsilanti MI

Only

Zimbra**klovejoyroe@ytown.org**

Fwd: Backyard Chickens Opposition

From : Nancy Wrybkowski <nwrybk@ytown.org> Wed, Dec 14, 2016 02:24 PM

Subject : Fwd: Backyard Chickens Opposition

To : Karen Lovejoy Roe <klovejoyroe@ytown.org>, Lisa Garrett <lgarrett@ytown.org>

Cc : Brenda Stumbo <bstumbo@ytown.org>, Michael Radzik <mradzik@ytown.org>

Brenda came to the OCS Counter.

This comment regarding backyards chickens should be included in the board packet when this item is on the agenda. Thanks

Nancy Wrybkowski
Charter Township of Ypsilanti
Executive Coordinator
Office of Community Standards
734-485-3943

From: "Nancy Wrybkowski" <nwrybk@ytown.org>

To: "Chris Atkin" <catkin@cwaplan.com>

Sent: Tuesday, December 13, 2016 3:11:08 PM

Subject: Backyard Chickens Opposition

Chris,

I received from Brenda Brewington opposing backyard chickens in residential neighborhoods. Please have this read into the record at tonight's meeting.

Nancy Wrybkowski

Charter Township of Ypsilanti
Executive Coordinator
Office of Community Standards
734-485-3943

Zimbra

klovejoyroe@ytown.org

Fwd: Chickens in residential neighborhoods

From : Nancy Wrybkowski <nwrybk@ytown.org> Wed, Dec 14, 2016 11:52 AM

Subject : Fwd: Chickens in residential neighborhoods

To : Karen Lovejoy Roe <klovejoyroe@ytown.org>, Lisa Garrett <lgarrett@ytown.org>

Cc : Brenda Stumbo <bstumbo@ytown.org>, Michael Radzik <mradzik@ytown.org>

To be read into the record when this item is on the Board agenda.

Nancy Wrybkowski
Charter Township of Ypsilanti
Executive Coordinator
Office of Community Standards
734-485-3943

From: "Ann Richards" <drichards@emich.edu>

To: "Nancy Wrybkowski" <nwrybk@ytown.org>

Sent: Wednesday, December 14, 2016 10:07:48 AM

Subject: Chickens in residential neighborhoods

Hi Nancy!

I heard this morning that a proposal to allow chickens to be raised in the township was on last night's planning mtg agenda, sorry I missed the meeting.

I am concerned about the possibility of chickens being kept in subdivisions. While homes on an acre or more may be able to accommodate raising chickens, I hope regulations will be created to ensure that his proposal does not create problems for people living close to these homes as well as to protect all township residents.

I am not sure what "other options" are being considered for keeping chickens, but I hope allowing them in

our neighborhoods - especially those with small lots - is not allowed. I have many concerns such as how waste from these birds is to be disposed of? What recourse will neighbors have to address issues of noise, cleanliness, disease, etc.

My dog has gotten worms from goose droppings (yes, he ate it) which was costly to treat and I would hate for this to be an added burden for residents.

I would be interested in the proposal language and additional information on this subject.

Thank you for reading my email.

Respectfully

Ann Richards

ann.richards@emich.edu

Declaration and Notice of Intent

This Declaration made this 8th day of March, 2017 by the Charter Township of Ypsilanti, a Michigan municipal corporation, 7200 S. Huron River Dr. Ypsilanti, MI 48197, (hereafter called Charter Township of Ypsilanti), being the owner of all the property described as:

BEG AT THE INTERSECTION OF E LINE OF SAID SECTION 22 AND THE CENTERLINE OF HURON RIVER DRIVE, TH N 02-24-16 W 1097.4 FT; TH N 70-08-10-W 102.69 FT; TH S 86-06-20 W 211.19 FT; TH S 86-36-49 W 138.03 FT; TH S 56-23-20 W 75.05 FT; TH S 02-24-16 E 978.56 FT; TH S 80-05-09 E (CALL TO CLOSE) 520.33 FT +/- TO POB. CONTAINING 12.50 ACRES. COMBINED ON 01/19/2006 WITH K -11-23-200-005, K -11-23-300-019, K -11-23-300-020 INTO K -11-23-200-006;

ALSO:

COM AT THE W 1/4 POST SECTION 23, TH S 89-35-10 E 800.01FT TO POB; TH S 29-08-00 W 217.18 FT; TH S 56-58-01 E 736.30 FT +/-; TH N 01-04-51 W 587.57 FT; TH N 89-35-10 W 500.48 FT TO POB. CONTAINING 5.21 ACRES. COMBINED ON 01/19/2006 WITH K -11-23-200-005, K -11-23-300-019, K -11-23-300-020 INTO K -11-23-200-006;

ALSO:

COM AT THE W 1/4 POST SECTION 23, TH S 89-35-10 E 1300.49 FT IN E & W 1/4 LINE FOR PLACE OF BEG; TH S 89-35-10 E 1216.13 FT; TH S 60-00-40 E 73.56 FT; TH S 80-24-40 E 166.48 FT; TH S 15-31-00 E 211.06 FT; TH S 03-54-40 E 353.50 FT; TH S 24-50-40 W 227.80 FT; TH S 05-25-40 W 146.56 FT; TH S 70-40-45 W 628.85 FT; TH 67.71 FT IN ARC OF CURVE TO THE LEFT, RADIUS 800.00 FT, CHORD N 51-07-15 W, 67.69 FT; TH N 53-32-45 W 942.06 FT; TH N 01-05-00 W 587.89 FT TO PLACE OF BEGINNING. CONTAINING 32.41 ACRES. COMBINED ON 01/19/2006 WITH K -11-23-200-005, K -11-23-300-019, K -11-23-300-020 INTO K -11-23-200-006;

ALSO:

ALL THAT PART OF THE NORTHWEST FRACTIONAL 1/4 SECTION 23 LYING SOUTHERLY OF THE 686 FOOT CONTOUR LINE (MEAN SEA LEVEL) OF THE SOUTHERLY LINE OF THE HURON RIVER, EXCEPT A PARCEL COMMENCING AT THE W 1/4 POST OF AID SECTION23; TH N 00-54-20 W 251.0 FT ALONG THE WEST SECTION LIN OF SEC 23; TH S 56-51-20 E 60.35 FT; TH N 00-54-20 W 684.46 FT; TH S 42-14-20 E 145 FT; TH N 47-45-40 E 70 FT TO PL OF BEG OF THIS EXCEPTION; TH SOUTHEASTERLY 75.59 FT IN THE ARC OF A CURVE TO THE RIGHT, RADIUS 70 FT, CHORD S 11-18-19 E 71.98 FT; TH S 42-14-20 E 207.27 FT; TH SOUTHEASTERLY 33 FT IN THE ARC OF A CURVE TO THE LEFT, RADIUS 667.52 FT; TH N 40-00-00 E TO A POINT ON THE 686 FT COUNTOUR LINE OF THE HURON RIVER; TH N 63-01-00 W 41.30 FT; TH N 28-06-40 W 271.75 FT; TH N 43-01-00 W 1.67 FT; TH S 40-00-00 W TO PLACE OF BEGINNING. CONTAINING 40.82 ACRES +/- . COMBINED ON 01/19/2006 WITH K -11-23-200-005, K -11-23-300-019, K -11-23-300-020 INTO K -11-23-200-006. ACCORDING TO DEED FILED IN LIBER 2380, PAGE 467/468, WASHTENAW COUNTY DEEDS.

herein after referred to as the Property, attached hereto, located in Ypsilanti Township, Washtenaw County, Michigan, hereby makes the following declaration regarding uses to which the property may be put.

Witnesseth:

The declaration contained herein is based on the following factual recitals:

- A. Charter Township of Ypsilanti developed the property, in part, though the grant of money from the Land and Water Conservation Trust Fund.
- B. As a condition of the grant by the DNR, the Charter Township of Ypsilanti has agreed to impose certain restrictions on the property.

NOW, THEREFORE, the Charter Township of Ypsilanti hereby declares that the portion of the property identified as the project area is and shall be held, transferred, sold, conveyed, leased, occupied, and used subject to the obligation hereinafter set forth, all of which shall run with the land.

The lands included in this deed were developed by the Charter Township of Ypsilanti with funding assistance from the Land and Water Conservation Fund pursuant to project agreement 26-01725 between the Michigan Department of Natural Resources and the Charter Township of Ypsilanti, executed July 20, 2016. The project agreement describes certain requirements to ensure the long-term conservation of the property and its use for public outdoor recreation. The Charter Township of Ypsilanti is placing this notice on record as confirmation of its obligations as set forth in the project agreement, including the requirement that the consent of the Michigan Department of Natural Resources and the Land and Water

Conservation Fund Board of Trustees is required prior to the conveyance of any rights or interest in the property to another entity, or for the use of the property for purposes other than conservation or public outdoor recreation.

Charter Township of Ypsilanti

By: Brenda L. Stumbo

Brenda L. Stumbo, Supervisor

By: Karen Lovejoy Roe
Karen Lovejoy Roe, Clerk

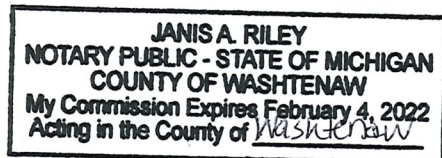
STATE OF MICHIGAN

COUNTY OF WASHTENAW

The foregoing instrument was acknowledged before me this 8th day of March, 2017, by
Brenda L. Stumbo and Karen Lovejoy Roe.

Brenda L. Stumbo

Karen Lovejoy Roe



Janis Riley

Notary, Washtenaw County,

My Commission Expires: 2-4-2022

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the Charter Township of Ypsilanti
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name:

Jeff Allen, Residential Services Director

Wayne Dudley, Public Services Superintendent

Nancy Hare-Dickerson, Administrative Clerk

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the

Board of Trustees

(Name of Board, etc)

of the

Charter Township of Ypsilanti

(Name of GOVERNMENTAL AGENCY)

of

Washtenaw

(County)

at a

Regular

meeting held on the

7th

day

of

March

A.D.

2017

Signed

Brenda L. Stumbo
Brenda L. Stumbo
3-8-17

Title

Supervisor / Clerk

Karen Borgoy Roe
3-8-17