

**CHARTER TOWNSHIP OF YPSILANTI**  
**MINUTES OF THE FEBRUARY 20, 2018 REGULAR MEETING MINUTES**

Supervisor Stumbo called the meeting to order at approximately 7:00 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited followed by a moment of silent prayer. Supervisor Stumbo asked for remembrance of the children in Florida.

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

**Members Absent:** None

**Legal Counsel:** Wm. Douglas Winters

**PUBLIC COMMENTS**

Larry Krieg, Township Resident stated he was the Townships' Representative on the Board of Directors for the Ann Arbor Area Transportation Authority. He said he was specifically here because the five-year millage with AAATA will expire at the end of 2018. He said the agreement between the AAATA and Ypsilanti Township specifies that at the end of the five-year term the Transportation Authority would contact the Township to see if they would like to continue with the service. Mr. Krieg said he included the ballot language in their board packet and he would like the Townships' input. He said the renewal would be for the same services the Township had been receiving for the last 5 years. He said the renewal is a 0.7 mil.

Trustee Eldridge asked if Mr. Krieg could provide the amount of money that Ypsilanti Township paid over the last 5 years and how much of that amount came back to Ypsilanti Township in services. Mr. Krieg stated he was sure that he could get it but it would not be easy to obtain. Mr. Krieg said all the services that were stipulated for the Township in the 2014 millage have been implemented. He said it would be better to look at the service levels instead of the dollar amount. Trustee Eldridge said that service hours were great but if Ypsilanti Township residents were not using it then we should not renew it. Trustee Eldridge also asked if Pittsfield Township decided to be included in this millage. Mr. Krieg said as far as he knows they are considering it but have not changed their position at this time.

Clerk Lovejoy Roe stated the language for the ballot should state it was rolling back to the original millage that was approved in 2014. She said prior to the millage in 2014 the Township paid \$470,000.00 from general fund to pay for each route and some of the services were for seniors and the disabled, which the Township was required by law to provide. She said that was what was attractive about the millage because our residents in the township voted to pay for these services and that reduced what we paid out of the general fund. Clerk Lovejoy Roe suggested Mr. Krieg show us the estimate it would cost for the routes and services we previously paid and that would give us an idea on the benefit of having the millage. She said with the millage it provides more service to Ypsilanti Township than we have had in the past.

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Attorney Winters stated that he thought the language for the ballot was too wordy and he explained his suggestions for changing the language.

Supervisor Stumbo suggested they come back with a presentation during the work session. She said this would be about a \$500,000.00 increase in revenue from the last millage.

Matt Carpenter, CEO of The Ride, stated that with the increase in property values and inflation it would be approximately that amount. He said the plan with those additional funds would be to put it back into the bus services.

Steven Hodak, Township Resident thanked the Board for all they do for the Township. He said the township needs a snow ordinance for all those in the township who do not clear their sidewalks and they let their sidewalks turn to ice and are treacherous. He said the whole point in clearing sidewalks was to make them safe. Mr. Hodak said that with enforcement it would make the nuisance stoppable. He said it would be complaint driven and the ordinance department would only need to respond when there were complaints. He said most people would be compliant with the ordinance, and therefore, the ordinance department would have few people they would have to deal with. He said the benefit would be clear and safe sidewalks. He stated that Scio Township has a snow ordinance and although they are a smaller municipality, they only had 20 violations this year. He said that someone might bring legal action against the township but that it was not likely and besides he believes the Township has a good legal team.

Arloa Kaiser, Township Resident stated she was against a snow ordinance. She said she has lived in the township for over 40 years and to her knowledge; there have not been any problems.

Mr. Tooson, Township Resident stated that he was here tonight to inform the board that a gentleman in the Township was making derogatory statements about Black people. Mr. Tooson said it was upsetting to many in the township who have heard these statements. He said that the Board should respond to this so others in the Township would know the Township Board would not tolerate it. He said he had hoped the gentleman would be here tonight so he could request the man explain why he is saying the things he has but the man was not here tonight. Mr. Tooson said he believes that when you do not respond things get worse. He reminded the board that a few years ago the KKK burned crosses on some township resident's yard and it was not addressed. Mr. Tooson stated that when people are treated with respect then they will treat others with respect.

Lt. Mike Marocco, Operational Lt. for Ypsilanti Township, said that about seven years ago we began working on the camera program in the Township. He said that having the cameras in the neighborhoods has helped law enforcement. Lt. Marocco stated that this morning he was working on a specific crime that occurred and some of the information we are working on came directly from those cameras.

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**CONSENT AGENDA**

**A. MINUTES OF THE FEBRUARY 6, 2018 WORK SESSION AND REGULAR MEETING**

**B. STATEMENTS AND CHECKS**

**1. STATEMENTS AND CHECKS FOR FEBRUARY 20, 2018 IN THE AMOUNT OF \$1,003,376.57**

**C. JANUARY 2018 TREASURER'S REPORT**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to Approve the Consent Agenda.**

**The motion carried unanimously.**

**ATTORNEY REPORT**

**A. GENERAL LEGAL UPDATE**

Attorney Winters stated there have been ongoing issues with Ypsilanti Community Schools with three elementary schools in Ypsilanti Township that have been abandoned. He said the Township has tried to work with the school district since the abandoned buildings have become eyesores and attractive nuisance. Attorney Winters stated that in the past few weeks, it has come to a head in regard to Kettering School and Thurston School will be next. He said they have executed a search warrant, obtained photographs and that it was embarrassing to see how those schools have been neglected and abandoned. Attorney Winters said the Township has spent a lot of time and money with neighborhood stabilization and these schools are located in those neighborhoods. He said he hoped that when the search was completed for both buildings, the school district would look at this and would make a decision to demolish those buildings. Attorney Winters stated we require homeowners to be responsible for their property and we need to make the Ypsilanti Community Schools responsible for theirs. He said that during the last 12-14 months Ypsilanti Community Schools have received \$180,000.00 a month leasing out West Middle School to Ann Arbor Public Schools because of a flood they had in one of their elementary buildings. Attorney Winters said the estimate to demolish those two schools were \$440,000.00 which could have been done with some of the lease payments that wasn't in their budget. He said Ypsilanti Township had to call DTE to cut off electricity because there have been fires set inside the school and they have had people living inside the school.

Attorney Winters said he continued to monitor the American Center for Mobility so we can calculate the annual payment to the Township in lieu of Tax payments and he said we have asked for additional documentation. He stated our agreement with ACM requires them to give Washtenaw County and Ypsilanti Township

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residents' preference when hiring and when purchasing supplies and materials to purchase them locally. He said he has asked for that verification.

**OLD BUSINESS**

- 1. 2<sup>nd</sup> READING OF RESOLUTION 2018-01, PROPOSED ORDINANCE 2018-476, AN ORDINANCE AMENDING THE ZONING CODE OF THE CHARTER TOWNSHIP OF YPSILANTI (1<sup>st</sup> READING HELD AT THE JANUARY 16, 2018 REGULAR MEETING)**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Ross-Williams to Approve 2<sup>nd</sup> Reading of Resolution 2018-01, Proposed Ordinance 2018-476, an Ordinance Amending the Zoning Code of the Charter Township of Ypsilanti (1<sup>st</sup> Reading Held at the January 16, 2018 Regular Meeting) (see attached).**

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

The motion carried unanimously.

**NEW BUSINESS**

- 1. BUDGET AMENDMENT #4**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Jarrell Roe to Approve Budget Amendment #4 (see attached).**

The motion carried unanimously.

- 2. REQUEST OF MICHAEL SARANEN, HYDRO OPERATIONS TO WAIVE THE FINANCIAL POLICY AND ACCEPT THE LOW QUOTE FROM FONDRIEST ENVIRONMENTAL FOR THE PURCHASE OF A WATER QUALITY BUOY WITH CELLULAR TELEMETRY IN THE AMOUNT OF \$7,530.00 BUDGETED IN LINE ITEM #252-252-000-976-000**

**A motion was made by Trustee Jarrell Roe, supported by Treasurer Doe to Approve Request of Michael Saranen, Hydro Operations to Waive the Financial Policy and Accept the Low Quote from Fondriest Environmental for the Purchase of a Water Quality Buoy with Cellular Telemetry in the Amount of \$7,530.00 Budgeted in Line Item #252-252-000-976-000.**

The motion carried unanimously.

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**3. RESOLUTION 2018-05, OWNERS DAM SAFETY PROGRAM**

**A motion was made by Trustee Eldridge, supported by Trustee Ross-Williams to Approve Resolution 2018-05, Owners Dam Safety Program (see attached).**

**The motion carried unanimously.**

**4. REQUEST OF MICHAEL RADZIK, OCS DIRECTOR FOR AUTHORIZATION TO SEEK LEGAL ACTION IF NECESSARY, TO ENFORCE PROVISIONS OF THE PROPERTY MAINTENANCE ORDINANCE FOR A SEVEN (7) UNIT APARTMENT BUILDING LOCATED AT 1234 HOLMES RD. IN THE AMOUNT OF \$10,000.00 BUDGETED IN LINE ITEM #101-950-000-801-023**

**A motion was made by Trustee Jarrell Roe, supported by Trustee Eldridge to Approve Request of Michael Radzik, OCS Director for Authorization to Seek Legal Action if Necessary, to Enforce Provisions of the Property Maintenance Ordinance for a Seven (7) Unit Apartment Building Located at 1234 Holmes Rd. in the Amount of \$10,000.00 Budgeted in Line Item #101-950-000-801-023.**

**The motion carried unanimously.**

**5. REQUEST OF ERIC COPELAND, FIRE CHIEF FOR APPROVAL FOR APPROVAL OF GRANT APPLICATIONS AND CORRESPONDING MEMORANDUMS OF UNDERSTANDING ON BEHALF OF THE YPSILANTI TOWNSHIP FIRE DEPARTMENT FOR AUTO EXTRICATION EQUIPMENT WITH SALINE AREA FIRE DEPARTMENT, TURNOUT GEAR WITH MILAN AREA FIRE DEPARTMENT, FIRE HOSES WITH NORTHFIELD TOWNSHIP FIRE DEPARTMENT, AND SCBA EQUIPMENT WITH SUPERIOR TOWNSHIP FIRE DEPARTMENT FOR A TOTAL AMOUNT OF \$19,045.36 BUDGETED IN LINE ITEM 206-970-000-979-005**

**A motion was made by Treasurer Doe, supported by Trustee Ross-Williams to Approve Request of Eric Copeland, Fire Chief for Approval for Approval of Grant Applications and Corresponding Memorandums of Understanding on Behalf of the Ypsilanti Township Fire Department for Auto Extrication Equipment with Saline Area Fire Department, Turnout Gear with Milan Area Fire Department, Fire Hoses with Northfield Township Fire Department, and SCBA Equipment with Superior Township Fire Department for a Total Amount of \$19,045.36 Budgeted in Line Item 206-970-000-979-005.**

**The motion carried unanimously.**

**6. REQUEST OF WAYNE DUDLEY, PUBLIC SERVICES SUPERINTENDENT FOR APPROVAL OF UPDATED CONTRACT WITH CORRIGAN OIL COMPANY FOR FUEL MANAGEMENT SYSTEM IN THE AMOUNT OF \$30,030.00 BUDGETED IN LINE ITEM #595-595-000-971-008**

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**A motion was made by Treasurer Doe, supported by Trustee Wilson to Approve Request of Wayne Dudley, Public Services Superintendent for Approval of Updated Contract with Corrigan Oil Company for Fuel Management System in the Amount of \$30,030.00 Budgeted in Line item #595-595-000-971-008.**

**The motion carried unanimously.**

**A motion was made by Clerk Lovejoy Roe, supported by Trustee Wilson to Adjourn.**

The meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

Brenda L. Stumbo, Supervisor  
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

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**Members Absent:** None

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# CHARTER TOWNSHIP OF YPSILANTI

## RESOLUTION 2018-01

### *(In Reference to Ordinance 2018-476)*

#### ***A Resolution Amending the Zoning Code of the Charter Township of Ypsilanti***

**Whereas**, the Township Planning Consultants completed a detailed review of the Township's Zoning Code; and

**Whereas**, based upon that review, the Township Planning Consultants have recommended amendments to the Charter Township of Ypsilanti's (Township) Planning Commission (Commission), involving a series of general amendments to the Township's Zoning Code; and

**Whereas**, at its regularly scheduled meeting held December 12, 2017, the Commission recommended approval of the Planning Consultant's proposed general amendments to the Township's Zoning Code to the Township Board which changes can be summarized as follows:

1. Zoning Code reorganization:
  - a. Eliminate three (3) zoning districts that we never mapped on the official Township Zoning Map
  - b. Creation of three (3) use tables to replace uses listed in text in articles
  - c. All specific use provisions consolidated in Article 18
  - d. Move parking and loading regulations from footnotes of schedule of regulations into General Provisions
  - e. Move trash receptacles regulations from accessory buildings section into a new section in General Provisions
2. Bring Zoning Code into compliance with State and Federal Law:
  - a. Michigan Right to Farm Act. Farms & stables changed to permitted uses. Conditions changed to reference Generally Accepted Agricultural Management Practices
  - b. Michigan Zoning Enabling Act. Cell Towers: Application shot clock & what is a conditional use and a permitted use
  - c. Michigan Regulations on State Licensed Day Care
  - d. U.S. Religious Land Use and Institutionalized Persons Act. Define "Places of Worship" and amend zoning to ensure they are treated the same as other like private assembly uses
3. Add the following new definitions – "places of worship", "hotel", "medical clinic", "medical office" – and to amend definitions for "automobile repair, major", "automobile repair, minor", "motel":
4. Eliminate requirement for detached accessory structure over 100 square feet goes to ZBA.
5. Require 5-foot setback for accessory structures from side and rear lot line.

**Whereas**, proposed Ordinance No. 2018-476 has revised the current existing Ordinance in such a fashion as to incorporate the above changes recommended; and

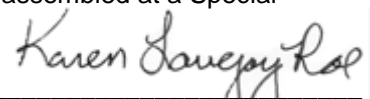
**Whereas**, the Charter Township of Ypsilanti Board of Trustees (Board) agrees with the request of the Planning Commission;



**Now Therefore,**

**Be it resolved,** that the Charter Township of Ypsilanti Board of Trustees does hereby approve Ordinance No. 2018-476 as attached, by amending Articles of the Township's Zoning Code as noted, replacing it with proposed Ordinance No. 2018-476, which ordinance reflects the suggestions and input of the Township's Planning Consultant as recommended by the Commission.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2018-01 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Special Meeting held on February 20, 2018.



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Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

# CHARTER TOWNSHIP OF YPSILANTI

## ORDINANCE 2018-476

### *An Ordinance Amending the Zoning Code of the Charter Township of Ypsilanti*

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

#### **SECTION 1. AMENDMENT TO TOWNSHIP ZONING ORDINANCE SECTION**

**2.0.1:** Township Zoning Ordinance Section 2.01, entitled “Definitions,” is amended to add the following new definitions – “places of worship”, “hotel”, “medical clinic”, “medical office” – and to amend definitions for “automobile repair, major”, “automobile repair, minor”, “motel”:

Sec. 201. - Definitions:

*Automobile repair, major:* The general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; and painting of automobiles and any repair of a major component part as defined by the administrative rules promulgated pursuant to the State of Michigan Motor Vehicle Service and Repair Act (MCL 257.1302).

*Automobile repair, minor:* Repairs other than major repair including but not limited to lubrication; oil changes; installing, changing, or otherwise servicing the antifreeze or other coolant; and the replacement, adjustment, repair, or servicing of tires, batteries, fuel pumps, gaskets, brakes and other parts and assemblies listed as minor repair services by the administrative rules promulgated pursuant to in State of Michigan Motor Vehicle Service and Repair Act (MCL 257.1302).

*Places of worship:* A site used for or intended for the regular assembly of persons for the conducting of religious services and accessory uses therewith.

*Hotel:* A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service, and bellboy service. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms, or meeting rooms. This definition does not include apartments

*Medical clinic:* A place for the care, diagnosis, and treatment of sick or injured persons and those in need of medical or minor surgical attention. A clinic may incorporate laboratories and pharmacies, but may not include facilities for in-patient care or major surgery.

*Medical office:* The place of work for physicians, dentists, or similar professionals where persons are examined or treated on an outpatient basis only. An office may not include facilities for outpatient surgery, laboratories, pharmacies, or facilities for in-patient care.

*Motel:* A series of attached, semidetached or detached rental units containing a bedroom, bathroom and closet space. Units shall provide for overnight lodging, have separate entrances and are offered to the public for compensation. This definition does not include apartments.

#### **SECTION 2. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE**

**III. - ZONING DISTRICTS AND MAP:** Article III – Zoning Districts and Map is amended to eliminate zoning districts “B-4 Auto-oriented business district”, “B-5 East Michigan Avenue business district”, and “B-6 Ecorse/Ford business district” from Section 300 “and to add the following new Section 3.06:

Sec. 300. - Districts established:

For the purpose of this ordinance the Charter Township of Ypsilanti is hereby divided into the following districts:

R-1	One-family residential district
R-2	One-family residential district
R-3	One-family residential district

R-4	One-family residential district
R-5	One-family residential district
RM-1	Multiple-family residential district
RM-2	Multiple-family residential district
RM-3	Multiple-family residential district
RM-4	Multiple-family residential district
RM-5	Townhouse residential district
MHP	Mobile home park district
OS-1	Office service district
B-1	Local business district
B-2	Community business district
B-3	General business district
FS	Freeway service district
IRO	Industrial research office district
I-1	Light industrial district
I-2	General industrial district
I-3	Heavy industrial district
I-C	Industrial and commercial districts
P-1	Vehicular parking district
PD	Planned development district

Sec. 306. – Schedule of Uses:

1. In all Districts, no building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided in this Article. The following land use schedules show the uses which are permitted, permitted as a Special Use, permitted as an accessory use, or prohibited in specific districts or zones in the Charter Township of Ypsilanti. The land use schedules are intended to serve as a guide for the convenience of the user of this Zoning Ordinance. More detailed standards regarding uses are contained within the individual district standards within Article XVIII - Specific Use Standards.
2. The Schedules of Use Regulations identifies uses as follows:
  - a. P: Principal permitted uses - Uses permitted by right in the applicable Zoning District, subject to compliance with all other applicable requirements of this Zoning Ordinance.

- b. S: Special conditional uses – Uses which may be permitted upon the granting of a permit for such use by the planning commission, subject to the compliance with all applicable requirements of this Zoning Ordinance, and subject further to such other reasonable conditions which in the opinion of the planning commission are necessary to provide adequate protection to the neighborhood and to abutting properties and subject further to a public hearing in accord with Section 2309 and further shall be reviewed as provided for in Section 2119.
  - c. A: Accessory uses – Uses which may be permitted as an accessory use incidental to the principal use of the premise, subject to compliance with all other applicable requirements of this Zoning Ordinance.
  - d. --: Not permitted – Uses not permitted within the district.
3. Residential Districts Schedule of Uses identifies the uses allowed in the following residential districts:
- a. R-1 to R-5 One-family residential districts: The intent is to provide for an environment of predominantly low-density, one-family dwellings along with other residentially related facilities which serve the residents in the district.
  - b. RM-1 & RM-2 Multiple-family residential districts: The intent is to provide sites for low- to moderate-density multiple-family dwelling structures, and related uses.
  - c. RM-3 & RM-4 Multiple-family residential districts: The intent is to provide sites for high-density multiple-dwelling developments.
  - d. RM-5 Townhouse residential districts: The intent is to provide for moderate density infill housing.
  - e. MHP Mobile home park districts: The intent is to provide for mobile home and manufactured housing communities.

Residential Districts Use Table	R-1 to R-5	RM-1 & RM-2	RM-3 & RM-4	RM-5	MH P	Notes
P= Permitted Use   S=Special Conditional Use   A= Accessory Use   -- = Not permitted						
<b>Residential Uses</b>						
Detached single family residential	P	P	P	--	--	Subject to regulations in Section 1801
Two family residential	--	P	P	P	--	Must have with individual entrances and garages for each dwelling unit
Attached single family residential/townhouses with individual entrances and garages	--	P	P	P	--	
Multiple family dwelling units	--	P	P	--	--	Subject to design regulations in each zoning district
Senior independent and assisted living	--	P	P	--	--	
Convalescent and nursing homes	--	S	S	--	--	Subject to conditions in Section 1816
Mobile home parks/Mobile homes	--	--	--	--	P	Subject to conditions in Section 7.03 and 7.04
<b>Accessory Uses</b>						
Accessory home occupations	A	A	A	A	A	Subject to conditions in Section 1802

<b>Residential Districts Use Table</b>	<b>R-1 to R-5</b>	<b>RM-1 &amp; RM-2</b>	<b>RM-3 &amp; RM-4</b>	<b>RM-5</b>	<b>MH P</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted						
Retail uses accessory to high-rise multiple-family dwelling	--	--	A	--	--	Subject to conditions in Section 1817
Keeping of up to four hens	A	--	--	--	--	Subject to conditions in Section 1803
Keeping of more than four dogs	S	--	--	--	--	Subject to conditions in Section 1815
Accessory buildings and uses customarily incident to any of the permitted uses in this table	A	A	A	A	A	
<b>State-licensed residential child and adult care facilities</b>						
Adult/Child Family day care homes	P	P	P	--	--	Subject to the conditions in Section 1861
Adult/Child Group day care homes	S	S	S	--	--	Subject to the conditions in Section 1861
Adult/Child Day Care Center + Preschools	S	S	S	--	--	Subject to the conditions in Section 1861. Accessory to an allowed non-residential use in the R-1 to R-5 zoning districts
Adult and Child Foster Care Family Home	P	P	P	--	--	Subject to the conditions in Section 1861
Adult Foster Care, small group home	S	S	S	--	--	Subject to the conditions in Section 1861
Adult Foster Care, large group home	--	S	S	--	--	Subject to the conditions in Section 1861
Adult Foster Care Congregate Facility	--	S	S	--	--	Subject to the conditions in Section 1861
Child Foster Care Family Group Home	S	S	S	--	--	Subject to the conditions in Section 1861
<b>Agricultural</b>						
Farm Operation	P	--	--	--	--	5-acre minimum lot size. Subject to conditions in Section 1804
Seasonal sale of produce on farms	P	--	--	--	--	Subject to conditions in Section 1813
Farms with sales and entertainment facilities	S	--	--	--	--	Subject to conditions in Section 1855
Institutional farms	S	--	--	--	--	Subject to conditions in Section 1814
Private stables	A	--	--	--	--	Subject to conditions in Section 1810
Public riding and/or boarding stables	P	--	--	--	--	Subject to conditions in Section 1809
Greenhouse & Plant Material Nursery (materials grown and sold on-site)	S	--	--	--	--	Subject to conditions in Section 1811
<b>Lodging</b>						
Bed & Breakfasts	S	--	--	--	--	Subject to conditions in Section 1808
<b>Civic/Institutional</b>						

<b>Residential Districts Use Table</b>	<b>R-1 to R-5</b>	<b>RM-1 &amp; RM-2</b>	<b>RM-3 &amp; RM-4</b>	<b>RM-5</b>	<b>MH P</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted						
Publicly owned and operated libraries	P	P	P	--	P	
Cemeteries	S	--	--	--	--	Subject to conditions in Section 1812
Houses of Worship	S	P	P		P	Access must comply with regulations in Section 2118.
Public, parochial and other private elementary schools offering courses in general education, and not operated for profit.	P	--	--	--	--	
Public, parochial and private intermediate and/or secondary schools offering courses in general education, not operated for profit.	S	P	P	--	--	Access must comply with regulations in Section 2118
Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit	S	S	S	--	--	Subject to conditions in Section 1807
Utility and public service buildings and uses (without storage yards) when operating requirements necessitate the locating of said building within the district in order to serve the immediate vicinity.	S	S	S	S	S	
<b>Recreation</b>						
Parks, common greens, plazas, public gathering places and open space	P	P	P	P	P	
Publicly owned and operated recreational facilities	P	P	P	--	P	
Golf courses	S	P	P	--	--	Subject to conditions in Section 1806 and footnote 4 in the schedule of regulations
Institutional or community recreation centers and nonprofit swimming pool clubs	P	P	P	P	P	Subject to conditions in Section 1805
Community buildings for use by the tenants of the mobile home park as well as recreation areas and playgrounds	--	--	--	--	P	
Private or public recreation vehicle campgrounds	P*	--	--	--	--	* Principal use in R-4 only Subject to conditions in Section 1852
<b>Other</b>						
One office building to be used exclusively for conducting the business operation of the mobile home park.	--	--	--	--	P	

<b>Residential Districts Use Table</b>	<b>R-1 to R-5</b>	<b>RM-1 &amp; RM-2</b>	<b>RM-3 &amp; RM-4</b>	<b>RM-5</b>	<b>MH P</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted						
Utility buildings for laundry facilities and auxiliary storage space for mobile home tenants.	--	--	--	--	P	
Storage of recreation vehicles	--	--	--	--	P	Subject to conditions in Section 1853
Wireless communication towers and antennas	See Section 1850					

3. Office and Business Districts Schedule of Uses identifies the uses allowed in the following residential districts:
- OS-1 Office service districts: The intent is to accommodate uses such as offices, banks and personal services.
  - B-1 Local business districts: The intent is to meet the day-to-day convenience shopping and service needs of persons residing in immediately adjacent residential areas.
  - B-2 Community business districts: The intent is to cater to the needs of a larger consumer population than is served by the local business districts.
  - B-3 General business districts: The intent is to provide sites for more diversified business types which would often be incompatible with the pedestrian movement in the local business district or the community business district.

<b>Office &amp; Business Districts Use Table</b>	<b>OS-1</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted					
<b>Retail and Services</b>					
	A	P	P	P	
Retail	--	--	--	S	With drive-through or drive-in facilities, subject to conditions in Section 1823
Antique businesses	--	--	P	P	Pawnbrokers, secondhand dealers and junk dealers are not included in this use
Secondhand apparel businesses	--	--	--	P	Pawnbrokers, secondhand dealers, and junk dealers are not included in this use
Commercial kennel	--	--	--	S	All activities are conducted within enclosed main building; all buildings are set back at least 200 feet from abutting residential districts on the same side of the street
Mortuary establishments	S	P	P	P	Subject to conditions in Section 1818
Personal service establishments	--	P	P	P	
	A	--	--	--	Up to 15,000 square feet in size
Adult/Child Day Care Center + Preschools	P	P	P	P	Subject to the conditions in Section 1861
Smoking lounges	--	--	--	S	Subject to the conditions in Section 1836
Veterinary clinics	S	P	P	S	Subject to conditions in Sections 1820
Veterinary hospitals	--	--	--	S	Subject to conditions in Section 1821

<b>Office &amp; Business Districts Use Table</b>	<b>OS-1</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>Notes</b>
P= Permitted Use    S=Special Conditional Use    A= Accessory Use    -- = Not permitted					
Temporary sidewalk, outdoor and tent sales for principal use	--	--	--	A	Subject to conditions in Section 1832
Temporary sales unrelated to principal use	--	--	--	*	*Temporary use subject to approval by the Zoning Board of Appeals. See Section 2404.3.f
Retail sales of plant material not grown on the site, lawn furniture, playground equipment and/or garden supplies.	--	--	S	S	Subject to conditions in Section 1828
Outdoor storage or display of merchandise, goods or items associated with a permitted use	--	--	--	S	Subject to conditions in Section 1824
Banks, credit unions, savings and loan establishments and similar financial institutions	--	P	P	P	With no drive through
	--	--	--	S	Up to two drive-through teller windows or automated teller windows and stand-alone automatic bank teller machines, subject to conditions in Section 1823
	--	--	--	S	With drive-through, subject to conditions in Section 1823
Medical offices	P	P	P	P	Medical offices up to 15,000 square feet in size
	P	S	S	P	Medical offices over 15,000 square feet in size
Medical clinics	P	P	P	P	
Urgent care facilities	--	--	--	P	
Office buildings and uses	P	P	P	P	
Restaurants	S	S	P	P	SCU is subject to conditions in Section 1822
Drive-through restaurants	--	--	--	S	Subject to conditions in Section 1823
Outdoor or sidewalk cafes	S	S	P	P	Accessory use to existing restaurant, subject to conditions in Section 1825
Hotels	--	--	--	P	
Motels	--	--	--	S	Subject to conditions in Section 1827
<b>Civic/Institutional</b>					
Houses of worship	P	P	P	P	
Public/government buildings	P	P	P	P	
Public utility buildings, without storage yards; water and sewage	S	S	S	S	Water and sewage pumping stations are excluded in the OS-1 and B-1 districts.
Business schools and colleges or private schools operated for profit	--	--	P	P	
<b>Recreation</b>					
Arcades and similar uses	--	--	--	S	Subject to conditions in Section 1102.8



<b>Office &amp; Business Districts Use Table</b>	<b>OS-1</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>Notes</b>
P= Permitted Use    S=Special Conditional Use    A= Accessory Use    -- = Not permitted					
Theaters, public assembly halls, concert halls or similar places of public assembly	--	--	P	P	Conducted completely within enclosed buildings.
Halls for private clubs, civic organizations, unions and membership organizations or similar places of private assembly	S	P	P	P	In OS-1, subject to conditions in Section 1819
Outdoor batting cages, archery ranges and similar uses	--	--	--	S	Subject to conditions in Section 1835
Outdoor children's amusement parks, miniature golf courses, golf driving ranges and similar uses	--	--	--	S	Subject to conditions in Section 1834
Health clubs, fitness centers, gyms and aerobic clubs, health and fitness center	--	--	S	P	
Indoor recreational facility, including bowling alley, archery range, tennis/racquet ball court, skating rink, athletic field, swimming pool, and other similar uses	--	--	S	P	Must be located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent residential district
<b>Automotive/Transportation</b>					
Automobile car wash, automatic or self-service	--	--	--	S	Subject to conditions in Section 1833
Bus passenger stations	--	--	--	P	
Gasoline service station with or without minor repair and sale of incidental minor accessories or convenience items.	--	--	--	S	Subject to the conditions in Section 1829
Minor automotive repair businesses	--	--	--	S	Subject to conditions in 1830
Dealership for sale of new or used automobiles, boats, house trailers or rental of trailers and/or automobiles	--	--	--	S	Subject to conditions in 1826
Off-street parking lots as primary use	S	S	S	S	Subject to conditions in Section 1202.
Railroad lines, rail spurs and similar rail transport access facilities	P	P	P	P	Subject to conditions in Section 1851
Towing services without an impound or	--	--	--		Subject to conditions in Section 1862

<b>Office &amp; Business Districts Use Table</b>	<b>OS-1</b>	<b>B-1</b>	<b>B-2</b>	<b>B-3</b>	<b>Notes</b>
P= Permitted Use    S=Special Conditional Use    A= Accessory Use    -- = Not permitted					
storage yard, taxi terminals and dispatch facilities, limousine services and bus depots					
<b>Accessory Uses</b>					
Accessory buildings and uses customarily incident to any permitted use in this table	A	A	A	A	
<b>Other</b>					
Wireless communication towers and antennas	See Section 1850				

4. Town Center Districts: Schedule of Uses identifies the uses allowed in the following residential districts:
- a. TC-1 districts: The intent is for a non-residential zone with a mixture of commercial, office, research and development and recreational uses
  - b. TC-2 districts: The intent is for a mixture of commercial, office, residential and recreational uses.
  - c. TC-3 districts: The intent is for commercial and office uses that provide convenience goods and services to residents of the township.
  - d. TC-4 districts: The intent is for primarily residential uses.
  - e. TC-5 district: The intent is for this area to be the civic zone with governmental and civic uses including the Township Hall, District Court, National Guard Armory and Library.

<b>Town Center Districts Use Table</b>	<b>TC-1</b>	<b>TC-2</b>	<b>TC-3</b>	<b>TC-4</b>	<b>TC-5</b>	<b>Notes</b>
P= Permitted Use    S=Special Conditional Use    A= Accessory Use    -- = Not permitted						
<b>Residential Uses</b>						
Detached single family residential		P	P	P		Subject to regulations in Section 1801
Two family residential with individual entrances and garages		P		P		
Attached single family residential/townhouses with individual entrances and garages		P		P		
Residential dwellings on upper floors within mixed-use buildings		P	P			
Live/work units with a dwelling unit on the upper floor above a first floor space under the same ownership that can be used for a commercial use		P	P	S		
Senior assisted living		P	P	P		
Nursing homes		P	P	S	P	
<b>Accessory Uses</b>						

<b>Town Center Districts Use Table</b>	<b>TC-1</b>	<b>TC-2</b>	<b>TC-3</b>	<b>TC-4</b>	<b>TC-5</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted						
Accessory home occupations		P	P	P		Subject to conditions in Section 1802
Accessory buildings and uses customarily incident to any permitted use in this table	A	A	A	A	A	
<b>Retail and Services</b>						
Retail establishments within an enclosed building	P	P	P			Floor area 30,000 sq. ft. or less
	S	S	S			Floor area above 30,000 sq. ft.
Drive-thru service accessory to a retail use	S	S	S			
Child care centers, preschool and commercial day care	P	P	P			Subject to the conditions in Section 1861
Dry cleaning drop-off stations	P	P	P			
Gasoline service stations and carwashes	S					
Personal service establishments such as barber/beauty shops dry cleaning drop-off stations, shoe repair shops and tailoring	P	P	P			
<b>Lodging and Restaurants</b>						
Restaurants, taverns, bars, delicatessen, food carryout, and similar establishments serving food or beverages, including sidewalk cafes, but excluding drive-through	P	P	P			Sidewalk cafes are subject to conditions in Section 1825
Drive-through restaurants	S					
Hotels	P	P	P			
Bed and breakfast inns	P	P	P	S		
Banquet halls	S	S	S	S	S	
<b>Office and Financial</b>						
Banks with up to 3 drive-thru teller lanes	P	S	S			
Medical offices, clinics and hospitals	P	P	P			
Professional offices	P	P	P			
Real estate, insurance and investment brokers	P	P	P			
Research and development, including laboratories, prototype development and testing facilities	S					
Veterinary hospital, small animal	S	S	S			
<b>Recreation</b>						
Assembly halls, recreational clubs, fraternal order halls, lodge halls or other similar places of assembly	P	P	P		P	
Golf courses	P	P	P	P	P	
Health clubs, fitness centers, gyms and aerobic clubs	P	P	P			
Indoor recreation such as bowling alleys, racket ball courts, skating rinks and swimming pools	P	P	P	S	P	
Parks, common greens, plazas, public gathering places and open space	P	P	P	P	P	

<b>Town Center Districts Use Table</b>	<b>TC-1</b>	<b>TC-2</b>	<b>TC-3</b>	<b>TC-4</b>	<b>TC-5</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted						
<b>Civic</b>						
Houses of worship	P	P	P	S	P	
Public, private or parochial schools	P	P	P	S	P	
Public/government buildings such as; township/state/county offices, public museums, libraries and community centers	P	P	P		P	
Essential public services	P	P	P	P	P	
<b>Other</b>						
Wireless communication towers and antennas	See Section 1850					

5. Industrial Districts Schedule of Uses identifies the uses allowed in the following residential districts:

- a. IRO Industrial research office districts: The intent is to provide for a mixture of office, research and industrial facilities.
- b. I-1 Light industrial districts: The intent is to primarily accommodate wholesale activities, warehouses, and industrial operations whose external, physical effects no manner affect in a detrimental way any of the surrounding districts.
- c. I-2 General industrial districts: The intent is for manufacturing, assembling and fabrication activities including large scale or specialized industrial operations, whose external physical effects will be felt to some degree by surrounding districts.
- d. I-3 Industrial districts: The intent is to provide locations for industrial uses which, due to the nature of activities conducted, are not well suited to locations within I-1 or I-2 districts and whose effects on abutting property as well as beyond the district may impair the use of such abutting property.
- e. I-C Industrial and commercial districts: The intent is to accommodate manufacturing, assembling and fabrication activities including business activities which are not well suited to locations in business districts due to their impact on abutting neighborhoods or due to their requirements for large site areas not available in the township's limited business districts.

<b>Industrial Districts Use Table</b>	<b>IR O</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>I-C</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted						
<b>Industrial Uses</b>						
Blast furnace, steel furnace, blooming or rolling mill			P	P	P	Located not less than 800 feet distance from any residential district and not less than 300 feet distant from any other district
Central dry cleaning plant, service to more than one facility		P	P	P		
Garbage, refuse and rubbish transfer stations			P	P	P	Subject to conditions in Section 1858

<b>Industrial Districts Use Table</b>	<b>IR O</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>I-C</b>	<b>Notes</b>
P= Permitted Use    S=Special Conditional Use    A= Accessory Use    -- = Not permitted						
Heating and electric power generating plants, and all necessary uses			S	S	S	
Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant			P	P	P	Located not less than 800 feet distance from any residential district and not less than 300 feet distant from any other district
Junkyards and places for dismantling, wrecking and disposing or salvaging of the junk and or refuse material of agricultural and automotive vehicles, paper, glass and other materials of a similar nature, including processing of materials for recycling			P	P	P	Subject to conditions in Section 1842 and Article V. - Junkyards And Automobile Dismantling of the Code of Ordinances Charter Township of Ypsilanti
Lumber and planing mills		S	s		S	Must be in enclosed building and located in the interior of the district so that no property line shall form the exterior boundary of the zoning district
Manufacture of corrosive acid or alkali, cement, lime, gypsum or plaster of Paris.			P	P	P	Located not less than 800 feet distant from any residential district and not less than 300 feet distant from any other district
Manufacture of musical instruments, toys, novelties and metal or rubber stamps, or other small molded rubber products	S	P	P			In IRO, must be in enclosed building
Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas	S	P	P			In IRO, must be in enclosed building
Manufacture or assembly of electrical appliances, electronic instruments and devices, radios and phonographs	S	P	P			In IRO, must be in enclosed building
Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal (excluding large stamping such as: automobile fenders or bodies), shell, textiles, tobacco, wax, wire, wood (excluding saw and planing mills) and yarns.	S	P	P			In IRO, must be in enclosed building
Manufacture, compounding, processing, packaging or treatment of such products as: bakery goods, candy,	S	P	P			In IRO, must be in enclosed building

<b>Industrial Districts Use Table</b>	<b>IR O</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>I- C</b>	<b>Notes</b>
P= Permitted Use S=Special Conditional Use A= Accessory Use -- = Not permitted						
cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery; tool, die, gauge and machine shops						
Metal plating, buffing and polishing		S	S		S	Subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances
Mini-warehouses and storage buildings for lease to the public		S	S			Subject to conditions in Section 1839
Petroleum or other inflammable liquids, production, refining or storage			P	P		Located not less than 800 feet distant from any residential district and not less than 300 feet distant from any other district
Sand and gravel extraction			P			Subject to conditions in Section 1854
Smelting of copper, iron or zinc ore			P	P		Located not less than 800 feet distant from any residential district and not less than 300 feet distant from any other district
Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies		P	P			Subject to conditions in Section 1863
Warehouses and storage		P	P			
Uses which have an industrial character in terms of either their outdoor storage requirements or activities such as, but not limited to: lumberyard, building materials outlet, upholsterer, cabinetmaker, outdoor boat, house trailer, automobile garage or agricultural implement sales		S	S	S	S	
<b>Research</b>						
Laboratories, experimental, film or testing	S	P	P			In IRO, must be in enclosed building
Medical laboratories	P	P	P			
Research and development, including laboratories, prototype development and testing facilities, design and pilot or experimental product development	P	P	P			In IRO, must be in enclosed building
<b>Agricultural</b>						
Farm Operation		P	P	P		
Greenhouse & Plant Material Nursery (materials grown and sold on-site)		P	P	P	P	
<b>Office and Financial</b>						
Office buildings	P					
Data processing and computer centers, including service and maintenance of electronic data processing equipment	P					

<b>Industrial Districts Use Table</b>	<b>IR O</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>I- C</b>	<b>Notes</b>
P= Permitted Use    S=Special Conditional Use    A= Accessory Use    -- = Not permitted						
<b>Retail and Services</b>						
Adult entertainment facilities					S	Subject to conditions in Section 1844
Adult/Child Day Care Center + Preschools	S	S				
Commercial kennels		P	P			
Massage establishment					S	Subject to conditions in Section 1845
Medical marihuana dispensaries and medical marihuana nurseries		S	S			Subject to conditions in Section 1841
Pawnbroker, secondhand dealer and junk dealer facilities					S	Subject to conditions in Section 1846
Personal service establishments	S					Permitted as accessory use only in IRO, subject to conditions in Section 1837
Retail	S					Such uses shall comprise not more than 20 percent of the land area of an overall development, subject to conditions in Section 1837
Tattoo facilities					S	Subject to conditions in Section 1847
<b>Lodging and Restaurants</b>						
Hotels	P					
Motels	P					Subject to conditions in Section 1837
Restaurants	S					Subject to conditions in Section 1822.b
<b>Civic/Institutional</b>						
Hospitals	P					
Trade or industrial schools		P	P			No outdoor storage
Parole or probation offices					S	Subject to conditions in Section 1849
Public/government buildings	P					
Public utility buildings, excluding wastewater treatment plants		P	P			
Transfer and electricity and gas service buildings and yards.		P	P			
Wastewater treatment plants				P	S	Subject to conditions in Section 1860
<b>Recreation</b>						
Assembly halls, display halls, convention center, theater or similar places of assembly	P					Conducted in completely enclosed building
Health clubs, fitness centers, gyms and aerobic clubs, health and fitness center	P	S	S			Permitted as accessory use only in IRO
Indoor recreational facility, including bowling alley, archery range, tennis/racquet ball court, skating rink, athletic field, swimming pool, and other similar uses	P	S	S			Permitted as accessory use only in IRO  Must be located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent residential district
Lighted outdoor commercial sports centers, including			P	P		Subject to conditions in Section 1859

<b>Industrial Districts Use Table</b>	<b>IR O</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>I- C</b>	<b>Notes</b>
P= Permitted Use    S=Special Conditional Use    A= Accessory Use    -- = Not permitted						
baseball and other intense activities						
Outdoor spat ball, simulated war games and similar activities			P			Subject to conditions in Section 1857
Outdoor theaters			S		S	Subject to conditions in Section 1843
Racetracks (including midget auto and karting tracks) and dirt tracks			P			Subject to conditions in Section 1856
<b>Automotive/Transportation</b>						
Airports		S				Subject to conditions in Section 1402.3
Auto engine and body repair, and undercoating shops		S				When conducted in enclosed building
Automobile mechanical component dismantling and recycling					S	Subject to conditions in Section 1848
Freight terminals		P	P			
Railroad transfer and storage tracks, railroad rights-of-way.		P	P			
Railroad lines, rail spurs and similar rail transport access facilities	P	P	P	P	P	Subject to conditions in Section 1851
<b>Accessory Uses</b>						
Accessory buildings and uses customarily incident to any permitted use in this table	A	A	A	A	A	
<b>Other</b>						
Wireless communication towers and antennas	See Section 1850					

**SECTION 3. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE**

**IV:** Township Zoning Ordinance Article IV, entitled “R-1 Through R-4 One-Family Residential Districts” is amended by updating the name of the Article to “R-1 Through R-5 One-Family Residential Districts”; amending Section 401 “Principal uses permitted” and Section 402 “Uses permitted subject to special conditions” as follows, deleting Section 4.03 “Required Conditions” and re-numbering Section 4.04 “Area and Bulk Requirements, as follows:

Sec. 401. - Principal uses permitted:

See schedule of uses in Section 306.2. The following principal permitted uses must meet the regulations below in the one-family residential district:

Sec. 402. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.2.

Sec. 403. - Area and bulk requirements:

See article XX, "Schedule of Regulations" limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted, and providing minimum yard setback requirements.

**SECTION 4. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE**

**V:** Township Zoning Ordinance Article V, entitled “RM-1 and RM-2 Multiple-Family Residential Districts” is amended by amending Section 501 “Principal uses permitted”, Section



502 “Uses permitted subject to special conditions”, and Section 503 “Required Conditions” as follows:

Sec. 501. - Principal uses permitted:

See schedule of uses in Section 306.2.

Sec. 502. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.2.

Sec. 503. - Required conditions:

1. In the case of multiple-dwelling developments, all site plans shall be submitted to the planning commission and township board for review and approval in accord with sec. 2115 of this ordinance prior to issuance of a building permit. Approval shall be contingent upon a finding that:
  - a. The site plan shows that a proper relationship exists between local streets and any proposed service roads, driveways and parking areas to encourage pedestrian and vehicular traffic safety; and
  - b. All the development features including the principal building or buildings and any accessory buildings, or uses, open spaces, and any service roads, driveways and parking areas are so located and related to minimize the possibility of any adverse effects upon adjacent property, such as, but not limited to: channeling excessive traffic onto local residential streets, lack of adequate screening or buffering of parking or service areas, or building groupings and circulation routes located as to interfere with police or fire equipment access.

## **SECTION 5. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE**

**VI:** Township Zoning Ordinance Article VI, entitled “RM-3 and RM-4 Multiple-Family Residential Districts” is amended by amending Section 601 “Principal uses permitted”, Section 602 “Uses permitted subject to special conditions”, and Section 603 “Required Conditions” as follows:

Sec. 601. - Principal uses permitted:

See schedule of uses in Section 306.2.

Sec. 602. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.2.

Sec. 603. - Required conditions:

1. In the case of multiple-dwelling developments, all site plans shall be submitted to the planning commission and township board for review and approval in accord with sec. 2115 of this ordinance prior to issuance of a building permit. Approval shall be contingent upon a finding that:
  - a. The site plan shows that a proper relationship exists between local streets and any proposed service roads, driveways and parking areas to encourage pedestrian and vehicular traffic safety; and
  - b. All the development features including the principal building or buildings and any accessory buildings, or uses, open spaces, and any service roads, driveways and parking areas are so located and related to minimize the possibility of any adverse effects upon adjacent property, such as, but not limited to: channeling excessive traffic onto local residential streets, lack of adequate screening or buffering of parking or service areas, or building groupings and circulation routes located as to interfere with police or fire equipment access.

## **SECTION 6. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE**

**VI-A:** Township Zoning Ordinance Article VI-A, entitled “RM-5 Townhouse Residential Districts” is amended by amending Section 651 “Principal uses permitted”, and Section 652 “Uses permitted subject to special conditions” as follows:

Sec. 651. - Principal uses permitted:

See schedule of uses in Section 306.2.

Sec. 652. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.2.

## **SECTION 7. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE**

**VII:** Township Zoning Ordinance Article VII, entitled “MHP Mobile Home Park Districts”

is amended by amending Section 701 “Principal uses permitted” to “Principal uses and special conditional uses permitted” as follows and adding new subsection 7.04.9:

Sec. 701. - Principal uses and special conditional uses permitted:

See schedule of uses in Section 306.2.

Sec. 704. - Required conditions:

9. The selling of new and/or used mobile homes as a commercial operation in connection with the operation of a mobile home development is prohibited. New or used mobile homes located on lots within the mobile home development to be used and occupied within the mobile home park may be sold by a licensed dealer and/or broker. This section shall not prohibit the sale of a new or used mobile home by a resident of the mobile home development, provided the development permits the sale.

**SECTION 8. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE VIII:** Township Zoning Ordinance Article VIII, entitled “OS-1 Office Service Districts” is amended by amending Section 801 “Principal uses permitted”, Section 802 “Uses permitted subject to special conditions”, and Section 803 “Required Conditions” as follows:

Sec. 801. - Principal uses permitted:

See schedule of uses in Section 306.3.

Sec. 802. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.3.

Sec. 803. - Required conditions:

1. No interior display shall be visible from the exterior of the building.
2. The outdoor storage of goods or material shall be prohibited.
3. Warehousing or indoor storage of goods or material, beyond that normally incident to the above permitted uses, shall be prohibited.
4. Marginal service roads may be required in accord with sec. 2115.5.d.

**SECTION 9. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE IX:** Township Zoning Ordinance Article IX, entitled “B-1 Local Business Districts” is amended by amending Section 901 “Principal uses permitted”, Section 902 “Required Conditions”, and Section 903 “Uses permitted subject to special conditions”, as follows:

Sec. 901. - Principal uses permitted:

See schedule of uses in Section 306.3.

Sec. 902. - Required conditions:

1. All business establishments shall be retail or service establishments dealing directly with customers.
2. All business, servicing, processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.
3. Marginal service roads may be required in accord with sec. 2115.5.d.

Sec. 903. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.3.

**SECTION 10. AMENDMENT TO TOWNSHIP ZONING ORDINANCE ARTICLE X:** Township Zoning Ordinance Article VIII, entitled “B-2 Community Business Districts” is amended by amending Section 1001 “Principal uses permitted”, Section 1002 “Required Conditions”, and Section 1003 “Uses permitted subject to special conditions”, as follows:

Sec. 1001. - Principal uses permitted:

See schedule of uses in Section 306.3.

Sec. 1002. - Required conditions:

1. All business establishments shall be retail or service establishments dealing directly with consumers.
2. All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to special conditions in sec. 1003 below, shall be conducted within completely enclosed buildings.
3. Marginal service roads may be required in accord with sec. 2115.5.d.

Sec. 1003. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.3.

## **SECTION 11. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XI:** Township Zoning Ordinance Article VIII, entitled “B-3 General Business Districts” is amended by amending Section 1101 “Principal uses permitted”, Section 1102 “Required Conditions”, and Section 1103 “Uses permitted subject to special conditions”, as follows:

Sec. 1101. - Principal uses permitted:

See schedule of uses in Section 306.3.

Sec. 1102. - Uses permitted subject to special conditions:

See schedule of uses in Section 306.3.

Sec. 1103. - Required conditions:

1. Marginal service roads may be required in accord with section 2115.5.d.

## **SECTION 12. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLES XI-A, XI-B, XI-C:** The regulations in Article XI-A “B-4 Auto-Oriented Business District”, Article XI-B “B-5 East Michigan Avenue Business District” and Article XI-C “B-6 Ecorse/Ford Business District” are deleted and replaced with Reserved articles.

## **SECTION 13. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XI-D:** Township Zoning Ordinance Article XI-D, entitled “Town Center District” is amended by amending Section 1172.1 “Use Permitted” as follows:

1. Uses permitted. See Section 306.4.

## **SECTION 14. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XII:** Township Zoning Ordinance Article XII, previously reserved, is amended as entitled “P-1 Vehicular Parking Districts” as follows:

### **ARTICLE XII. P-1 VEHICULAR PARKING DISTRICTS**

Sec. 1200. - Intent:

The P-1 vehicular parking districts are intended to permit the establishment of areas to be used solely for off-street parking of private passenger vehicles as a use incidental to a principal use. This district will generally be provided by petition or request to serve a use district which has developed without adequate off-street parking facilities. The following regulations shall apply to all P-1 districts.

Sec. 1201. - Principal uses permitted:

Premises in such districts shall be used only for an off-street vehicular parking area and shall be developed and maintained subject to such regulations as are hereinafter provided.

Sec. 1202. - Required conditions:

1. The parking area shall be accessory to, and for use in connection with, one or more businesses, or industrial establishments, located in adjoining business or industrial districts, or in connection with one or more existing professional or institutional office buildings or institutions.
2. Such parking lots shall be contiguous to an RM or nonresidential district. Parking areas may be approved when adjacent to said districts, or on the end of a block where such areas front on a street which is perpendicular to that street servicing the district. There may be a private driveway or public street or public alley between such P-1 district and above-listed districts.

3. Parking area shall be used solely for parking of private passenger vehicles, for periods of less than one day and shall not be used as an off-street loading area.
4. No commercial repair work or service of any kind, or sale or display thereof, shall be conducted in such parking area.
5. No signs of any kind, other than signs designating entrances, exits and conditions of use, shall be maintained on such parking area.
6. No building other than those for shelter of attendants shall be erected upon the premises and they shall not exceed 15 feet in height.
7. Applications for P-1 district rezoning shall be made by submitting a dimensional layout of the area requested showing the intended parking plans in accordance with secs. 2104 and 2105.

Sec. 1203. - Minimum distances and setbacks:

1. *Side and rear yards.* Where the P-1 district is contiguous to the side or rear lot lines of premises within a residentially zoned district, the required wall shall be located along said lot line.
2. *Front yards.* Where the P-1 district is contiguous to a residentially zoned district which has a common frontage on the same block with residential structures, or wherein no residential structures have been yet erected, there shall be a setback equal to the required residential setback for said residential district, or a minimum of 25 feet, or whichever is the greater. The required wall shall be located on this minimum setback line unless, under unusual circumstances, the planning commission finds that no good purpose would be served. The land between said setback and street right-of-way line shall be kept free from refuse and debris and shall be planted with shrubs, trees or lawn and shall be maintained in a healthy, growing condition, neat and orderly in appearance.

Sec. 1204. - Parking space layout, standards, construction and maintenance:

P-1 vehicular parking districts shall be developed and maintained in accordance with the requirements of article XXI, "General Provisions."

**SECTION 15. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XIII:** Township Zoning Ordinance Article XIII, entitled "IRO Industrial Research Office District" is amended by amending Section 1301 "Principal uses permitted", Section 1302 "Uses permitted subject to special conditions", and Section 1103 "Required Conditions", as follows:

Sec. 1301. - Principal uses permitted:

See Section 306.5.

Sec. 1302. - Uses permitted subject to special conditions:

See Section 306.5.

Sec. 1303. - Required conditions:

1. The outdoor storage of goods or materials shall be prohibited.
2. Any use established in the IRO district shall be operated so as to comply with the performance standards set forth hereinafter in sec. 2120.
3. All uses shall receive site plan review and approval by the planning commission prior to the issuance of any building permit.
4. Marginal access roads may be required in accord with sec. 2115.5.d.

**SECTION 16. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XIV:** Township Zoning Ordinance Article XIV, entitled "I-1 Light Industrial Districts" is amended by amending Section 1401 "Principal uses permitted", Section 1402 "Uses permitted subject to special conditions", adding Section 1403 "Required Conditions" and re-numbering Section 14.03 to 14.04 "Area and bulk requirements", as follows:

Sec. 1401. - Principal uses permitted:

See Section 306.5.

Sec. 1402. - Principal uses permitted subject to special conditions:

See Section 306.5.

Sec. 1403. - Required conditions:

1. Any land used for open storage facilities for materials or equipment used in the a permitted or special conditional use shall be totally obscured by a wall on those sides

abutting any residential, office, or business district, and on any front yard abutting a public thoroughfare except as otherwise provided in section 2113. In I-1 districts, the extent of such a wall may be determined by the planning commission on the basis of usage. Such a wall shall not be less than four feet six inches in height and may, depending upon land usage, be required to be eight feet in height and shall be subject further to the requirements of article XXI "General Provisions." A chainlink fence, with intense evergreen shrub planting, shall be considered an obscuring wall. The height shall be determined in the same manner as the wall height as above set forth

Sec. 1404. - Area and bulk requirements:

See article XX, "Schedule of Regulations" limiting the height and bulk of buildings, the minimum size of lot by permitted land use and providing minimum yard setback requirements.

## **SECTION 17. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XV:** Township Zoning Ordinance Article XV, entitled "I-2 General Industrial Districts" is amended by amending Section 1501 "Principal uses permitted" as follows, adding Section 1502 "Uses permitted subject to special conditions", and re-numbering Section 15.02 to 15.03 "Area and bulk requirements", as follows:

Sec. 1501. - Principal uses permitted:

See Section 306.5.

Sec. 1502. – Principal uses permitted subject to special conditions:

See Section 306.5.

Sec. 1503. - Area and bulk requirements:

See article XX, "Schedule of Regulations" limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements.

## **SECTION 18. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XVI:** Township Zoning Ordinance Article XVI, entitled "I-3 Industrial Districts" is amended by amending Section 1601 "Principal uses permitted" as follows, adding Section 1602 "Uses permitted subject to special conditions", and re-numbering Section 16.02 to 16.03 "Area and bulk requirements", as follows:

### **ARTICLE XVI. - I-3 INDUSTRIAL DISTRICTS**

Sec. 1601. - Principal uses permitted:

See Section 306.5.

Sec. 1602. – Principal uses permitted subject to special conditions:

See Section 306.5.

Sec. 1603. - Area and bulk requirements:

See article "Schedule of Regulations" limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and minimum yard setbacks.

## **SECTION 19. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XVII:** Township Zoning Ordinance Article XVII, entitled "IRO Industrial and Commercial Districts" is amended by amending Section 1701 "Principal uses permitted" and Section 1702 "Uses permitted subject to special conditions", as follows:

Sec. 1701. - Principal uses permitted:

See Section 306.5.

Sec. 1702. - Uses permitted subject to special conditions:

See Section 306.5.

**SECTION 20. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XVIII:** Township Zoning Ordinance Article XVII, previously “P-1 Vehicular Parking Districts”, is amended to be “Specific Use Provisions”, as follows:

**ARTICLE XVIII            SPECIFIC USE PROVISIONS**

Sec. 1800. - Intent:

The intent of this Article is to provide standards for specific uses, whether regulated as a principal permitted use, accessory use or a special conditional use,

Sec. 1801. – Detached single family dwelling units

All detached single-family dwelling units shall be reviewed by the building official subject to the following conditions:

- a. Dwelling units shall conform to all applicable township codes and ordinances. Any such local requirements are not intended to abridge applicable state or federal requirements with respect to the construction of the dwelling. Dwelling units shall be constructed to the requirements of the Michigan Construction Code Act of 1972 (Act No. 230 of the Public Acts of Michigan of 1972, as amended) and the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended.
- b. The setbacks, gross floor area and lot coverage of any proposed single family dwelling unit shall comply with the standards set forth in section 2000.
- c. Dwelling units shall be permanently attached to a perimeter foundation. In instances where the applicant elects to set the dwelling on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction and necessary foundations below the frostline. Any such wall shall also provide an appearance which is compatible with the dwelling and other homes in the area.
- d. Dwelling units shall be provided with exterior finish materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
- e. Dwelling units shall have a roof with a minimum 4:12 pitch and minimum eight-inch eave, and with a drainage system that will collect and concentrate the discharge of storm water or snow away from the sides of the dwelling. The roof shall have wood shake, asphalt or other acceptable shingles, and meet the snow load standards for southern Michigan.
- f. Dwelling units shall be oriented on the lot to be consistent with the configuration of dwelling units on adjacent properties and in the surrounding residential neighborhood. All dwelling units shall have width to depth and depth to width ratio that does not exceed three to one (3:1). All dwelling units shall have a minimum width dimension of 24 feet.
- g. Dwelling units shall be oriented toward the public right-of-way such that the facade that faces the street is manifestly designed as a front facade containing a door, windows and other architectural features customary of the front facade of a residence. There shall be a minimum of two exterior doors with one facing the street. All entrances shall be provided with steps, a stoop or porch that is permanently attached, on a frost depth foundation, either to the perimeter wall.
- h. The dwelling shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten percent of the square footage of the dwelling or 100 square feet, whichever shall be less.
- i. Any such home shall be anchored by an anchoring system approved by the township.
- j. The zoning administrator may request a review by the planning commission of any dwelling unit with respect to items d., e. and f., above. The planning commission shall review the proposed dwelling at a hearing where notice of such hearing shall be provided to all occupants of dwellings within 300 feet of the lot to contain the proposed dwelling. The zoning administrator or planning commission shall not seek to discourage architectural variation, but shall seek to promote the reasonable compatibility of the character of dwelling units, thereby protecting the economic welfare and property value of surrounding residential uses and the township at large. In reviewing any such proposed dwelling unit, the zoning administrator may require the applicant to furnish such plans, elevations and similar documentation as the zoning administrator deems necessary to permit a complete review and evaluation of the proposal. When comparing the proposed dwelling unit to similar types of dwelling areas, consideration shall be given to comparable types of homes within 300 feet. If the area within 300 feet does not contain any such homes, then the nearest 25 similar type dwellings shall be considered.
- k. The provisions of this section shall not apply to manufactured homes situated in licensed manufactured housing communities.

Sec. 1802. – Home Occupations:

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 occupations are limited to those who legally reside in the residence.

Sec. 1803. – Keeping of chickens

The keeping of up to four 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 20 feet from a property line nor shall it be located closer than 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.

**Sec. 1804. –Farm Operations in one-family residential districts**

Farm operations in residential districts are limited to 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 Generally Accepted Agricultural Management Practices as adopted by the Michigan Commission of Agriculture and Rural Development.

**Sec. 1805. – Institutional or community recreation centers and nonprofit swimming pool clubs**

Institutional or community recreation centers and nonprofit swimming pool clubs, all subject to the following conditions:

- a. The site shall have at least one property line abutting a major thoroughfare as designated on the major thoroughfare plan, and the site shall be so planned as to provide all access in accordance with sec. 2118.
- b. Front, side and rear yards shall be at least 80 feet wide, and shall be landscaped in trees, shrubs, and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except required entrance drives and those walls used to obscure the use from abutting residential districts.
- c. Off-street parking shall be provided so as to accommodate not less than one-half of the member families and/or individual members. The planning commission may modify the off-street parking requirements in those instances wherein it is specifically determined that the users will originate from the immediately adjacent areas, and will therefore be pedestrian. Prior to the issuance of a building permit or zoning compliance permit, bylaws of the organization shall be provided in order to establish the membership involved for computing the off-street parking requirements. In those cases wherein the proposed use or organization does not have bylaws or formal membership, the off-street parking requirement shall be determined by the planning commission on the basis of usage.
- d. Whenever a swimming pool is constructed under this ordinance, said pool area shall be provided with a protective fence, six feet in height, and entry shall be provided by means of a controlled gate.

**Sec. 1806. – Golf Courses**

Golf courses, which may or may not be operated for profit, subject to the following conditions:

- a. The site shall be so planned as to provide all access in accordance with sec. 2118.
- b. The site plan shall be laid out to achieve a relationship between the major thoroughfare and any proposed service roads, entrances, driveways, and parking areas which will encourage pedestrian and vehicular traffic safety.
- c. In residential zoning districts where golf courses are allowed (R-1 to R-5, RM-1 to RM-4), development features including the principal and accessory buildings and structures shall be so located and related as to minimize the possibilities of any adverse effects upon adjacent property. All principal or accessory buildings shall be not less than 200 feet from any property line abutting residentially zoned lands; provided that where topographic conditions are such that buildings would be screened from view, the planning commission may modify this requirement.
- d. Whenever a swimming pool is to be provided, said pool shall be provided with a protective fence, six feet in height, and entry shall be provided by means of a controlled gate.

**Sec. 1807. – Colleges and Universities**

Colleges, universities and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education and not operated for profit, all subject to the following conditions:

- a. Any use permitted herein shall be developed only on sites at of least 40 acres in area, and shall not be permitted on any portion of a recorded subdivision pat.



- b. All access to said site shall be in accordance with sec. 2118.
- c. No building shall be closer than 80 feet to any property line.

**Sec. 1808. – Bed and breakfasts**

Bed and breakfasts are subject to the following conditions:

- a. Such dwelling units shall conform to all applicable township codes and ordinances.
- b. Such dwellings shall be located only on major or secondary thoroughfares as designated on the township master plan and shall be located on lots or parcels of not less than 12,000 sq. ft. area.
- c. Not more than 49 percent of the total floor space of the dwelling unit may be used for leasable sleeping rooms.
- d. The leasable sleeping rooms shall have a minimum size of 100 square feet for each two occupants with an additional 30 square feet for each additional occupant, not to exceed a maximum of four occupants per room.
- e. Each leasable sleeping room must have a separate operating smoke detector alarm.
- f. Lavatory and bathing facilities must be available to all persons using any leasable sleeping room.
- g. There will be no separate cooking facilities available to persons using any leasable sleeping room.
- h. There will be at least two exits from each level of the dwelling units.
- i. The maximum length of stay for any person using any leasable sleeping room is 14 consecutive days.
- j. Every operator of such dwelling unit must keep a list of the names and addresses of all persons staying at the dwelling unit. The guest register must be available for inspection by township officials at any time.
- k. The operations of the dwelling unit will not be permitted to endanger, offend, or otherwise interfere with the safety or rights of others so as to constitute a public nuisance.

**Sec. 1809. - Public riding and/or boarding stables**

Public riding and/or boarding stables may be permitted in residential districts under the following conditions:

- a. The location, size, and setbacks must comply with the currently adopted Michigan Department of Agriculture and Rural Development Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Facilities.
- b. Manure management must comply with the currently adopted Michigan Department of Agriculture and Rural Development Generally Accepted Agricultural and Management Practices for Manure Management and Utilization.
- c. Ingress and egress to the stable shall be solely through the parcel in question which shall abut a public right-of-way. Adequate off-street parking shall be provided on the site and shall be located at least 100 feet from the perimeter of the site.
- d. Lighting for exterior illumination shall be directed away from and shall be shielded from adjacent residential districts.
- e. A plot plan drawn to scale shall be submitted showing ingress and egress, parking and lighting.

**Sec. 1810 – Private stables**

Private stables may be permitted in residential districts as an accessory use, for not more than one horse on a lot where said lot is not less than four acres in area and provided further, that for each additional horse stabled thereon one acre of land shall be provided. All confinement areas and/or stable buildings shall in all instances be located in the rear yard and shall not be less than 100 feet from any property line.

**Sec. 1811. - Greenhouses and plant material nurseries in one-family residential districts**

Plant material nurseries and greenhouses may be permitted in residential districts subject to the following conditions:

- a. The minimum site size shall be five acres and so located as to provide all ingress and egress directly onto a major thoroughfare.
- b. All required yards shall be not less than 50 feet wide when abutting any R residential district.

**Sec. 1812. – Cemeteries**

Cemeteries may be permitted subject to the following conditions:

- a. The location of the cemetery shall be permitted in any quarter section of an R district when such quarter section does not have more than 51 percent of its land area in recorded plats.

- b. All sides of the cemetery shall be adequately screened from any residential view.
- c. Final approval shall be given contingent on a satisfactory drainage plan approved by the township engineer.

Sec. 1813. - Seasonal sale of produce on farm operations

- a. Off-street parking shall be provided with ingress and egress provided to minimize traffic hazards on public streets. Paving of parking areas as required in sec. 2105 shall not be required; however, parking areas shall be surfaced and maintained in a dustfree condition at all times.
- b. Signs shall be limited to sizes and locations in keeping with sec. 2009. In addition to sign regulation provided in sec. 2009, not more than two temporary signs totaling not more than 12 square feet in the aggregate may be utilized.
- c. Any buildings, or structures, to be erected and any produce to be sold in the open shall meet all setback requirements of the district in which it is located.
- d. In those instances where produce is to be sold on a farm property with buildings already in existence on the site, sale of produce may be conducted within existing yards, provided setbacks meet the requirements of the district in which it is located.
- e. All temporary buildings and structures shall be constructed, used, occupied and maintained in compliance with the provisions of the state construction code and all applicable ordinances by the township. Permits shall be issued for six-month periods.

Section 1814. – Institutional farms

Institutional farms are subject to the following:

- a. A site of not less than 60 acres shall be required.
- b. A frontage of not less than 100 feet on a public road shall be required.
- c. Farming shall be a primary activity conducted on the premises. Not less than 95 percent of such site shall be utilized as open land for crop cultivation.
- d. The site shall be located on a major thoroughfare as designated on the township master plan and such thoroughfare shall have a paved surface.
- e. Buildings shall be located no nearer than 80 feet to any property line.
- f. A landscaped screening area not less than 40 feet wide shall be provided on those sides of the property where homes exist on abutting properties.
- g. Activities which create any of the following impacts beyond the property line of the farm shall be prohibited:
  - (1) Activities which exceed noise levels of 70 decibels at the property line.
  - (2) Activities which generate vibration felt at the property line.
  - (3) Activities which generate electronic interference beyond the property line.
  - (4) Lighting of an intensity greater than for normal farming activities.
- h. Farming activities that normally produce effects felt beyond the immediate farm property line that are consistent with those effects produced by other farms in the immediate area shall be permitted.
- i. Parking areas shall be provided for all residents, caretakers, instructors and administrative personnel. Visitor parking and parking for any event conducted on the premises shall be provided as off-street parking.
- j. A site plan prepared in accordance with sec. 2115 shall be drawn to scale and submitted for review under this section.
- k. Landscape screening, where required, shall be provided in accord with sec. 2108.
- l. Not more than 13 resident patients per acre may reside on that portion of the farm occupied by buildings. The portion of the farm occupied by buildings shall not exceed five percent of the total farm property.

Sec. 1815. - Keeping of more than four dogs in in one-family residential districts

The keeping of more than four dogs owned by the resident of a property as pets not boarded for others subject to the following conditions:

- a. All dogs shall be licensed per Chapter 14, Article III of the Code of Ordinances of the Charter Township of Ypsilanti.
- b. A nontransferable permit shall be required stating dog ownership and the number of dogs to be kept. The permit shall be required to be renewed annually. Such renewal may be given by the building official provided no increase in number of dogs or violation of any provision of this ordinance or other ordinances has occurred in the prior year or is evident at the time of renewal.

- c. The yard area in which dogs are allowed to run shall be securely fenced and shall not be placed in such a location as to become a nuisance to abutting properties or the neighborhood.
- d. Outdoor areas in which dogs are kept shall be kept free of dog droppings, decayed food and odors. Noticeable odors or an excessive accumulation of insects shall be reason for revocation of the special permit.
- e. A plot plan shall be submitted showing the location and fencing of the outdoor areas in which dogs are kept and showing the relationship to public streets, abutting properties and buildings on abutting properties.

Sec. 1816. - Convalescent homes and nursing homes

Convalescent homes or nursing home must meet following conditions:

- a. The site shall be so developed as to create a land to building ratio on the lot or parcel whereby for each one bed in the convalescent home there shall be provided not less than 1,500 square feet of open space. The 1,500 square feet of land area per bed shall provide for landscape setting, off-street parking, service drives, loading space, yard requirements, employee facilities, and any space required for accessory uses. The 1,500-square-foot requirement is over and above the building coverage area.
- b. No building shall be closer than 40 feet to any property line.
- c. Convalescent or nursing homes in the Town Center districts are not subject to the above regulations.

Sec. 1817. – Retail uses accessory to high-rise multiple-family dwelling

Business uses shall be permitted on a high-rise multiple-dwelling site when developed as retail and/or service uses clearly accessory to the main use, within the walls of the main structure, and totally obscured from any exterior view. No identifying sign for any such business and/or service use shall be visible from any exterior view. Such businesses and/or services shall be prohibited on all floors above the first floor or grade level.

Sec. 1818. – Mortuary establishments

Mortuary establishments must provide adequate assembly area off street for vehicles to be used in funeral processions, provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker’s residence may be provided within the building of mortuary establishments.

Sec. 1819. - Private clubs, fraternal organizations and lodge halls in the OS-1 district

Private clubs, fraternal organizations and lodge halls in the OS-1 zoning district must meet the following conditions:

- a. The site abuts a major thoroughfare as designated on the township future land use plan.
- b. Access to and from the site can be safely provided to the satisfaction of the county road commission.
- c. No building or parking area shall be located closer than 50 feet to a property line.
- d. All parking shall be screened from view of all abutting residential districts.
- e. Outdoor lighting of a type and location which will not be a nuisance to abutting residential districts shall be provided and any outdoor lighting shall conform with the guidelines set forth in sec. 2110 of the zoning ordinance.

Sec. 1820. – Veterinary clinics

Veterinary clinics, when such use is conducted entirely within an enclosed building. No animal kennels or animal runs shall be allowed outside the principal building. Animal kennels or runs within a principal building shall provide no windows which can be opened to the outside. All buildings are set back at least 100 feet from abutting residential district on the same side of the street.

Sec. 1821. – Veterinary hospitals

All activities are conducted within a totally enclosed main building and provided further that all buildings are set back at least 100 feet from abutting residential district on the same side of the street.

Sec. 1822 – Restaurants

- a. In the OS-1 and B-1 zoning districts, restaurants must meet the following conditions:
  - (1) Service is wholly within the building and no drive-in facilities are provided
  - (2) When adjacent to a residential zoning district boundary, the building shall have a minimum setback of 20 feet from the residential zoning district boundary.

- (3) Parking areas shall be screened from adjacent residential areas in accord with Sec. 2108 and such screening walls shall be constructed of finished materials in harmony with the residential character of abutting residential zones.
  - (4) Outdoor lighting, of a type and location which will not be a nuisance to abutting residential districts, shall be provided. The type of lighting and the location of such lighting shall be included on the plan for review by the planning commission.
  - (5) All access to the site shall be in accordance with sec. 2118.
- b. In the IRO zoning districts, restaurants or other places serving food and beverages are subject further to the following conditions:
    - (1) Drive-in, fast-food, carry-out or drive-through restaurants are not permitted.
    - (2) The use shall be located within an office structure, hotel or motel building or in a freestanding building within the IRO district directly adjacent to a permitted use in the IRO zoning district.
    - (2) The use is a part of an overall plan for development of not less than 30 acres and shall be part of a service establishment complex for such development.
    - (3) The use shall comprise not more than 20 percent of the land area of an overall development.
    - (4) The location of such uses shall be established at the time of site plan review and approval for the total development complex.
  - c. Drive in and drive through restaurants must meet the regulations in Section 1823

Section 1823. – Drive in and drive through facilities

- a. The sale of alcoholic beverages via drive-through service is not permitted. The planning commission may include other restrictions on products sold via the drive-through as applicable.
- b. A setback of at least 60 feet from the right-of-way line of any existing or proposed street must be maintained.
- c. Access points shall be located at least 60 feet from the intersection of any two streets.
- d. All lighting shall be shielded from adjacent residential districts.
- e. When abutting or adjacent to districts zoned for R (residential), a six-foot high, completely obscuring wall, fence or landscaping shall be provided. A four-foot six-inch high partially obscuring wall, fence or landscaping shall be required when abutting all other occupancies. The height of the wall/landscaping/fence shall be measured from the surface of the ground. The wall/landscaping/fence shall extend only to the front yard setback line.
- f. The stacking lane for the drive-through shall be located where it does not conflict with on-site circulation or block access to the site and shall promote pedestrian safety.
- g. A bypass lane for vehicles not utilizing drive-through facilities must be provided. Clear identification and delineation between the drive-through facility and the parking lot shall be provided

Section 1824. – Outdoor storage or display of merchandise, goods or items associated with a permitted use

- a. Such storage shall be strictly and clearly incidental to the principal use and only products and materials owned or produced by the principal business, and equipment owned and operated by the principal use shall be permitted for storage under the subsection.
- b. Location and Size.
  - (1) The location and size of areas for such storage, nature of items to be stored therein, and details of the enclosure, including description of materials, height, and typical elevation of the enclosure shall be indicated on a site plan.
  - (2) Such storage shall not be located within the area between the front face of the building, as extended across the entire width of the lot, and to the right-of-way; in any required side or rear yard; or in any required transition strip.
  - (3) Such storage shall not be located in any required parking or loading space.
- c. Screening. The area for such storage shall be screened from view on all sides. Screening shall be constructed of wood or masonry materials. Wire fences with inserted strips of metal, plastic and similar materials shall not be substituted for the required screening. The screen shall not be less than the maximum height of the product being stored.
- d. The outdoor storage or display shall be located in the side or rear yards of the site. Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials.

Section 1825. – Sidewalk and outdoor cafes

Sidewalk or outdoor cafes may be permitted subject to the issuance of a revocable permit to operate a sidewalk cafe or an outdoor cafe as an extension of or compatible with, the existing business on a portion of the public sidewalk or other public area adjacent to the business. The permit may be issued under the following terms and conditions:

- a. Sidewalk or outdoor cafe permits may be issued if it is determined that the occupancy will not:
  - (1) Interfere with the use of the street for pedestrian or vehicular travel.
  - (2) Unreasonably interfere with the view of, access to or use of property adjacent to said street.
  - (3) Reduce any sidewalk width to less than six feet.
  - (4) Interfere with street clearing or snow removal activities.
  - (5) Cause damage to the street or to sidewalks, trees, benches, landscaping or other objects lawfully located therein.
  - (6) Cause a violation of any state or local laws.
  - (7) Be principally used for off-premises advertising.
  - (8) Be attached to or reduce the effectiveness of or access to any utility pole, sign or other traffic control device.
  - (9) Cause increased risk of theft or vandalism.
  - (10) Be in or adjacent to property zoned exclusively for residential purposes.
- b. All businesses selling food or beverages to be consumed in a public sidewalk area or outdoor area adjacent to the business shall enclose the area with a temporary structure approved by the building inspector. All construction shall conform with existing building codes and regulations of the township. Such plans shall also include the location of adequate trash receptacles.
- c. Prior to the issuance of a sidewalk or outdoor cafe permit, the applying business must provide the township with a certificate of liability insurance in an amount to be determined solely by the township. The certificate of insurance must be in effect for at least the period of the permit to be issued. In addition, the applying business shall, by written agreement with the township, indemnify and hold harmless the township from all claims or damages incident to the establishment and operation of a sidewalk cafe.
- d. Prior to the issuance of a permit, a fee as specified from time to time by resolution of the township board, shall be paid by the requesting business for the period of the permit. The period of a sidewalk or outdoor cafe permit shall not exceed 180 days. The dates and duration shall be specified on the permit. The permit shall be subject to immediate revocation for failure to properly maintain the area being used as a sidewalk or outdoor cafe, or for any other violation of this section or any other section.

**Sec. 1826. – Dealership for sale of new or used automobiles, boats, house trailers or rental of trailers and/or automobiles**

1. Outdoor sales space for sale of new or used automobiles, boats, house trailers or rental of trailers and/or automobiles, all subject to the following:
  - a. The lot or area shall be provided with a permanent, durable and dustless surface, and shall be graded and drained as to dispose of all surface water accumulated within the area.
  - b. Access to the outdoor sales area shall be at least 60 feet from the intersection of any two streets.
  - c. No major repair or major refinishing shall be done on the lot.
  - d. All lighting shall be shielded from adjacent residential districts.

**Sec. 1827. - Motels**

Motels are subject to the following conditions:

- a. Access shall be provided so as not to conflict with adjacent business uses or adversely affect traffic flow on a major thoroughfare.
- b. Each unit shall contain not less than 250 square feet of floor area.
- c. No guest shall establish permanent residence at a motel for more than 30 days within any calendar year.

**Sec. 1828. - Retail sales of plant material not grown on the site, lawn furniture, playground equipment and/or garden supplies**

Plant materials nursery for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies subject to the following conditions:

- a. The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.
- b. All loading and parking shall be provided off street.
- c. The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses.

#### Section 1829. - Gasoline Service Station

Gasoline service station for the sale of gasoline, oil and minor accessories only and where incidental repair work is done; provided, however, that other uses permitted and as regulated in the B-3 general business district may be established in conjunction with such gasoline service station, subject to the following conditions:

- a. Gasoline service stations shall directly abut a major thoroughfare as designated in the township's major thoroughfare plan.
- b. The minimum lot area for gasoline service stations shall be 15,000 square feet for stations having no more than two service bays and no more than two pump islands. There shall be added 3,000 square feet for each additional service bay and 1,500 square feet for each additional pump island. At least one street lot line shall be at least 150 feet in length along one major thoroughfare. The lot shall be so shaped and the station so arranged, as to provide ample space for vehicles which are required to wait.
- c. The driveway or curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be located no less than ten feet from an adjoining property line, 25 feet if adjacent to residential districts, as extended to the curb or pavement. Entrances shall also be no less than 25 feet from an intersection street right-of-way line extended to the curb or pavement.
- d. A four-foot six-inch masonry obscuring wall shall be provided and maintained on those property lines adjacent to or abutting a residential district.

#### Section 1830. – Minor automotive repair

Minor automotive repair businesses are subject to the following conditions:

- a. Access to such use shall be directly to a major or collector street or shall be to a minor street which has direct access to an abutting major or collector street.
- b. Access to and from such use shall not be cause for traffic to utilize residential streets.
- c. Outdoor storage of parts or materials shall be prohibited unless such storage is within a fenced and obscured area which meets all setback requirements.
- d. Vehicles shall not be allowed to be stored outside the building for more than 48 hours unless awaiting repair for which a "work order," signed by the owner of the vehicle, is posted in the vehicle so as to be visible from outside the vehicle.
- e. Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repair.
- f. All vehicle servicing or repair, except minor repairs such as, but not limited to, tire changing and headlight changing, shall be conducted within a building.
- g. Suitable containers shall be provided and utilized for the disposal of used parts and such containers shall be screened from public view.
- h. A four-foot, six-inch obscuring wall shall be provided and maintained on those property lines adjacent to or abutting a residential district.
- i. A site plan shall be submitted to the planning commission for its review and approval prior to the issuance of a building permit.

#### Section 1831. – Arcades and similar uses

Business whose primary activity is maintaining and operating three or more coin-operated amusement devices which are to provide facilities and space for patrons to engage in the playing of pinball games or similar electronic gaming devices, pool, billiard, cards or similar activities, shall only be permitted in the B-3 districts, subject further to the following requirements and conditions:

- a. The site shall not be contiguous to a one-family residential district.
- b. The site shall be so located as to abut a major thoroughfare right-of-way, and all ingress-egress to the site shall be directly from said major thoroughfare.
- c. No such business shall be located within 1,500 feet of a similar business.
- d. No such business shall be located within 200 feet distance from the front door of the business to the front door of any residence in a residential district.

#### Section 1832. – Temporary sidewalk, outdoor and tent sales for principal use

Temporary sidewalk, outdoor and tent sales may be permitted subject to the issuance of a revocable permit to operate a sidewalk, outdoor or tent sales as an extension of or compatible with, the existing business

on a portion of the public sidewalk or other public area adjacent to the business. The permit may be issued under the following terms and conditions:

- a. For all uses, the following conditions must be met:
  - (1) Signs shall be limited to sizes and locations in keeping with sec. 2109.
  - (2) Any buildings, tents or structures to be erected and any product to be sold in the open shall meet all setback requirements of the district in which it is located.
  - (3) All temporary buildings, tents and structures shall be constructed, used, occupied and maintained in compliance with the provisions of the state construction code and all ordinances of the township.
  - (4) Building and fire code requirements shall be complied with.
  - (5) The sale shall not interfere with the use of the sidewalk or street for pedestrian or vehicular travel. Sidewalk width must remain at least six feet wide.
  - (6) The sale shall not unreasonably interfere with the view of, access to or use of property adjacent to the street or neighboring businesses or properties.
  - (7) The sale shall not interfere with street clearing or snow removal activities.
  - (8) The sale shall not cause damage to the street or to sidewalks, trees, benches, landscaping or other objects lawfully located on the property
  - (9) Sales areas shall be located so as to provide adequate access for fire and safety vehicles.
  - (10) A permit shall be required. The proprietor of the property shall apply for a building permit and provide a sketch plan drawn to scale showing the location of the sale, existing and proposed temporary and permanent structures on the entire parcel, parking areas, and parking calculations.
  - (11) Copies of permits required by any other agencies for the use must be included with the permit application.
- b. Seasonal sale of produce from tents, stands or display racks subject to the following conditions:
  - (1) Permits may be issued for up to six-month periods.
  - (2) Off-street parking shall be provided in keeping with standards of secs. 2104 and 2105. In those instances where usable floor area cannot be effectively measured, the sales space utilized shall be measured as usable floor area.
- c. Sidewalk sales areas may be permitted subject to the following:
  - (1) The sidewalk sales area shall abut the building and shall not be placed abutting a parking area or vehicle travelway.
  - (2) Sidewalk sales areas shall not be fenced or enclosed in any manner.
  - (3) Sidewalk sales shall be conducted for no more than 14 consecutive days and permits shall not be issued for consecutive tent sales beyond a 14-day period.
- d. Tent sales may be permitted subject to the following:
  - (1) No more than three tent sales shall be permitted for a business location within a single calendar year.
  - (2) A tent sale shall be conducted for no more than 14 consecutive days and permits shall not be issued for consecutive tent sales beyond a 14-day period.
  - (3) Tent sales when proposed to be conducted on parking areas shall not reduce required parking spaces by more than 15 percent.
  - (4) All tents shall be removed within 48 hours of expiration of the period for which the permit is issued.

#### Section 1833. – Automobile car wash

Automobile carwash are subject to the following:

- a. All buildings shall have a front yard setback of not less than 50 feet.
- b. All washing facilities shall be within a completely enclosed building.
- c. Vacuuming and drying areas may be located outside the building but shall not be in the required front yard and shall not be closer than 25 feet from any residential district.
- d. All cars required to wait for access to the facilities shall be provided space off the street right-of-way and parking shall be provided in accordance with secs. 2104 and 2105.
- e. Ingress and egress points shall be located at least 60 feet from the intersection of any two streets.
- f. All off-street parking and waiting areas shall be hard-surfaced and dustfree.
- g. All lighting shall be shielded and directed away from adjacent residential districts.
- h. A four-foot six-inch completely obscuring wall shall be provided where abutting to a residential district.

Sec. 1834. - Commercial outdoor recreational space for children's amusement parks, miniature golf courses, golf driving ranges and similar uses

Commercial outdoor recreational space for children's amusement parks, miniature golf courses, golf driving ranges and similar uses, subject to the following:

- a. All adjacent properties shall be zoned for other than residential or office use.
- b. The use shall be fenced on all sides with a four-foot six-inch wall or fence.
- c. Adequate parking shall be provided off the road right-of-way and shall be fenced with a four-foot six-inch wall or fence where adjacent to the use.
- d. All lighting shall be shielded and directed away from adjacent residential districts or dwellings in close proximity to the site.
- e. Devices for transmission or broadcasting of voices or music shall be directed or muffled to prevent said sound or music from being audible beyond the property line of the site.
- f. A four-foot six-inch completely obscuring wall or fence must be provided where abutting or adjacent to a residential district. The height of the wall shall be measured from the surface of the ground.

Sec. 1835. - Batting cages, archery ranges and similar activities

Commercial outdoor recreation facilities such as batting cages, archery ranges and similar activities all subject to the following:

- a. No such activity shall be permitted within 200 feet of any residential dwelling.
- b. The lot or area utilized for recreation activity shall be provided with a durable and dustless surface.
- c. Off-street-parking shall be provided in accord with section 1801 et seq. of this ordinance.
- d. Lighting shall be shielded to be directed only on the activity on the site.
- e. Noise levels shall not exceed 70 decibels at the property line of the site.
- f. Hours of operation shall be limited to 8:00 a.m. to 10:00 p.m.
- g. The Planning Commission may require setbacks or fencing in order to protect the safety of those on adjacent parcels.

Sec. 1836. – Smoking lounges

Smoking lounges subject to the following:

- a. No such business shall be located within 2,500 feet of a similar business.
- b. A valid smoking lounge business license issued by the township clerk for the premises.
- c. A minimum number of off-street parking calculated by utilizing the parking requirements for bars, lounges, taverns, and nightclubs.

Sec. 1837. – Accessory retail uses in IRO zoning district

Retail and service uses may be permitted as secondary uses to the principal permitted office uses in the IRO zoning district and are limited to the following uses:

- a. Retail businesses or service establishments.
- b. Personal service establishments, such as but not limited to: repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors or barbershops, laundries or dry cleaners, printing or photographic reproduction, photographic, art or interior decorating studios.
- c. Theaters, bowling alleys, billiard halls, health salons or similar forms of indoor recreation.
- d. Restaurants or other places serving food and beverages, but not including drive-in, fast-food, carry-out or drive-through restaurants and subject further to the following conditions:
  - (1) Such uses shall be located within an office structure or motel building or shall be located in a freestanding building within the IRO district so as to be adjacent to a use designated as being allowed in sec. 1301, paragraphs 2, 3, 4, 5, 6, or 7.
  - (2) Such use shall be planned as a part of an overall plan for development of not less than 30 acres and shall be part of a service establishment complex for such development.
  - (3) The location of such uses shall be established at the time of site plan review and approval for the total development complex.

Sec. 1838. – Airports

Airports subject to all state and federal regulations and subject to all township codes and ordinances and further subject to the following conditions:

- a. An airport shall not be located at the edge of an industrial district which abuts land in the township planned for residential use.



- b. The use shall provide maximum compatibility to abutting uses and to the future land use plan for the immediate area.
- c. Runway location and/or extension shall be reviewed relative to potentials for flight interference in runway approach zones.
- d. Runway location and/or extension shall be reviewed relative to effects on residential areas.
- e. Buildings and structures shall comply with all setback requirements of the I-I district and shall be set back from all runways in accord with all Federal Aviation Agency regulations.
- f. Traffic and parking for the proposed use shall be reviewed to ensure the adequacy of facilities. Parking locations for visitors will be required off the public right-of-way.

#### Sec. 1839 – Mini Warehouses

Mini-warehouses and storage buildings for lease to the public including the office and dwelling of a caretaker and subject to the following conditions:

- a. A front yard building setback of not less than 40 feet shall be provided, all of which, except for driveway access, shall be landscaped.
- b. Side and rear yard building setbacks of not less than 40 feet shall be provided. Ten feet of width of such yard shall be planted materials sufficient to screen such yards from abutting uses. Side and rear yards may be reduced to 30 feet of width in those instances where a completely obscuring wall not less than six feet in height is provided along the property line for the entire length of the side and rear yards in place of the ten-foot wide plant material screening.
- c. Building shall be spaced not less than 30 feet apart.
- d. Outdoor storage of recreational equipment as an accessory use may be permitted provided that 85 percent of the site shall be occupied with storage buildings and required yards (setback areas) with not more than 15 percent utilized for outdoor storage of recreational equipment. All outdoor storage areas shall be located only in the rear yard of the site and shall be screened with a completely obscuring masonry wall not less than six feet in height located on the property line where such storage area abuts properties not a part of a mini-warehouse facility. Such outdoor storage area shall not be visible from a public street. All recreational equipment shall be in operable condition and appropriately licensed as may be required for such equipment.
- e. Adequate maneuvering space for fire safety vehicles shall be provided.

#### Sec. 1840. – Indoor recreational facility

- a. All recreational activities shall be conducted within an enclosed building.
- b. Structures shall be set back 100 feet from any abutting residential district, except the planning commission may reduce the setback to 50 feet where the adjacent residentially zoned property is a public park or recreation area.
- c. The off-street parking, passenger loading/unloading and general size layout and its relationship to the surrounding land uses and roads shall be reviewed by the planning commission, who may impose reasonable restrictions or requirements to insure contiguous residential areas will be adequately protected.
- d. A parking study shall be prepared to determine the required number of parking spaces. The study shall indicate to the maximum capacity of the facility, the maximum number of participants that can be involved in the events, with an overlap between two consecutive events, and the maximum number of spectators. Such study shall utilize parking generation estimates based upon the Institute of Transportation Engineers Parking Generation Manual and also a comparison of three similar facilities in the area.
- e. The applicant shall provide documentation showing that the size of the site is adequate, using national facility standards.
- f. Operational hours may be restricted by the planning commission in consideration of adjacent land uses and zoning. All outdoor activities, including floodlighting, public address systems, etc. must cease at 11:00 p.m.
- g. All buildings shall be permanent structures. Inflated domes are not permitted.

#### Sec. 1841. - Medical marihuana dispensaries and medical marihuana nurseries

- a. No medical marihuana dispensary or medical marihuana nursery shall be located within 1,000 feet of any other medical marihuana dispensary or medical marihuana nursery nor within 1,000 feet of any of the following uses:
  - (1) Any church, synagogue, mosque or any house of worship.
  - (2) Any school, public or private, having a curriculum including kindergarten or any one or more of the grades one through 12.
  - (3) Any child care organization.
  - (4) Any public library.

- (5) Any residentially zoned district or residential use.
- (6) Any community college, university or professional school.
- b. All activity related to a medical marihuana dispensary or medical marihuana nursery including, but not limited to, growing shall be done indoors in a locked structure.
- c. Medical marihuana dispensary and medical marihuana nurseries shall be operated in compliance with the provisions of the Michigan Department of Community Health and the Medical Marihuana Act MCL 333.26421 et seq.
- d. Smoking, inhalation, or consumption of medical marihuana shall not be allowed on the site of the medical marihuana dispensary or medical marihuana nursery.
- e. No qualifying patients under the age of 18 shall be permitted in the medical marihuana dispensary or medical marihuana nursery at any time except in the presence of qualifying patient's parent or legal guardian or their primary caregiver.
- f. No retail sales of drug paraphernalia are permitted at the medical marihuana dispensary or medical marihuana nursery, except to qualifying patients or their primary caregivers.
- g. Each medical marihuana dispensary or medical marihuana nursery shall display in a manner legible and visible to its clientele:
  - (1) Notice that qualifying patients under the age of 18 are not allowed in the medical marihuana dispensary or medical marihuana nursery except in the presence of his/her parent or legal guardian;
  - (2) No consumption, inhalation or consumption of medical marihuana shall occur within the vicinity of the medical marihuana dispensary or medical marihuana nursery.
- h. Only operators and their employees, qualifying patients, parents or guardians of qualifying patients under 18 years of age, and their primary caregiver may be permitted to enter a medical marihuana dispensary or medical marihuana nursery for the purpose of obtaining medical marihuana or other goods or products associated with its use.
- i. Medical marihuana nurseries can grow a maximum of 72 marihuana plants.

#### Sec. 1842 – Junkyards

Junkyards and places for dismantling, wrecking and disposing or salvaging of the junk and or refuse material of agricultural and automotive vehicles, paper, glass and other materials of a similar nature, including processing of materials for recycling, subject to the following conditions:

- a. All ordinances of the township, county and state as applied to these activities are complied with.
- b. No such use shall be allowed within 200 feet of a residential district.
- c. Open burning of materials or the open burning of junk cars shall be prohibited.
- d. Storage areas shall be obscured from public view and the storage area shall be entirely enclosed by an eight-foot obscuring wall or fence.
- e. A site plan in full detail and drawn to scale shall be submitted in accordance with sec. 2115 of the township zoning ordinance.
- f. A plan shall be submitted showing proposed use of property as it relates to abutting properties where such property abuts a district other than an I-3 industrial district.

#### Sec. 1843 – Outdoor Theaters

Outdoor theaters subject to the following conditions:

- a. The proposed internal design shall receive approval from the building official and the township engineer as to adequacy of drainage, lighting and other technical aspects.
- b. All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.
- c. The area shall be so laid out as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within, and directed onto, the premises of the outdoor theater site.
- d. Outdoor theaters shall abut major thoroughfares and points of ingress and egress shall be available only from such major thoroughfare.

#### Sec. 1844 – Adult entertainment facilities

Because minors are excluded from such facilities by virtue of age, the location of such activities shall be limited to I-C industrial commercial districts, subject to the following conditions:

- a. No adult entertainment facility shall be permitted within 1,000 feet of a church or a public or private school property.

- b. No adult entertainment facility shall be permitted within 1,000 feet of a district zoned for residential use.
- c. All other requirements of the I-C district regarding height, area, setback, screening walls, signs, etc., shall be complied with.
- d. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.

Sec. 1845 – Massage establishments

Massage establishment subject to the following conditions:

- a. No massage establishment shall be permitted within 1,000 feet of a church or a public or private school property.
- b. No massage establishment shall be permitted within 1,000 feet of a district zoned for residential use.
- c. All other requirements of the I-C district regarding height, area, setback, screening walls, signs, etc., shall be complied with.
- d. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary line from which the proposed land use is to be separated.

Sec. 1846 - Pawnbroker, secondhand dealer and junk dealer

Pawnbroker, secondhand dealer and junk dealer facilities subject to the following conditions:

- a. No pawnbroker, secondhand dealer or junk dealer business shall be permitted within 1,000 feet of a district zoned for residential purposes.
- b. Storage of all pawned property, secondhand goods and junk shall be within an enclosed building or within a secured area located on the zoning lot of the principal building.
- c. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.
- d. A license shall be required in keeping with Charter Township of Ypsilanti Ordinance No. 123 as amended—Pawnbrokers, secondhand dealers and junk dealers regulation ordinance.

Sec. 1847 – Tattoo facilities

- a. No tattoo facility shall be permitted within 1,000 feet of a district zoned for residential purposes;
- b. The distances provided in this section shall be measured by the following: a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.

Sec. 1848 - Automobile mechanical component dismantling and recycling

Automobile mechanical component dismantling and recycling subject to the following conditions:

- a. Such operations shall be limited to the dismantling of vehicle mechanical components, such as engines and transmissions, for reuse. The receiving, storage, processing or dismantling of whole vehicles shall be prohibited. There shall be no storage, processing or dismantling of vehicle body parts, frames or tires. There shall be no on-site retail sale of automobile parts.
- b. All operations and storage shall be within an enclosed building and there shall be no outdoor storage.
- c. The lot shall not be located within 200 feet of the boundary of a non-industrial zoning district.

Sec. 1849 - Parole or probation offices

Parole or probation offices subject to the following conditions:

- a. No parole or probation supervisory office facilities shall be permitted within 1,000 feet of a church or a public or private school property.
- b. No such office facility shall be permitted within 1,000 feet of a district zoned for residential use.
- c. No parole or probation supervisory office facilities shall be permitted within 1,000 feet of a state licensed child care facility.
- d. All other requirements of the I-C district regarding height, area, setback, screening walls, signs, and similar mass and area requirements, shall be consistently maintained.

- e. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel line upon which the proposed use is to be located or the zoning district boundary, or major thoroughfare right-of-way line from which the proposed land use is to be separated.

#### Sec. 1850 - Wireless communication towers and antennas

Because the uses hereinafter referred to possess unique characteristics making it impractical to include them in a specific use district classification, they may be permitted by the township board under the conditions specified, and after public hearing by the planning commission held in accord with sec. 2309 and further shall be reviewed as provided in sec. 2119 and after a recommendation has been received from the planning commission. In every case, the uses hereinafter referred to shall be specifically prohibited from any residential districts unless otherwise specified.

These uses require special consideration since they service an area larger than the township, creating problems of control with reference to abutting use districts. Reference to those uses falling specifically within the intent of this section is as follows:

1. Wireless communication towers and antennas:
  - a. *Purpose:* The purpose of this section is to establish general guidelines for the location of wireless communications towers and antennas. The objectives of this section are to encourage the co-location of multiple antennas on a single tower, to consider public health and safety in the location and operation of such towers and antennas, to protect residential areas and land uses from potential adverse impacts of towers and antennas, to limit visual impacts by promoting innovative design and screening of towers and to avoid potential damage to adjacent properties from tower failure by requiring careful engineering and proper location of tower structures.
  - b. *Definitions:*
    - (1) *Abandoned tower or antenna:* An antenna that is not operated for a continuous period of twelve months, or a tower constructed or maintained without an operational antenna shall be considered abandoned.
    - (2) *Alternative tower structure:* Man-made trees, clock towers, bell steeples, utility poles, flagpoles and similar decorative structures that camouflage or conceal the presence of antennas or towers.
    - (3) *AM array:* One or more tower units with a supporting ground system that functions as one AM broadcasting antenna shall be considered as one tower with a perimeter equaling the smallest rectangular figure that can encompass all elements associated with the array. Setbacks and other distances shall be measured from this perimeter. Additional tower units may be added within the perimeter of an approved array by right.
    - (4) *Antenna:* Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital or analog signals, radio frequencies (except radar) or other wireless communication signals.
    - (5) *Amateur radio communications antenna:* An antenna and associated support structure that is owned and operated by a federally licensed amateur radio station operator for personal use.
    - (6) *Backhaul network:* The lines that connect a provider's towers or antennas to one or more switching offices, long-distance providers or public-switched telephone network.
    - (7) *Satellite dish:* An antenna structure designed to receive from or transmit to orbiting satellites.
    - (8) *Tower:* A structure, and any support thereto, designed primarily for the purpose of supporting one or more antennas for wireless communication purposes.
  - c. *Required conditions:*
    - (1) *Reviews and approvals:* Construction, installation, replacement, co-location or enlargement of wireless communication towers and antennas shall be reviewed and approved as indicated in Table 1820.1. Towers and antennas requiring planning commission review shall be subject to special land use approval in accordance with section 2119 (special land uses). Applications, reviews and approvals for wireless communication towers and antennas shall be in accordance with the following:
      - a. The application is considered to be complete when the Planning and Zoning Coordinator or his or her designee makes that determination 14 business days after the Planning and Zoning Coordinator or his or her designee receives the application, whichever is first.

If the Planning and Zoning Coordinator or his or her designee notifies the applicant before the expiration of the 14-day period, that the application is not complete, specifying the information necessary to make the application complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the 14-day period shall be tolled until the applicant submits to the Director of the Office of Community Standards or his or her designee the specified information or fee amount due. The notice shall be given in writing or by electronic notification.

- b. The Planning Commission shall approve or deny the application not more than 60 days after the application is considered complete for wireless communication antennas co-located on an existing tower or 90 days for a new wireless communication tower, unless an extension in time is mutually agreed to between the applicant and the Planning Commission. If the Planning Commission fails to timely approve or deny the application, the application shall be considered approved.
- c. A building permit shall not be issued until Special Conditional Use approval and site plan approval have been granted by the Planning Commission. If no building permit is required, a certificate of occupancy or business license shall not be issued until Special Use approval and site plan approval have been granted by the Planning Commission.
- d. The wireless communication tower or antenna shall not be authorized by the Township Board until Special Conditional Use approval and site plan approval have been granted by the Planning Commission, if required.
- e. After approval for a Special Use has been granted, no change in that use may be made, nor may any addition or change in the building or improvements on the property take place until a new request for approval has been filed with the Planning Commission and the Planning Commission has approved the request for change.
- f. After approval of a Special Use has been granted by the Planning Commission, application for a building permit, or if no building permit is required, application for a certificate of occupancy or business license shall be filed with the building department within 120 days thereafter, or such approval shall automatically be revoked unless an extension is granted. The Planning Commission may grant an extension of the first approval for good causes for a period not to exceed six (6) months.

TABLE 1850.1  
REQUIRED REVIEW/APPROVAL

SITUATION/USE	Township Board	Planning Commission	Administrative Permits	Exempt
Construction of cellular and similar communications towers.	✓	✓		
Co-location of antennas on an existing approved tower.			✓	
Replacement or enlargement of an existing tower within allowance of The Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended, M.C.L.125.3101 et seq.).			✓	
Enlargement, in excess of permitted in Act 110, The Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended, M.C.L. 125.3101 et seq.)	✓	✓		
Construction of an alternative tower structure.	✓	✓	✓	
Installation of antennas on an existing building.	✓	✓	✓	
Installation of satellite dish antennas with a diameter of less than 1.5 meters.				✓
Installation of satellite dish antennas with a diameter of 1.5 meters or larger.			✓	

SITUATION/USE	Township Board	Planning Commission	Administrative Permits	Exempt
Installation of amateur radio communication antennas.			✓	
Installation of new antennas or similar transmission devises on light poles and similar public utility structures in a manner visible from the public way.	✓	✓		
Construction of television, radio, microwave, or public utility transmission towers, antennas, or antenna arrays, unless exempt under applicable federal or state law.	✓	✓		

- (2) *State or federal requirements:* Towers and antennas shall meet or exceed current standards of the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), and any other agency of the state or federal government with regulatory authority. Failure to maintain a tower or antenna in compliance with current state and federal standards, or failure to bring such towers or antennas into compliance with revised standards within six months of their effective date, shall constitute grounds for removal of the tower or antenna at the owner's expense.
- (3) *Site requirements and setbacks for wireless communication towers:* The following shall apply to all wireless communication towers, and to antennas located on such towers:
- (a) *Permitted locations by district:* Wireless communication towers shall be permitted in non-residential zoning districts. Such towers may be located in residential zoning districts only on parcels of land over 20 acres in area occupied by an institutional or a public recreational use.
  - (b) *Height:* Towers shall not exceed 150 feet in height as measured from grade-level to the highest point of the tower.
  - (c) *Lot boundaries:* Towers shall be set back from all zoning lot boundaries not less than 100 percent of the height of the tower or antenna. Anchoring cables and associated accessory structures shall satisfy minimum zoning district setback requirements with a minimum setback of 20 feet. If located on the same zoning lot with another permitted use, such towers or structures shall not be located in a front yard or side yard abutting a street.
  - (d) *Residential dwellings:* Towers shall be set back a minimum of 300 feet from the boundary of a parcel with an existing dwelling, except where separated by an interstate highway or otherwise provided for herein.
- (4) *Site requirements and setbacks for antennas located on buildings or similar structures:*
- (a) The principal use is a conforming use in a multiple-family or non-residential zoning district and the building is a conforming structure in the district.
  - (b) The height of the building or similar structure shall be a minimum of 50 feet and the antenna and support structure shall not exceed the height of the building by more than 10 feet.
  - (c) The antenna and support structure shall be set back from the outermost vertical wall or parapet of the building a minimum distance equal to 150 percent of the height of the antenna and support structure.
  - (d) The antenna and support structure shall be securely mounted to the building in a permanent manner.
- (5) *Site requirements and setbacks for amateur radio communications antennas:* The following shall apply to all amateur radio communications antennas:
- (a) One such antenna, with a maximum height of 60 feet and a minimum setback from all lot boundaries equal to 100 percent of its height, shall be permitted per zoning lot.
  - (b) Such antennas shall be accessory to a primary structure on the same zoning lot and shall be located in the rear yard of the zoning lot.
- (6) *Site requirements and setbacks for satellite dish antennas:* The following shall apply to all satellite dish antennas:

- (a) One such antenna, with a minimum setback from all lot boundaries equal to 150 percent of the height of the antenna and support structure, shall be permitted per zoning lot and shall be accessory to a primary structure on the lot.
  - (b) Such antennas shall be located in the side or rear yard of the zoning lot or permanently installed upon the primary structure in a manner not visible from any public right-of-way.
- d. *Required information:* The following information shall be provided with an application for a tower or antenna, in addition to that required by section 2115 (site plan review) or section 2119 (special land uses):
  - (1) *Site plan:* The petitioner shall submit a site plan, and elevation drawings of all structures, for review in accordance with section 2115 (site plan review). For multiple locations, the plan shall show the location of all equipment, antennas or towers and shall provide a detail of typical site arrangements. Exterior treatments of all accessory structures shall comply with ordinance requirements for the zoning district in which it is located.
  - (2) *Permission to locate:* The petitioner shall submit copies of a signed lease or other proof, satisfactory to the township attorney, of permission to locate a tower or antenna on the site.
  - (3) *Co-location agreement:* Towers shall be designed and operated in a manner that encourages the co-location of multiple antennas on a single tower. The petitioner for a new tower shall submit a written agreement, transferable to all successors and assigns, stating that the tower operator shall make space available on the tower for co-location. Proposed antenna locations shall be indicated on the site plan.
  - (4) *Insurance certificate:* The petitioner shall submit a valid certificate of insurance, to be renewed annually, listing the Charter Township of Ypsilanti as the certificate holder and naming the Charter Township of Ypsilanti, its past, present and future elected officials, representatives, employees, boards, commissions and agents as additional named insured. The certificate shall also state that if any of the described policies are to be canceled before the expiration date thereof, the issuing company will mail 30 days written notice to the township as certificate holder. The petitioner shall supply a \$1,000.00 cash bond to the township, which may be used to reimburse township administrative expenses in the event the certificate is allowed to lapse.
  - (5) *Removal agreement:* The petitioner shall submit a signed removal agreement and a security bond or letter of credit, satisfactory to the township attorney, for the removal of towers or antennas as applicable. The petitioner shall demonstrate that adequate funds will be available to the township for the removal of such towers or antennas, restoration of the site and associated administrative costs incurred by the township in the event that the petitioner, property owner or their successors fail to remove the tower or antenna in a timely manner as required by this article.
  - (6) *Tax-related information:* The petitioner shall supply to the assessor all tax-related information as requested by the assessor's office for assessment purposes. The assessor's office shall provide notice to the community and economic development department that this condition has been satisfied.
  - (7) *Engineering certification:* Signed certification by a professional engineer, licensed by the State of Michigan, specifying the manner in which the tower or antenna structure will fall in the event of accident, damage or failure and verifying that the setback area provided would accommodate the structure and provide a reasonable buffer from adjacent parcels.
  - (8) *Backhaul network information:* The petitioner shall identify the entities providing the backhaul network for the towers or antennas described in the application and other sites owned or operated by the applicant in the township.
- e. *Criteria for approval of new towers and antennas:* The following criteria for approval shall be found to exist for all tower or antenna installations:
  - (1) *Operating requirements:* The petitioner shall demonstrate that operating requirements necessitate locating within the township and the general area and shall provide evidence that existing towers, structures or alternative technologies cannot accommodate these requirements.
  - (2) *Engineering requirements:* The petitioner shall demonstrate that existing towers or structures are not of sufficient height or structural strength to meet engineering requirements, or are not located in a geographic area that meets these requirements.
  - (3) *Impact on adjacent residences:* Nearby residential districts and uses will not be negatively influenced by the location of the tower or antenna.
  - (4) *Site characteristics:* Topography, vegetation, surrounding land uses, zoning, adjacent existing structures and other inherent site characteristics are compatible with the installation of towers or antennas on the site.
  - (5) *Site design:* Tower design, lighting, color, construction materials, landscaping, screening and other design elements are in compliance with township ordinances and established land use policies. Wireless communication towers and associated ground

equipment shelter areas shall be designed, constructed and maintained in a manner that accommodates the co-location of multiple antennas on a single tower.

(6) *Security:* Wireless communication towers and associated ground equipment shelter areas shall be secured against unauthorized entry and shall be completely enclosed by an ornamental or industrial fence of not less than six feet in height.

- f. *Tower address:* Each tower shall be designated with a specific and unique mailing address.
- g. *Existing towers and antennas:* A tower or antenna for which a building permit has been properly issued prior to the effective date of this ordinance shall be allowed to continue to be used as it presently exists, provided that such towers or antennas are maintained in a structurally safe condition, in accordance with section 2107.1b(2) [state and federal requirements] and in compliance with township ordinances and conditions of approval in effect when the building permit was issued.
- h. *Removal of abandoned towers and antennas:* Abandoned towers or antennas shall be removed by the owner within 90 days of receipt of notice from the township notifying the owner of such abandonment. Failure by the owner to remove abandoned towers or antennas shall be grounds for the township to seek court approval for such removal at the owner's expense.
- i. *Rescinding approval of a wireless communication tower or antenna:* Failure of the owner, operator or lease holder of an approved tower or antenna to renew or replace any required bonds or insurance certificates, to maintain and operate the tower or antenna in compliance with state and federal requirements, approved permits, site plans or conditions of special land use approval or to provide information to the township about the tower or antenna as required by this article or conditions of special land use approval shall be grounds for the township board to rescind any previous approval to construct or operate the tower or antenna. Such action shall be subject to the following:
  - (1) *Public hearing:* Such action may be taken only after a public hearing has been held pursuant to reasonable advance notice, at which time the owner, operator or lease holder of the tower or antenna shall be given an opportunity to present evidence in opposition to rescission.
  - (2) Subsequent to the hearing, the township board's decision with regard to the rescission shall be made and written notification provided to said owner, operator or lease holder of the tower or antenna.

#### Sec. 1851 - Railroad lines, rail spurs and similar rail transport access facilities

Railroad lines, rail spurs and similar rail transport access facilities may be permitted in any district subject to the following conditions:

- a. The planning commission, after public hearing, shall recommend and the township board shall determine that operating requirements necessitate the locating of said facilities in the district in order to adequately service the township.
- b. The proposed design, location, drainage and other technical aspects of such facility shall be approved by the township engineer.
- c. When such facilities are proposed to be located within any district, other than an I-1, I-2 district, I-3 or I-C, the planning commission shall review and approve such facilities to insure a satisfactory and harmonious relationship between such development and adjacent land uses (existing and proposed).
- d. In reviewing such development and prior to approval, the planning commission may require the development of such screening devices, access roads, and setbacks as will assure safe and convenient vehicular circulation and sound land use arrangements.

#### Sec. 1852 - Private or public recreation vehicle campgrounds.

Recreation vehicle campgrounds are intended to provide sites for persons seeking a temporary location for vacation or recreation purposes with recreational units such as, but not limited to: tents, travel trailers, camping trailers, motor homes, truck campers, slide-in campers and chassis-mounted campers. It is recognized that there are areas contained in the community that were subjected to extensive mining operations formerly for sand and gravel with little or no concern given to its ultimate reclamation and reuse. Recreation vehicle campgrounds are considered to be an adaptable use for these areas that due to present grade elevations, drainage conditions, headwall slopes and the like that otherwise could not be developed soundly as a conventional residential subdivision. Therefore, it is the intent of this ordinance to permit recreation vehicle campgrounds to be located so as to allow reasonable use of these areas and provide a transition of use between extensive nonresidential areas, i.e., light and heavy industrial uses and single-family residential areas. Recreation vehicle campgrounds shall further be subject to the following conditions:

- a. *Locational requirements.*
  - (1) Parcels being proposed for recreation vehicle campgrounds may be permitted in the R-4 one-family residential district when said recreation vehicle campgrounds afford a buffer to I-I, I-2, and/or MH districts and single-family districts. A recreation vehicle campground shall not be bounded on more than three sides by a single-family residential district, except that the planning commission and township board may waive this requirement where it can be shown that the abutting property will be developed for nonresidential purposes or for another recreation vehicle campground.



- (2) The site shall have direct access to a major thoroughfare, as designated on the major thoroughfare plan, and with appropriate frontage thereon to provide for the design of entrances and exits.
- b. *Site conditions.* Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
  - c. *Uses permitted.* Uses such as, but not limited to, campground sites, management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities, parking areas and other uses and structures customarily found incidental to this use, shall be permitted. Such uses shall be restricted in their use to occupants of the site, except that temporary storage of recreational vehicles may be permitted upon the site when it can be clearly demonstrated that such storage is ancillary to the recreation vehicle campgrounds and subject to the conditions set forth under [subsection] g. (5) of this subsection 3.
  - d. *Height and area requirements.*
    - (1) No building or structure hereafter erected or altered in a recreation vehicle campground shall exceed a height of one-story or 14 feet.
    - (2) Recreation vehicle campgrounds shall be permitted only on parcels of 25 acres or more.
    - (3) Each campground site shall have a minimum 40-foot road frontage and a minimum area of at least 2,400 square feet.
  - e. *Yard and setback requirements.*
    - (1) No campground site shall be located closer than 200 feet to the right-of-way line of a major thoroughfare and 100 feet to the campground boundary when it abuts or is adjacent to a residential district. Where the campground abuts or is adjacent to a nonresidential district, no campground site shall be located closer than 35 feet.
    - (2) No service building or any other similar structure shall be located closer than 250 feet to a major thoroughfare or campground boundary.
  - f. *Buffers and landscaping.*
    - (1) A greenbelt 20 feet in width and six feet in height shall be located and continually maintained along all campground borders. Where the campground borders a residential district, this greenbelt will provide a total obscuring effect. This greenbelt shall consist of such materials as trees and shrubs to provide privacy to occupants of the site and to visually shield the recreation vehicle campgrounds from surrounding property. Earthen berms are encouraged to be used to achieve this purpose.
    - (2) A chainlink fence of not less than four nor more than six feet in height shall be erected on the boundary line where any portion of the campgrounds abuts or is adjacent to a single-family residential district.
  - g. *Other conditions.*
    - (1) All sanitary sewage and water facilities including connections provided to individual campground sites, shall meet the requirements of the Ypsilanti Township sewer and water departments and the Michigan state health department.
    - (2) Entrances and exits from county or state highways shall have the prior written approval of the highway authority having jurisdiction within the township.
    - (3) The campgrounds shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools.
    - (4) All lighting shall be shielded to reduce glare and shall be so arranged as to reflect the light away from abutting or adjacent properties.
    - (5) Areas provided for the storage of recreational vehicles may be permitted subject to the following:
      - (a) The area shall be enclosed with a chainlink fence of not less than five feet in height.
      - (b) A minimum setback distance of 250 feet is maintained from any abutting or adjacent residential district.
      - (c) Any areas established for this purpose shall not be more than ten percent of the total campgrounds.
    - (6) Occupants of any rented campground site shall not remain in the same recreation vehicle campground for more than 15 consecutive days within any calendar year.
    - (7) The licensee shall provide a sufficient number of containers for the storage of garbage and other refuse, and provide for the transportation of garbage and refuse, not less than once each week at the licensee's own expense to a licensed sanitary landfill.
    - (8) All recreational vehicle campground developments shall further comply with Act No. 171 of the Public Acts of Michigan of 1970 (MCL 325.651 et seq., MSA 14.447(121) et seq.), as amended.

- h. *Procedures, permits and occupancy.* To construct a recreation vehicle campground of facilities herein, a person shall:
  - (1) Obtain a health permit from the Michigan state health department.
  - (2) Present a plot plan to be approved by the planning commission and township board. No variance from this plan may be made without the approval of the planning commission and township board.
  - (3) Obtain a construction permit from the Michigan state health department in the manner prescribed by Act No. 171 of the Public Acts of Michigan of 1970 (MCL 325.651 et seq., MSA 14.447(121) et seq.), as amended from time to time.
  - (4) Obtain necessary building permit from township building inspector.
  - (5) Obtain an annual license from the Michigan state health department in the manner prescribed by Act No. 171 of the Public Acts of Michigan of 1970 (MCL 325.651 et seq., MSA 14.447(121) et seq.), as amended from time to time.
  - (6) Obtain from the township building inspector a certificate of occupancy and compliance as provided for in article [section] 2304.

Sec. 1853 - Storage of recreation vehicles

- a. *Locational requirements.*
  - (1) Recreational vehicle storage may be allowed in the MH mobile home park district when such district abuts an established mobile home park. Such MH district utilized for recreational vehicles storage shall not be bounded on more than two sides by any single-family residential district, except that the planning commission and township board may waive this requirement where it can be shown that the abutting property will be developed for nonresidential purposes or for a mobile home park.
  - (2) The site for recreational vehicle storage shall have direct access to a major thoroughfare, as designated on the major thoroughfare plan.
  - (3) Recreational vehicle storage shall not be permitted within a mobile home park.
- b. *Uses permitted.* The storage of unoccupied recreational vehicles shall be permitted.
- c. *Height requirements.* No building or structure shall hereafter be erected which shall exceed a height of one-story or 14 feet.
- d. *Yard and setback requirements.*
  - (1) No recreational vehicle storage shall be located closer than 100 feet to the right-of-way line of a major thoroughfare and 100 feet to the district boundary where it abuts or is adjacent to a residential district. Where the vehicle storage on the site abuts or is adjacent to a nonresidential district or to an MH district, no vehicle storage shall be located closer than 20 feet.
  - (2) No service building or any other similar structure shall be located closer than 100 feet to a major thoroughfare or MH district boundary.
- e. *Buffers and landscaping.*
  - (1) A greenbelt 20 feet in width and six feet in height shall be located and continually maintained along all borders. Where the storage area borders a residential district, this greenbelt will provide a total obscuring effect. This greenbelt shall consist of such materials as trees and shrubs to visually screen the recreational vehicle storage area from surrounding property. Said greenbelt shall be located inside fences which enclose the storage area.
  - (2) A chainlink fence or other secure fence of not less than five [and] no more than eight feet in height shall be erected to completely enclose the recreational vehicle storage area.
- f. *Other conditions.*
  - (1) All sanitary sewage and water facilities shall meet the requirements of the Ypsilanti Township sewer and water departments and the Michigan state health department.
  - (2) Entrances and exits from county or state highways shall have the prior written approval of the highway authority having jurisdiction within the township.
  - (3) The recreational vehicle storage area shall be located on a well-drained site properly graded to ensure rapid drainage and freedom from stagnant pools.
  - (4) All lighting shall be shielded to reduce glare and shall be so arranged as to reflect the light away from abutting or adjacent properties.
  - (5) The site plan shall receive the review and approval of the fire department for access lanes for firefighting equipment.
- g. *Review and permit.*
  - (1) A site plan shall be submitted for review and approval of the township, all in accord with section 2115 of this ordinance.

- (2) A building permit and certificate of occupancy shall be required for a recreational vehicle storage area.

#### Sec. 1854 - Sand and gravel excavation

The removal of sand and/or gravel or similar materials by excavation, stripping, mining or otherwise taking, and including on-site operations appurtenant to the taking, including washing, grading and sorting operations, may be carried on within the limits of I-2 districts provided all conditions herein required are met. All extraction from new pits begun subsequent to the effective date of this ordinance shall be washed, graded and further processed and/or stored within the limits of the approved extraction area, and no natural resource extracted outside the limits of the approved extraction area shall be brought in for washing, grading or further processing. Resource-related industries including, but not limited to, concrete batching plants and asphalt mix plants shall not be permitted as a part of a plan for sand and gravel excavation.

- a. *Filing of petition.* Petitions for the granting of permits for natural resources operations shall be filed with the building official by the owners and leaseholders, if any, of the land proposed for natural resources development. Petition shall be submitted on letter form, fully supplemented by data, maps and aerial photographs specified, and shall be accompanied by a fee as established by resolution of the township board. A permit for such use may be issued for a one-year period by the township board after recommendation by the planning commission. Unless the owner of the petition ignores and/or violates the restoration plan, the permit is automatically renewable for one-year periods. Petitions shall be accompanied by the following:
  - (1) Vertical aerial photograph, enlarged to a scale equal to one inch equals 200 feet, from an original photograph at a negative scale no smaller than one inch equals 1,000 feet. Area covered by the vertical aerial photograph shall include:
    - (a) All land requested in the petition.
    - (b) All contiguous land which is, or has been, used by the owner or leaseholder applicant for any extraction, treatment and/or storage.
    - (c) All public roads which can provide first point of access.
    - (d) The boundaries of the above listed items (a) through (c) shall be delineated on the aerial photograph and clearly marked as to [items] (a), (b) and (c).
  - (2) Identification survey, prepared by an engineer or surveyor certified by the State of Michigan to prepare such plats, drawn to a scale of one inch equals 200 feet, shall be submitted in five copies. This survey shall include:
    - (a) Boundary of entire tract by courses and distances.
    - (b) Boundary of exact area being petitioned for in permit.
    - (c) Means of vehicular access to the proposed operation.
  - (3) Report by a qualified soil scientist, soils engineer or geologist regarding the effect the proposed operation will have upon the watershed of the area, with particular attention being devoted to the water table, and, if water bodies are to be created, the anticipated permanence of such. Data to be provided shall include:
    - (a) Hydrological data:
      - (i) Groundwater levels;
      - (ii) Rainfall data;
      - (iii) Capacity of streams and rivers on or in close proximity to site.
    - (b) Lake level data. General engineering information related to pumping spillways, debris basins, irrigation systems.
    - (c) Soil erosion and sediment control plan construction in a manner consistent with the letter and spirit of Act No. 347 of the Public Acts of Michigan of 1972 (MCL 282.101 et seq., MSA 13.1820(1) et seq.), as amended, and any applicable local ordinances and requirements.
    - (d) General soils data:
      - (i) Soil type;
      - (ii) Soil erodability;
      - (iii) Stability of existing and proposed slopes.
    - (e) Contour map of the reclaimed site at two-foot intervals.
    - (f) Location of all stream flow points:
      - (i) Inflow points;
      - (ii) Outflow points;
      - (iii) Catchment areas.
  - (4) A detailed plan for the extraction of the natural resources deposits. Such plans shall include a timetable for various stages of the operation and shall be accompanied by a

restoration plan indicating how the natural resources area will be reused in a manner compatible with the township master plan for future and use. The restoration plan shall include:

- (a) Proposed use of restored natural resources area.
- (b) Proposed topography drawn as contours at an interval of two feet and indicating water bodies or other major physical features.
- (c) Delineation of areas intended to be partitioned or subdivided, including the proposed layout.
- (d) All excavation shall be made either to a water-producing depth of at least ten feet below the low water mark for at least 80 percent of the water area, or shall be graded or backfilled with noxious-free, noninflammable, and noncombustible materials to secure [insure]:
  - (i) That the excavated area shall not collect and permit to remain therein stagnant water; or
  - (ii) That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depression thereof, and so as to produce a gently rolling surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.
- (e) The banks of all sand and gravel excavations shall be sloped to the water line in a water-producing excavation, and to the pit floor in a dry operation, at a slope which shall not be less than five feet horizontal to one foot vertical and said banks shall be restored with vegetation in a manner set forth hereunder.
- (f) Vegetation shall be restored by the use of sufficient soil and overburden and by appropriate seeding of grasses or planting of shrubs or trees in all parts of said reclaimed mining area where such area is not to be submerged under water or within 25 feet of the shoreline as hereinabove provided.
- (g) In the event filling of the mined area is necessary during rehabilitation, said fill material shall be nonorganic only.
- (h) Upon cessation of mining operations by abandonment or otherwise, the operator, within a reasonable period of time not exceeding 12 months thereafter, shall remove all plant structures, buildings, stockpiles and equipment, unless such building or structures can be lawfully used in the district in which the same are located.

b. *Review of permit application.*

- (1) The building official shall be responsible for receiving and processing all applications for permits. His office shall accept for filing only applications completely documented as herein required.
- (2) The building official shall be responsible for coordinating the several separate inspections as required herein.
- (3) The township board shall be authorized to approve the manner and order of restoration of proposed new excavation. So as to assure faithful restoration of the area, the petitioner shall deposit with the clerk cash, a certified check or irrevocable bank letter of credit, whichever the petitioner selects, or a surety bond acceptable to the township board; the amount of such deposit shall be established by the township board based upon an estimate by the township engineer and shall be sufficient to finance restoration of the disturbed area.

This deposit shall be submitted by the petitioner prior to the issuance of any permit, and shall be held in escrow by the township until restoration is completed and has been approved by the township board.

So as to prevent undue hardship, the township board may, at its discretion, approve bonds for areas less than the total acreage applied for. However, at no time shall any excavation be undertaken unless and until sufficient bond has been deposited to ensure restoration of the area to be disturbed.

In the event of deviation from an approved extraction and/or restoration plan, the building official shall notify the permit holder of a violation. Failure to correct said violation within 30 days shall automatically void any permits issued and/or prevent the issuance of new permits until such time as the deviation has been corrected in keeping with requirements set forth by the township board. Appeals from a decision of the building official shall, in regard to an alleged violation, be directed to the township board.

c. *Specific operating requirements.*

- (1) *Setback.* Excavation, washing and stockpiling of extracted material shall not be conducted closer than 75 feet to the outer boundary of the approved extraction area. Fifty feet of the setback area shall not be used for any use in conjunction with a natural resources operation except public notice signs identifying occupation. Access roads

may occupy 25 feet of the outer boundary setback. Greenbelt plantings and landscaping shall be provided in the setback area as required by the township board. Said setback may be varied by the board of appeals when the outer boundary of the approved extraction area abuts a body of water. In granting said variance, the board of appeals shall establish a specific setback so as to secure public safety.

- (2) *Building line for operation structures.* To reduce the effects of airborne dust, dirt and noise, all equipment for sorting, crushing, loading, weighing and other operations structures shall not be built closer than 300 feet from any public street right-of-way or from any adjoining residentially zoned district.
- (3) *Frontage and access.*
  - (a) Each tract of land for sand or gravel extraction shall have a minimum frontage on a major or secondary thoroughfare (a thoroughfare of at least 86 feet of right-of-way, existing or proposed) of at least 500 feet, except that the township board may approve a lesser frontage minimum if written consent of owner in fee of adjoining property is first secured.
  - (b) All means of access to and from the property shall be by way of class A roads as designated by the Washtenaw County road commission. Such road shall be designated as a major or secondary thoroughfare on the township future land use plan.
- (4) *Fencing.* Any excavation which operation results in, or produces for a period of one month, collections of water, or slopes as described below shall be subject to the following safety requirements:
  - (a) Where slopes steeper than 30 degrees exist for a period of one month or more, access to such slopes shall be barred by a cyclone fence or similarly effective barrier at least six feet high, at least 50 feet outside the edge of the excavation, with suitable gates controlling access to the excavation area.
  - (b) Where collections of water are one foot or more in depth for any period of at least one month, and occupying an area of 200 square feet or more, access to such collections shall be similarly fenced, as required in subparagraph (a) above, for slopes.
  - (c) In those instances where the sand or gravel extraction area is situated in marginal land areas consisting of swampland or is bounded by natural bodies of water, the fence shall be required only on those sides accessible to public rights-of-way or as the township board may determine as requiring fencing so as to secure safety. The township board may require the posting of signs "Keep Out - Danger" as needed.
- (5) *Access roads.* All private access roads shall be treated so as to create dustfree surface for a distance of 300 feet from any public access road.
- (6) *Slopes.* Finished slopes of the banks of the excavation shall in no event exceed a minimum of five feet to one foot (five feet horizontal to one foot vertical) and where ponded water results from the operations, this slope must be maintained and extended into the water to a depth of five feet. Said slopes shall be met as the work in any one section of the excavation proceeds, and the time for completion of said slopes shall not extend beyond one year's time from the date of beginning; provided, that the township board may extend the above one-year period to such longer period as satisfactory under the circumstances.

Sufficient topsoil shall be stockpiled on the site so that the entire area, when excavation operations are completed, may be re-covered with a minimum of six inches of topsoil, and that such replacement of topsoil shall be made immediately following the termination of excavating operations. So as to prevent erosion of slopes, all replaced topsoil shall immediately be planted with grass or other plant material acceptable to the township board.
- (7) *Explosives.* The use of explosives shall be done in accordance with the Regulations for Storage and Handling of Explosives, as published by the Michigan State Police, Fire Marshal Division, East Lansing, Michigan.
- (8) *Site plan review.* All uses proposed for sand and gravel extraction areas shall be further subject to the requirements of section 2115, "Site Plan Review" of this ordinance, as applicable.

#### Sec. 1855 - Farms with sales and entertainment facilities

Farms with sales and entertainment facilities utilized in promotion of on-site farm product sales may be permitted in residential R-1 districts subject to the following conditions:

- a. Any sales and entertainment facilities shall have direct access to a major or secondary thoroughfare by means of drives or roads which directly service the facility from the major or secondary thoroughfare. Minor streets shall not be utilized for access to such facilities.
- b. A site plan, drawn to scale, showing all intended site uses, shall be submitted for review and approval. Such plan shall show the intended use and location of all buildings and structures,

growing areas, parking facilities, roads and drives to be utilized by the public, pedestrian circulation, location of service areas for various facilities and transition plantings and/or screening devices.

- c. Crop growing areas of a depth of not less than 200 feet shall be provided on those sides of the property not abutting the major or secondary street servicing the farm.
- d. Greenbelt tree plantings or other effective visual screening shall be provided where off-site abutting residential properties are occupied with dwelling structures within 200 feet of any area on the site occupied with sales or entertainment facilities.
- e. All parking shall be provided off the street or road right-of-way.
- f. Noise levels shall not exceed 65 decibels at the property line of the farm where adjacent property has a dwelling unit within 200 feet of the property line nor shall it exceed a maximum of 75 decibels at any other property line.
- g. Hours of operation of any outdoor entertainment facilities shall be limited to reasonable hours.

#### Sec. 1856 - Racetracks (including midget auto and karting tracks) and dirt tracks

Because racetracks and dirt tracks develop a concentration of vehicular traffic in terms of ingress and egress from their parking area and cause noise levels which may project beyond the property so used, they may be permitted in I-2 districts when located adjacent to a major thoroughfare 120 feet wide or greater and shall be located on a parcel of land which is abutting land zoned for industrial purposes on all sides of the parcel in question, and shall be subject further to the following conditions and such other controls as the planning commission deems necessary to promote health, safety and general welfare in the township:

- a. A site size of not less than 20 acres shall be provided.
- b. All parking shall be provided as off-street parking within the boundaries of the development.
- c. All access to the parking areas shall be provided from roads which have a right-of-way of not less than 120 feet in width.
- d. All sides of the development not abutting a major thoroughfare 120-foot right-of-way or greater shall be provided with a 20-foot greenbelt planting and fence, wall or earth berm so as to obscure from view all activities within the development. The planting shall be in accord with section 2108.
- e. A track shall not be located closer than 500 feet to any residence on property other than the site on which the tract is located.
- f. Dust shall be controlled so as not to be noticeable beyond the property line of the property on which the track is located.
- g. Noise levels shall comply with section 2120, paragraph 5 of this ordinance.
- h. The track area shall be fenced.
- i. Grading on the site which involves one or more acres shall require a building permit and shall comply with State of Michigan Act 347 of 1972, the Soil Erosion and Sedimentation Control Act of 1972, and with applicable Charter township ordinance.

#### Sec. 1857 - Outdoor spat ball, simulated war games and similar activities

Outdoor spat ball, simulated war games and similar activities may be permitted in I-2 industrial districts subject to the following conditions:

- a. A minimum site size of not less than ten acres shall be provided.
- b. The proposed use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding area.
- c. A site plan, drawn to scale, showing all intended site uses, shall be submitted for review and approval in accord with sec. 2115. The site plan shall show the layout of the proposed use designating activity areas, location of all buildings and structured parking facilities, roads and drives to be utilized by the public, pedestrian circulation, location of service areas and transition plantings and/or screening devices.
- d. The facility shall abut a major thoroughfare and shall provide all vehicle access to the facility from such abutting thoroughfare.
- e. The property line of any such facility shall not be located within 200 feet of any residential dwelling or within 200 feet of any residential district.
- f. A setback of 50 feet for all activity areas on the site shall be provided. Activities on the site shall in no way extend beyond the property line of the site.
- g. Noise levels shall not exceed 65 decibels at any property line of the site.
- h. Hours of operation shall be limited from 8:00 a.m. to 8:00 p.m.
- i. Devices for the transmission of sound, voices or music shall be so directed as to prevent such sound from being audible beyond the property lines of the site.

- j. The township board may impose such reasonable conditions as it deems necessary to protect the public health, safety and general welfare from excessive noise, traffic, obnoxious odors and any detrimental effects from the operation of the facility.

#### Sec. 1858 - Garbage, refuse and rubbish transfer stations

Garbage, rubbish and refuse transfer stations may be permitted in I-2 and I-3 industrial districts. The township board may grant a use permit under such conditions as it deems necessary for the protection of the public health, safety and general welfare, including but not limited to the following:

- a. The proposed use must be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.
- b. The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use and uses, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood nor unduly conflict with the normal traffic of the neighborhood. In applying this standard, the township board shall consider amongst other things: convenient routes for traffic; the relationship of the proposed use to main traffic thoroughfares and to streets and road intersections; vehicular turning movements in relation to routes of traffic flow; location and access of off-street parking and the general character and intensity of the existing and potential development of the neighborhood. All driveways and parking areas on the site should be hard-surfaced to specifications of engineering department.
- c. The location and height of buildings or structures and the location, nature, and height of doors, walls and fences must be such that the proposed use will not have a detrimental effect upon the neighboring property or the neighboring area in general, nor impair the value of neighboring property, nor interfere with or discourage the appropriate development and use of adjacent land or buildings or unreasonably affect their value. Such building shall be completely enclosed.
- d. The standards of density and required open spaces for the proposed use shall be at least equal to those required in the I-2 zoning district or at least equal to those prescribed in the special requirements relating to the proposed use, whichever is the greater.
- e. The location, size, intensity, site layout and periods of operation of any such proposed use must be designated to eliminate any possible nuisance likely to emanate therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration smoke or lights.
- f. The proposed use must provide for proper yard space, parking facilities loading space, percentage of lot coverage, protective walls, size of buildings, lot area and width and other requirements of this ordinance.
- g. The proposed use must be in accord with the spirit and purpose of this ordinance and not be inconsistent with or contrary to the objectives sought to be accomplished by this ordinance and principles of sound planning.
- h. The following conditions shall be prohibited:
  - 1. Incineration or open burning in the building or on the site shall be prohibited.
  - 2. Overnight storage of any refuse material in the building shall be prohibited.
  - 3. Dumping or storage of any material on the site outside the building at any time shall be prohibited.
- i. The township board may impose such reasonable conditions as it deems necessary to protect the public health, safety, and general welfare from excessive noises, excessive traffic patterns, obnoxious and unhealthy odors, and any detrimental effects from the general operation of such transfer station.
- j. The township board may impose additional conditions and safeguards as it deems necessary to minimize the adverse effects of such an installation on the character of the surrounding area.

#### Sec. 1859 - Lighted outdoor commercial sports centers

Because lighted outdoor commercial sports centers, including baseball and other intense activities, possess the unique characteristic of often being used late into the night while attracting large numbers of spectators and attendant vehicular traffic in conjunction with ingress and egress to parking areas, these uses may be permitted only in I-2 industrial districts subject to the following conditions:

- a. Outdoor commercial sports centers shall be permitted only upon parcels of land zoned I-2 which are surrounded by similarly zoned property on all sides, except a side abutting a major thoroughfare of 120 feet of right-of-way or greater.
- b. Because it is of primary concern to the township to preserve large areas of industrial property for industrial uses, the township when considering approval of such a use shall take into account the compatibility of the lighted outdoor commercial sports center with existing and future industrial development.
- c. In determining the number of parking spaces required to accommodate the lighted outdoor commercial sports center, the township board may take into account the hours of operation

and types of activities conducted upon the site. The minimum parking requirements for baseball facilities shall be no fewer than 75 spaces for each of the first four baseball diamonds plus 50 spaces for each additional baseball diamond.

- d. The proposed internal site design of the facility shall meet all standards of the township and other affected governmental agencies, including but not limited to those standards pertaining to proper drainage, lighting, hard surfacing, and other engineering standards.
- e. Points of ingress and egress shall be available to the complex only from abutting major thoroughfares of 120 feet of right-of-way or greater. The site shall comply with all standards of the township and other affected governmental agencies relative to driveways, acceleration and deceleration lanes, and related items.
- f. The use and parking area shall be screened from adjacent major thoroughfares with berms and other approved landscaping.
- g. All lighting used to illuminate the area shall be installed so as to be confined within and directed upon the site.
- h. Devices for the transmission of broadcasting of voices or music shall be so directed as to prevent said sound from being audible beyond the lot lines of the site.
- i. Storage buildings, restroom facilities, facilities for the sale and consumption of food, beverages and refreshments and other similar accessory uses shall comply with all standards of the township and other affected governmental agencies. Such accessory facilities shall operate only during the hours of operation of the principal use of the property.

#### Sec. 1860 - Wastewater treatment plants

Wastewater treatment plants may be permitted in the I-3 industrial district and the I-C industrial commercial district. The township board may grant a use permit under such conditions as it deems necessary for the protection of the public health, safety and general welfare, including but not limited to the following:

- a. There shall be a demonstrated need in the community for such facility.
- b. The proposed plant shall be designed and located within an area where the impacts shall be limited in terms of visual impacts, odors and surrounding land use character.
- c. The location, size, operation and design shall utilize measures to eliminate any possible nuisance likely to emanate therefrom, which might be noxious to the occupants of any other nearby use, whether by reason of odors, fumes or lights. Such measures shall include implementation of odor control measures.
- d. Any such use shall conform to current standards established by the U.S. Environmental Protection Agency and the Michigan Department of Environmental Quality.
- e. The township board may impose such reasonable conditions as it deems necessary to protect the public health, safety and general welfare from obnoxious and unhealthy odors, visual impacts and any detrimental effects to the character of the surrounding area.

#### Sec. 1861 - State-licensed residential child and adult care facilities

State-licensed child and adult care facilities, as defined in Article 2, Definitions, shall meet the following regulations:

- a. These facilities, except for adult/child family day care homes, shall be registered with the Ypsilanti Township Community Development Department and shall continually have on file with the township documentation of a valid license as required by the state.
- b. Since the state law preempts in this area, these facilities shall be brought into compliance with all state building and fire codes pursuant to State Licensing Rules R400.1831—R400.1835. Documentation of such compliance with state requirements shall be provided.
- c. The site shall comply with the sign provisions of section 2109.
- d. Off street parking shall be provided for the number of employees on site at any one time.
- e. If located in a single-family residential district, the building shall have an appearance which is nonintrusive and consistent in color, materials, roof-line and architecture, as determined by the planning commission.
- f. Documentation of sufficient indoor classroom, crib or play area meeting state requirements shall be provided. Documentation of approved areas, as licensed by the state, shall be provided.
- g. There shall be sufficient outdoor play area to meet state regulations. All required outdoor play areas shall be fenced with a four-foot tall fence, provided that no fence shall be located in a front yard.

#### Sec. 1862. – Towing services

Towing services without an impound or storage yard, taxi terminals and dispatch facilities, limousine services and bus depots, subject to the following:



- a. All repair work on vehicles and equipment associated with the use shall be conducted completely within an enclosed building.
- b. Outdoor storage of vehicles and equipment associated with the use is permitted, provided that the site includes a building of at least 500 feet of gross floor area for office use in conjunction with the use.

**Sec. 1863. – Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies**

Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies, provided such is enclosed within a building or within an obscuring wall or fence on those sides abutting all residential or business districts, and on any yard abutting a public thoroughfare. In any I-1 district, the extent of such fence or wall may be determined by the planning commission on the basis of usage. Such fence or wall shall not be less than five feet in height, and may, depending on land usage, be required to be eight feet in height. A chain link-type fence, with heavy evergreen shrubbery inside of said fence, shall be considered to be an obscuring fence.

**SECTION 21. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XX:** Township Zoning Ordinance Article XX, “Schedule of Regulations” by amending Section 2000 “Schedule limiting height, bulk, density and area by zoning district, residential districts”, and Notes to schedule of regulations d, g, m through aa, as follows:

**ARTICLE XX. - SCHEDULE OF REGULATIONS**

**Sec. 2000. - Schedule limiting height, bulk, density and area by zoning district, residential districts:**

Zoning District (aa)	Minimum Zoning Lot Size Per Unit (b, v, y)		Maximum Height of Structures		Minimum Yard Setback (per lot in feet) (d, I, j, k, s, t, u, x)				Minimum Ground Floor Area Per Unit (sq. Ft)	Maximum % of Lot Area Covered (by all buildings)
	Area in Sq. Ft. (a, w)	Width in Feet (c)	In Stories	In Feet (g)	Front	Side ( <del>n</del> )		Rear		
						Least	Total of Two			
R-1 one-family residential	32,500	100	2	25	25	12(e)	25	35	1 story 1,200 2 story 900	30
R-2 one-family residential	21,780	90	2	25	25	10(e)	20	35	1 story 900 2 story 720	30
R-3 one-family residential	14,000	80	2	25	25	5(e)	16	35	1 story 720 2 story 600	30
R-4 one-family residential	8,400	60	2	25	25	5(e)	16	35	1 story 720 2 story 600	30
R-5 one-family residential	5,400	50	2	25	20	5(e)	16	35	1 story 720	35

Zoning District (aa)	Minimum Zoning Lot Size Per Unit (b, v, y)		Maximum Height of Structures		Minimum Yard Setback (per lot in feet) (d, I, j, k, s, t, u, x)				Minimum Ground Floor Area Per Unit (sq. Ft)	Maximum % of Lot Area Covered (by all buildings)
	Area in Sq. Ft. (a, w)	Width in Feet (c)	In Stories	In Feet (g)	Front	Side (n)		Rear		
						Least	Total of Two			
									2 story 600	
RM-1 multiple-family	(f)	—	2	25	30(l)	30(l)	60(l)	30(l)	Eff. 350 1 br. 500 2 br. 700 3 br. 900	15
RM-2 multiple-family	(f)	—	3	35	30(l)	30(l)	60(l)	30(l)	4 br. 1,100	25
RM-3 multiple-family	(f)	—	4	45	40(l)	40(l)	80(l)	50(l)	Eff. 350 1 br. 500 2 br. 700 3 br. 900	15
RM-4 multiple-family	(f)	—	No maximum (h)		50(l)	50(l)	100(l)	50(l)	4 br. 1,100	15
RM-5 townhouse residential	(f)	—	3	35	10 (z)	10		10	Minimum total area/unit: 1,000	None
MHP mobile home park	5,500	(r)	(r)	25(r)	(r)	(r)	(r)	(r)	600(r)	(r)
PD planned development	See article XIX for standards									

Sec. 2001. - Schedule limiting height, bulk, density and area by zoning district, commercial, office and industrial districts:

Zoning District	Minimum Zoning Lot Size Per Unit		Maximum Height of Structures		Minimum Yard Setback (per lot in feet) (d, i, j, k, o,s,x)				Minimum Ground Floor Area Per Unit (sq. Ft)	Maximum % of Lot Area Covered (by all buildings)
	Area in Sq. Ft. (a)	Width in Feet (c)	In Stories	In Feet (g)	Front	Side (n)		Rear		
						Least	Total of Two			
OS-1 office space	None	None	2	25	20	(m)	(m)	20	None	None

Zoning District	Minimum Zoning Lot Size Per Unit		Maximum Height of Structures		Minimum Yard Setback (per lot in feet) (d, i, j, k, o,s,x)				Minimum Ground Floor Area Per Unit (sq. Ft)	Maximum % of Lot Area Covered (by all buildings)
	Area in Sq. Ft. (a)	Width in Feet (c)	In Stories	In Feet (g)	Front	Side (n)		Rear		
						Least	Total of Two			
B-1 local business	None	None	2	25	20	(m)	(m)	20	None	None
B-2 community business	None	None	3(q)	30(q)	70	(m)	(m,n)	(n)	None	None
B-3 general business	None	None	2	25	20	(m)	(m)	20	None	None
IRO industrial, research, office	None	None	3(q)	30(q)	50	20	40	(p)	None	None
I-1 light industrial	None	None	(q)	40(q)	40	20	40	40(p)	None	None
I-2 general industrial	None	None	(q)	50(q)	50	40	80	50(p)	None	None
I-3 industrial	None	None	(q)	40(q)	50	40	80	50(p)	None	None
I-C industrial commercial	None	None	(q)	50(q)	50	40	80	50(p)	None	None
P-1 vehicular parking	See article XII for standards									
PD planned development	See article XIX for standards									

Notes to schedule of regulations:

- (d) For all uses permitted other than single-family residential, i.e., places of worship, schools, etc., the setback shall equal the height of the main building or the setback required in section 402 or 2000, whichever is greater.
- (g) The following kinds of structural appurtenances may exceed the height limitations for authorized use:
  - (1) Schools, places of worship and other similar institutional buildings may be erected to a height not exceeding 48 feet provided the front, side and rear yards shall not be less than the height of the building wall abutting such yard;
  - (2) The highest point of chimneys, ~~church~~ spires, cupolas, domes, towers, flag poles, radio and television antennae may be erected to a height not exceeding 60 feet; the average height of such elements which are an architectural feature shall be 48 feet. Radio, television and personal short-wave radio antennae may be permitted up to a height of 100 feet provided the tower is setback from all property lines and buildings a distance equal to half the height of the structure tower.
  - (3) Penthouse or roof top structures for the housing of elevators, stairways, tanks, heating and air conditioning equipment, and other similar apparatus may be erected above the height limits if the planning commission finds that the elevation plans illustrate the following conditions are met:

- a. All roof top equipment and apparatus shall be housed in a penthouse, parapet wall or screening structure constructed of the same type of building material and same color used in the principal structure.
  - b. Penthouses and structures shall be set back from the outermost vertical walls or parapet of the principal structure a distance equal to at least two times the height of such penthouse or structure. The height of such penthouse or structure shall in no instance exceed 15 feet.
  - c. Such penthouse or structure shall not have a total floor area greater than 15 percent of the total roof area of the building.
- (m) No side yards are required along the interior side lot lines of the district, except as otherwise specified in the building code, provided that if walls of structures facing such interior side lot lines contain windows, or other openings, side yards of not less than ten feet shall be provided. Where a lot borders on a residential district or a street, there shall be provided a setback of not less than ten feet on the side bordering the residential district or street.
  - (n) No building shall be closer than 75 feet to the outer perimeter (property line) of such district, or to any major thoroughfare.
  - (o) No building shall be closer than 50 feet to the outer perimeter (property line) of such district when said property abuts any residential district. This requirement does not apply to sites zoned B-5 East Michigan Avenue business district or B-6 Ecorse/Ford business district.
  - (p) All storage shall be in the rear yard and shall be completely screened with an obscuring wall or fence, not less than six feet high, or with a chainlink-type fence and a greenbelt planting so as to obscure all view from any adjacent residential, office or business district or from a public street.
  - (q) The height of structures may exceed the maximum required herein for planned developments of 20 acres or more in area, provided that all yards shall be increased at least one foot in depth for each additional foot of building height above the maximum herein permitted.
  - (r) See article XVIII for modifications allowed and additional requirements. Mobile home parks shall be regulated in accord with Act No. 96 of the Public Acts of Michigan of 1987 (MCL 125.1101 et seq.), as amended.
  - (s) Setback requirements, where such setbacks are to be provided from abutting streets, shall be provided whether such right-of-way is public, private or an access easement.
  - (t) In subdivisions platted prior to the date of adoption of this zoning ordinance and in which a building setback line is established on the lots abutting a lot or lots to be developed, such building line may be utilized as the setback line for new building construction.
  - (u) Minimum yards for site condominiums shall be provided in accordance with this zoning ordinance and shall be computed as follows:
    - (1) Minimum front yard setbacks shall be equal to the distance between the front yard area line and the condominium dwelling.
    - (2) Minimum rear yard setbacks shall be equal to the distance between the rear yard area line and the condominium dwelling. For two back-to-back units, the separation shall equal two rear yard setbacks.
    - (3) Minimum side yard setbacks shall be equal to the distance between the side yard area line and the condominium dwelling. For two side-to-side units, the separation shall equal two side yard setbacks.
  - (v) Dwellings existing and dwellings to be constructed on lots of record in and subdivisions having received tentative preliminary plat approval and on sites in site condominium subdivisions having received preliminary approval prior to the date of adoption of this amendment shall be permitted provided such lots and structures comply with lot area, width and setback requirements of the zoning ordinance at the time of approval.
  - (w) Any submerged area of a lake, river, pond or stream, or regulated wetlands shall not count towards meeting the minimum lot area for single-family lots. Computation of dwelling unit density requirements in RM zones shall not include submerged areas of a lake, river, pond or stream, and regulated wetlands.
  - (x) *Open space setback:* An undisturbed open space setback of not less than 50 feet shall be maintained from the edge of any lake, pond, river or stream, including, but not limited to the Huron River, Paint Creek and their tributaries. An undisturbed open space setback of not less than 25 feet shall be maintained from the edge of any drain or wetland. Such setbacks shall be measured from the top of the bank or other defined edge and shall not be subject to topography.
- The township may permit trails, boardwalks, observation platforms or similar structures that enhance passive enjoyment of a site's natural amenities within the setback as part of an approved site plan.
- (y) Any residential subdivision, condominium or multiple-family development comprising 20 or more lots or dwelling units, either as a single development or as a group of adjacent developments offered by a single proprietor, shall provide an active recreational area which shall contain an area equal in size to 1,500 square feet for each lot or dwelling unit in the subdivision or condominium project or multiple-family development. Said recreational area shall be well drained, graded, seeded or sodded, safe from hazard, accessible to all dwellings, and the location shall be approved by the planning commission. Reservation of the recreational area shall be achieved through deed restrictions or dedication to a subdivision homeowner's association.

- (z) The planning commission may approve a reduction of the minimum required front yard setback for buildings in this district, subject to the following conditions:
  - (1) The development parcel or zoning lot has frontage on only one public street and is not a corner lot,
  - (2) The architectural character of all facades that are visible from the street shall be upgraded to include primarily glass, brick, cut stone, cast stone, smooth stucco or wood. Concrete block, EIFS and other synthetic materials shall be eliminated from these facades, except for minor architectural accents as may be approved by the planning commission.
  - (3) A reduction in the required front yard setback would result in an unsafe traffic or pedestrian safety condition.
- (aa) Where a parcel that is within 500 feet of the I-94 right-of-way is proposed to be developed for residential purposes by means of a multiple family development, condominium, subdivision plat or planned development, such site plan or plat shall delineate that area of the site with sound levels of 61 dBA or greater. No dwelling units shall be located within this 61 dBA or greater area unless one of the following measures is taken:
  - (1) Sound walls or earth berming are installed to attenuate the noise level to less than 61 dBA at the location of all dwellings and all yard areas within 35 feet of all single family dwellings.
  - (2) Sound attenuation measures incorporated into the design and construction of the dwellings, such as masonry construction and insulation resulting in interior noise levels less than 52 dBA.

**SECTION 22. AMENDMENT TO TOWNSHIP ZONING ORDINANCE**

**ARTICLE XXI:** Township Zoning Ordinance Article XXI, “General Provisions” by amending Section 2103 “Accessory buildings and accessory uses”, amending sub-Section 2104.5 “Parking Location”, amending Section 2106 “Off-street loading and unloading” and deleting Section 2107 “Uses not otherwise included within a specific use district” and replacing with Section 2107 “Trash and recycling receptacles”, amending sub-Section 2108.2.i “Trash Receptacle”, amending Section Sec. 2115 “Site plan review”, and deletion of Section 2122 “State-licensed residential child and adult care facilities” and replacement of Section 2122 as a reserved section, as follows:

Sec. 2103. - Accessory buildings and accessory uses:

Accessory buildings and uses, except as otherwise permitted in this ordinance shall be subject to the following regulations:

1. Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this ordinance, applicable to main buildings.
2. A building or structure accessory to a residential building shall not be erected in any yard except a rear yard unless otherwise provided for herein.
3. An accessory building shall not occupy not more than 25 percent of a required rear yard, plus 40 percent of any nonrequired rear yard provided that in no instance shall the accessory building exceed the ground floor area of the main building.
4. No detached accessory building shall be located closer than ten feet to any main building nor shall it be located closer than five feet to any side or rear lot line. A structure built of noncombustible product may be located closer than ten feet to the main building at the discretion of the building official.

In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall not be closer than one foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

5. Detached accessory building in all one-family residential, multiple family residential, office, B-1 and P-1 districts shall not exceed one story or 14 feet in height unless otherwise provided for herein.
6. When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard setback required on the lot in rear of such corner lot. In no instance shall an accessory building be located nearer than ten feet to a street right-of-way line.
7. One recreational vehicle owned by residents of the township and stored on their individual lots shall be stored only within the confines of the rear yard and shall further respect the requirements of this section applicable to accessory buildings, insofar as distances from principal structures, lot lines and easements are concerned. All recreational equipment parked or stored shall not be connected to sanitary facilities and shall not be occupied. In those instances where the rear yard is not accessible by means of a driveway or alley or has insufficient side yard clearance for the passage of a recreational vehicle, the building inspector may allow the parking or storage of such recreational vehicle in the side or front yard. In those instances where a recreational vehicle is to be parked or stored in a front yard, only the driveway portion of such yard shall be utilized and in

no instance shall such recreational vehicle be parked or stored closer than ten feet to the front property line.

8. Accessory buildings on farms shall be excluded from the requirements of this section, provided such buildings are clearly an accessory use to farming activity being conducted on the site, provided further that all other requirements of this ordinance are complied with.
9. On lots of one and one-half acres or more in area located in areas zoned for residential use and having a frontage of not less than 150 feet, pole barns may be constructed as an accessory use provided the following conditions are met:
  - a. Setbacks from side or rear lot lines shall not be less than ten feet.
  - b. The height of such building shall not be more than 20 feet.
  - c. The accessory building shall only be erected in a rear yard and may exceed the ground floor area of the main building but shall not exceed other lot area coverage requirements of this ordinance.
  - d. All building and construction codes of the township shall be complied with.
  - e. Any such lot shall not be located in a platted subdivision.
10. A resident of a dwelling unit may have not more than one motorized vehicle for sale on the site of such dwelling unit at any time and in no instance shall vacant residential lots or parcels be utilized for the sale of vehicles. A resident may repair vehicles of the resident on the property of the resident's dwelling unit; however, in no instance shall a resident repair the vehicle of other than a resident of the dwelling unit on said property. In no instance shall vehicles for sale be displayed in a front yard other than on the driveway portion of such yard. The sale of vehicles from a residential property shall not exceed two vehicles in any one year.
11. Freestanding solar panels shall be considered an accessory building and shall be subject to the requirements for such, together with all other applicable building codes and ordinances.
12. On-site use wind energy system may be located within a rear yard when the following conditions are adhered to:
  - a. *Height:* The highest point of any portion of a tower and/or generator shall not exceed 65 feet in height above the average grade of the parcel.
  - b. *Property setback:* The distance between a tower and the owner's property line shall be at least one and one-half times the height of the tower including the top of the blade in its vertical position. No part of the wind energy system structure, including guy wires may be located within ten feet of a property line.
  - c. *Sound pressure level:* On-site wind energy systems shall not exceed 55 dB(A) at the property line closest to the wind energy system. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe wind storms. If the ambient sound pressure level exceeds 55dB(A), the stand shall be ambient dB(A) plus five dB(A).
  - d. *Construction codes, towers and interconnection standards:* On-site use wind energy systems including towers shall comply with all applicable state construction and electrical codes and local building permit requirements. On-site use wind energy systems including towers shall comply with Federal Aviation Administration (FAA) requirements, the Michigan Airport Zoning Act (Public Act 23, 1950, MCL 259.431 et seq.) the Michigan Tall Structures Act (Public Act 259 of 1959, MCL 259.481 et seq.), and local jurisdiction airport overlay zone regulations. An interconnected on-site use wind energy system shall comply with Michigan Public Service Commission and Federal Energy Regulatory Commission standards. Off-grid systems are exempt from this requirement.
  - e. *Safety:* An on-site use wind energy system shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation or over speeding. All wind towers shall have lightning protection. If a tower is supported by guy wires, the wires shall be clearly visible to a height of at least six feet above the guy wire anchors. The minimum vertical blade tip clearance from grade shall be 20 feet for a wind energy system employing a horizontal axis rotor.
13. In all office, service and business districts, rooftop equipment and apparatus shall be screened from ground level by being housed in a penthouse or structure constructed of the same type of building materials used in the principal structure, or by building design.
14. Private pools shall be permitted as an accessory use within the rear yard only, provided they meet the following requirements:
  - a. There shall be a minimum distance of not less than ten feet between the adjoining property line, or alley right-of-way, and the outside of the pool wall. Side yard setbacks shall apply to side yards if greater than ten feet.
  - b. There shall be a distance of not less than four feet between the outside pool wall and any building located on the same lot.
  - c. No swimming pool shall be located less than 35 feet from any front lot line.
  - d. No swimming pool shall be located closer than one foot from any recorded easement.
  - e. For the protection of the general public, all yards containing swimming pools shall be completely enclosed by a fence not less than four feet in height. The gates shall be of a self-

closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use for extended periods. Provided, however, that if the entire premises of the residence is enclosed, then this provision may be waived by the building inspector upon inspection and approval.

- f. All electrical installations or wiring in connection with swimming pools shall conform to the provision of the National Electrical Code. If service drop conductors of (or) other utility wires cross under or over a proposed pool area, the applicant shall make satisfactory arrangements with the utility involved for the relocation thereof before a permit shall be issued for the construction of a swimming pool. No portion of a swimming pool or associated structure shall be permitted to encroach upon any easement or right-of-way which has been granted for public utility use.

Sec. 2104. - Parking requirements:

5. *Parking Location.*

- a. Off-street parking spaces may be located within a non-required side or rear yard and within the rear yard setback unless otherwise provided in this ordinance. Off-street parking shall not be permitted within a front yard or a side yard setback, except in the office, business and industrial districts (OS-1, B-1, B-2, B-3, IRO, I-1, I-2, I-3, I-C). In the office, business and industrial districts, off-street parking may be permitted in the required front yard provided a minimum unobstructed and landscaped setback of 20 feet is provided. The setback is measured from the nearest point of the off-street parking area, exclusive of access driveways, and the nearest right-of-way line as indicated on the thoroughfare plan of the master plan of future land use.
- b. Off-street parking shall be set back a minimum of ten feet from all lot lines in all zoning districts.
- c. Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant.
- d. Required residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, or combination thereof, and shall be located on the premises they are intended to serve, and subject to the provisions of sec. 2103, "Accessory Buildings and Accessory Uses" of this article. Front yard parking on other than a driveway or in an established apron between a curb and property line shall be prohibited.

Sec. 2106. - Off-street loading and unloading:

On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading in order to avoid undue interference with public use of dedicated rights-of-way. Such space shall be provided as follows:

1. All spaces shall be provided in the rear yard in the ratio of at least ten square feet per front foot of building and shall be computed separately from the off-street parking requirements. Where an alley exists or is provided at the rear of the buildings, the rear building setback and loading requirements may be computed from the center of said alley. In OS districts off-street loading may take place in undesignated places in parking lots provided such loading is of a short term nature..

Sec. 2107. – Trash and recycling receptacles

A space for the location of a separate trash and recycling receptacle, paved and with minimum dimensions of 16 feet wide and 12 feet deep, shall be provided for each zoning lot in the nonresidential districts (OS-1, B-1 through B-6, FS, IRO, I-1 through I-3, I-C, RM-1 through RM-5 and nonresidential uses proposed within a PD district) regardless of whether or not the use of a trash and recycling receptacle is intended, trash and recycling receptacles are permitted provided that:

1. The trash and recycling receptacles are located in a rear yard or interior side yard and are clearly accessible to servicing vehicles.
2. Trash and recycling receptacles shall be screened from view on all sides. Such screening shall consist of walls constructed of a brick or finished concrete materials or earth mound either of which are less than six feet in height or at least one foot above the height of the enclosed trash and recycling receptacles whichever is greater. Gates providing access shall also provide screening and may consist of an approved treated wood material. When possible, trash and recycling receptacles screening should be constructed of the same material type as the main building facade.
3. In those districts mentioned above, trash and recycling receptacles and their screening enclosures shall be located as far as practical from any adjoining residential district or use and shall in no instance be located within 20 feet of any single family residential property line or district.
4. The location of trash and recycling receptacles shall be indicated on site plans and the location and screening shall be subject to the approval of the community and economic development director, or of the planning commission when the planning commission reviews the site plan.

Sec. 2108. - Landscape requirements.

A landscape plan shall be submitted for any proposed use or building which requires the submittal of a site plan or when otherwise required by this ordinance. In cases where a site plan is submitted for alterations or additions to an existing building, all of the standards set forth herein shall be met. Landscape plans shall be approved by the planning commission prior to the issuance of a building permit and shall be prepared in accordance with the following:

2. *Landscaping design standards*
  - i. *Trash receptacle screening.* See section 2107.

Sec. 2115. - Site plan review.

- (3) *Planning commission site plan review procedures and requirements.* Site plans and sketch plans must be submitted in accordance with the following procedures and requirements. Plans are reviewed and approved following a process of pre-conceptual review, preliminary site plan review by the planning commission and final site plan review by the community development department.
  - (a) *Applicant attendance:* The application shall be submitted by the owner of an interest in the land for which site plan approval is sought, or the designated agent of said owner. The applicant or a designated representative must be present at all scheduled review meetings or consideration of the plan shall be tabled due to lack of representation. Absence at two consecutive meetings without prior notice to the township community and economic development department shall result in denial of the application. The township office of community standards may recommend to the planning commission chairperson that the applicant's architect or engineer be required to be present at the meeting in order to address technical matters related to the application.
  - (b) *Pre-application meeting:* The applicant is encouraged to schedule a meeting with the township office of community standards to discuss the project, submittal requirements and review procedures. The purpose of this meeting is to discuss applicable standards and technical issues, and to determine the appropriate type of review process based on Table 2115.1. If the project is determined to be eligible for administrative approval, the procedures of section 2115(4) shall be followed; in other cases, the process shall proceed as described below.
  - (c) *Preliminary site plan or sketch plan submittal:* The applicant shall submit 5 paper copies and a single digital copy of the following to the office of community standards no more than 20 business days prior to the planning commission meeting that the site plan is tentatively scheduled for:
    1. A complete application form supplied by the township.
    2. A complete site plan or sketch plan that includes the information listed in section 2115(5) "Submittal Requirements."
    3. Any additional information the planning commission finds necessary to make the determinations required herein.
  - (d) *Technical (staff) reviews:* The township office of community standards shall forward the application and site plan(s) to the township planning, traffic and engineering consultants, the fire chief, and police chief. All reviews shall be submitted back to the township office of community standards.
  - (e) *Planning commission consideration of preliminary site plan:* Following technical review and comment, and compliance with administrative procedures, the site plan shall be placed on the agenda of the planning commission. The planning commission shall review the application for site plan approval, together with the reports and recommendations from staff, consultants and other reviewing agencies, as appropriate. The planning commission shall then make a determination based on the requirements and standards of this section. The planning commission is authorized to postpone, grant approval, approval subject to revisions or denial as follows:
    1. *Postpone:* The application may be postponed if it is determined to be incomplete, the applicant has not fully responded to deficiencies identified in the technical review, an ordinance interpretation or variance is needed from the zoning board of appeals, or that revisions are necessary to bring the site plan into compliance with applicable standards and regulations. The planning commission shall direct the applicant to prepare additional information, revise the site plan or direct the township staff to conduct additional analysis. The applicant shall be required to prepare revised plans accompanied by a complete list of all changes, certified as such by the applicant's design professional. Full sets of plans must be resubmitted. Amended plans or other material which show a diligent effort to address all reasons for tabling shall be placed on the agenda of the planning commission for further review and action.
    2. *Approval:* Upon determination that all requirements for site plan approval, as set forth herein, are met and a recommendation for approval has been forwarded to the planning commission by all reviewing agencies of the township, approval shall be granted subject to the applicant providing copies of all required outside agency approvals. In those instances where approval authority is vested with the township board, a recommendation shall be made by the planning commission to the township board.
    3. *Approval subject to revisions:* Upon determination that a site plan is in compliance except for minor revisions, said revisions shall be identified and the applicant shall be given the opportunity to correct the site plan prior to applying for final site plan approval. The applicant shall submit with the final site plan a complete list of all changes, certified by the applicant's design professional, to the township office of community standards for final approval after



said revisions have been completed. At its discretion, the planning commission may require the right to review the revised final site plan.

4. *Denial of approval:* Upon determination that a site plan does not comply with standards and regulations set forth in this section, requires extensive revision in order to comply with said standards and regulations, or the applicant has not satisfactorily addressed all reasons for site plan tabling, site plan approval shall be denied. The applicant must revise the plans and resubmit if the applicant is still interested in pursuing the project. A re-submittal shall be considered a new site plan and be required to re-initiate the full site plan review process. Any person aggrieved by the decision of the planning commission in denial of a site plan shall have the right to appeal the decision to the zoning board of appeals. A site plan, by request of the applicant, needs an official denial by the planning commission in order to gain access to the zoning board of appeals.
- (f) *Multiple-family and condominiums preliminary approval:* Site plans for multiple-family and condominium developments shall require the review and approval of both preliminary and final plans by the planning commission and township board. The planning commission shall make a recommendation to the township board to approve, approve with conditions or deny the preliminary site plan. Following receipt of the planning commission's recommendation, the preliminary site plan shall be considered by the township board. The township board shall take action on the request following the same standards as subsection (f) above.
- (g) *Effect of preliminary site plan review action:* Any preliminary site plan approved under this provision shall expire after one year from the date of such approval. If construction has not commenced within one year of site plan or sketch plan approval by the planning commission or the township office of community standards (as applicable), approval becomes null and void and a new application for site plan or sketch plan review shall be required. The applicant may request a one year extension by the planning commission, provided a written request is received before the expiration date and the site plan complies with current standards (i.e. any amendments to the zoning ordinance since the site plan was approved). This limitation shall not apply to preliminary PD site plans accompanying approved PD rezonings.
- (h) *Final site plans (detailed construction and engineering plans):* Except where otherwise set forth in this section, final site plan approval may be given administratively when all conditions set forth herein for final site plans are complied with except the planning commission may, at the time of preliminary site plan approval, require final site plan approval by the commission as well. The township office of community standards shall grant final site plan approval where the following requirements are met:
  1. That all local, county and state requirements as may apply to the proposed use are met. The applicant shall be required to obtain all other necessary agency permits from the Michigan Department of Environmental Quality, the Washtenaw County Road Commission, Drain Commission and Health Department, and all applicable utility companies. Copies of applications and approvals from all applicable outside agencies shall accompany submission of the application and final site plan to the township.
  2. All applicable engineering requirements are met. Complete engineering plans shall be submitted for approval by the township engineer.
  3. The design shown on the final site plan shall remain unchanged from the approved preliminary site plan. Upon determination that the final site plan does not comply with the conditions of preliminary site plan approval or that required engineering plan revisions alter the site plan configuration approved by the planning commission, the applicant shall be required to revise the site plan and engineering plans and resubmit the site plan to the body that approved the site plan for review and approval as an amended site plan.
- (i) *Multiple-family and condominiums:* Final site plans for multiple-family and condominium developments shall require the review and approval by the township board based upon a review and recommendation by the planning commission.
- (j) *Final site approval:* Final site plan approval, except as specifically permitted in subsections 1 and 2 below, shall not be given until all the above requirements are met. No work shall commence on any site, except as specifically permitted herein, or any buildings requiring site plan approval and no permits shall be issued until after final site plan approval is granted.
  1. Upon request, the township may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the movement of soil on the site, prior to final site plan approval, provided:
    - a. A grading and soil erosion and sedimentation control plan, drawn to local specifications and when necessary to county specifications, has been reviewed and approved.
    - b. A soil erosion permit, when required, has been secured.
  2. Upon request, the township may permit, when justifiable conditions are found to exist, and after preliminary site plan approval has been given, the layout of footings and the construction of foundation walls prior to final site plan approval, provided:
    - a. A grading and soil erosion and sedimentation control plan, drawn to local specifications and when necessary to county specifications, has been reviewed and approved.
    - b. A soil erosion permit, when required, has been secured.

- c. Detailed engineering plans for all aboveground and belowground utilities shall be submitted for review and approval.
  - d. Footing and foundation design plans have been approved by all applicable state, county, local departments and consultants.
  - e. A resolution absolving the Township of Ypsilanti of any liability has been submitted by the applicant and approved by the township.
- (k) *Completion of site design in accordance with approved site plan.*
- 1. Following approval of the site plan or sketch plan and final approval of the engineering plans by the township engineer and the office of community standards, a building permit may be obtained. It shall be the responsibility of the applicant to obtain all other applicable township, utility, county, or state permits prior to issuance of a building permit.
  - 2. The approval of any site plan under this provision, other than subdivisions (subdivision shall follow the procedures of the Land Division Act) shall expire one year after the date of such approval, unless actual construction and development have been commenced in accordance with said site plan prior thereto. If such construction and development is commenced within said one year period, then such approval shall continue for a period of five years from the date thereof; provided, however, that a lapse of more than one year in continuous substantial construction and development does not occur, in which event, said approval shall expire. The township building official shall not issue a building permit for any type of construction on the basis of the approved site plan after such approval has expired unless such plan has received an extension for from the planning commission or township board. Fees for review of expired site plan may be waived or reduced in those instances where no substantial change in conditions of the site plan nor of abutting uses has taken place. In those instances where conditions have changed, the fee for review of expired site plans shall be the same as for the initial submittal. Any preliminary site plan approved under this provision shall expire after one year from the date of such approval.
  - 3. It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site approval was based, or until a new site design approval is sought. Such maintenance shall include all building and site elements depicted on the site plan including parking configuration, lighting and landscaping. Any property owner who fails to maintain a site as approved shall be deemed in violation of the applicable use provisions of this section and shall be subject to penalties.
  - 4. A development agreement with suitable guarantee may be required by the township to assure compliance with an approved final site plan.
- (4) *Administrative plan review.* For uses and projects eligible for administrative review, as identified in Table 2115.1, the following procedure shall apply:
- (a) *Submittal requirements:* Five paper copies and a single digital copy of the sketch plan that contains the information listed in section 2115(5) shall be submitted to the township office of community standards.
  - (b) *Review:* The office of community standards shall review and either approve the sketch plan, approve the sketch plan with a condition that certain revisions be made, or deny the sketch plan.
  - (c) *Appeal:* Either the township office of community standards or the applicant shall have the option to request sketch plan review by the planning commission.
  - (d) *Issuance of building permit:* A building permit shall be issued following review and approval of any engineering or construction plans by the building department and township engineer, as appropriate.
- (5) *Submittal requirements.* The following information shall be included with and as part of the site plan(s) or sketch plan(s) submitted for review. Each category of site plan items ((a), (b), (c), etc.) shall be included on a separate sheet. Applications considered to be incomplete by the office of community standards may not be reviewed by the planning commission.

Sec. 2122. – RESERVED

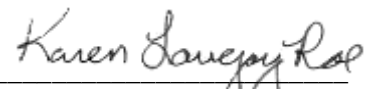
**SECTION 23. SEVERABILITY.** In the event that any one or more sections, provisions, phrases or words of this ordinance shall be found to be invalid by a Court of competent jurisdiction, such holding shall not affect the validity nor the enforceability of the remaining sections, provisions, phrases or words of this Ordinance unless expressly so determined by a Court of competent jurisdiction.

**SECTION 24. PUBLICATION.** This ordinance shall be published in a newspaper of general circulation as required bylaw.

**SECTION 25. EFFECTIVE DATE:** This ordinance shall become effective upon publication in a newspaper of general circulation as required by law.

**SECTION 26. REPEAL:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2018-476 by the Charter Township of Ypsilanti Board of Trustees assembled at a Regular Meeting held on February 20, 2018 after first being introduced at a Regular Meeting held on January 16, 2018. The motion to approve was made by member Roe and seconded by Ross Williams YES: Stumbo, Roe, Doe, Eldridge, Ross Williams, Wilson, Jarrell Roe ABSENT: None NO: None. ABSTAIN: None.



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Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

Published: Thursday, March 1, 2018

**CHARTER TOWNSHIP OF YPSILANTI  
2018 BUDGET AMENDMENT #4**

**February 20, 2018**

AMOUNTS ROUNDED TO THE NEAREST DOLLAR

**101 - GENERAL OPERATIONS FUND**

**Total Increase \$5,048.00**

Request to increase revenue and expenditure to reflect the legal padlock lawsuit funds of \$5,047.72 received on property located at 812 Cliffs Dr #201, Ypsilanti, MI, 48198. This is funded by a settlement check received 2/12/18.

Revenues:	Settlements & Judgements	101-000-000-655.100	\$5,048.00
		Net Revenues	<u>\$5,048.00</u>
Expenditures:	Public Nuisance - Legal Svcs	101-956-000-801.023	\$5,048.00
		Net Expenditures	<u>\$5,048.00</u>

**206 - FIRE FUND**

**Total Increase \$12,340.00**

Request to increase budget for 10% matching of Grants for SCBA equipment at \$7,909.09 and Fire Hose & Accessories at \$4,430.45 for a total of \$12,339.54. This budget amendment will be completed if Grants are approved. This will be funded by an Appropriation of Prior Year Fund Balance.

Revenues:	Prior Year Fund Balance	206-000-000-699.000	\$12,340.00
		Net Revenues	<u>\$12,340.00</u>
Expenditures:	Capital Outlay -Fire Equip Fed Grant	206-970-000-979.005	\$12,340.00
		Net Expenditures	<u>\$12,340.00</u>

Motion to Amend the 2018 Budget (#4):

Move to increase the General Fund budget by \$5,048 to \$9,011,680 and approve the department line item changes as outlined.

Move to increase the Fire Fund budget by \$12,340 to \$5,183,252 and approve the department line item changes as outlined.

# Charter Township of Ypsilanti

## RESOLUTION NO. 2018-05

### OWNERS DAM SAFETY PROGRAM (ODSP)

**WHEREAS**, the Charter Township of Ypsilanti, in Washtenaw County Michigan, currently holding a license with the Federal Energy Regulatory Commission (FERC) to operate the Ford Lake Hydroelectric Project (Project) #5334, and

**WHEREAS**, the FERC requires the Charter Township of Ypsilanti to develop, implement, fund and continue to support the ODSP, per the FERC guideline, for the Project until such time that the Charter Township of Ypsilanti releases ownership or the Project is no longer under the jurisdiction of the FERC, and

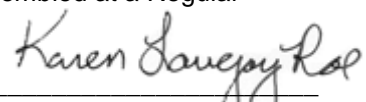
**WHEREAS**, the ODSP document clearly defines the responsibility for the Charter Township of Ypsilanti and its employees, and consultants, and

**WHEREAS**, the purpose of this Resolution is not new to the Charter Township of Ypsilanti, but rather a re-dedication to dam safety and the responsibilities that come with owning the Project, and

**WHEREAS**, by the action of this document, the Charter Township of Ypsilanti is showing the commitment to the FERC to operate a safe Project, prioritizing safety over any other goals, and

**NOW THEREFORE**, be it resolved that the Charter Township of Ypsilanti Board of Trustees acknowledges the Owners Dam Safety Program to maintain compliance with the FERC and define the role of Charter Township of Ypsilanti related to the Project.

I, Karen Lovejoy Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify the above resolution is a true and exact copy of Resolution No. 2018-05 approved by the Charter Township of Ypsilanti, Board of Trustees assembled at a Regular Meeting held on February 20, 2018.



Karen Lovejoy Roe, Clerk  
Charter Township of Ypsilanti

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE SALINE AREA FIRE DEPARTMENT AND ITS REGIONAL  
PARTICIPATING PARTNERS**

**2017 ASSISTANCE FOR FIREFIGHTERS GRANT PROGRAM**

**AUTO EXTRICATION**

**PREAMBLE**

This Memorandum of Understanding (“MOU”) is entered into between the Saline Area Fire Department (hereafter “Hosting Organization”) and by and among each municipal and township that executes this MOU and adopts its terms and conditions, in view of the following:

Whereas, the Hosting Organization has agreed and will be responsible for submission of the Regional Application to the 2017 Assistance for Firefighters Grant Program, in its own name on behalf of itself and the other regional participating partners who have executed this MOU on behalf of their respective government entities, for the acquisition of Auto Extrication Equipment;

Whereas, if awarded the grant the Hosting Organization has agreed to perform all programmatic and financial responsibilities as grant recipient and accept the awarded equipment and share it with its Regional Participating Partners in accordance with the terms of the grant;

Whereas, each Regional Participating Partner, as evidenced by their execution of this MOU agrees to accept the terms under which facilitation of their use of the training and equipment as may be specified by the grant award and/or this MOU.

**TERMS**

**I. Purpose**

The purpose of this MOU is to establish a cooperative agreement between the Saline Area Fire Department, the programmatic and financial administrator (host) for the Saline Area Fire Department and its Regional Participating Partners, (hereinafter the “Regional Participating Partners”) to secure a 2017 Assistance to Firefighters Grant and to provide Auto Extrication Equipment for the region’s safety services. This purchase will help protect the health and safety of the public and safety service personnel through obtaining equipment on a regional basis allowing for increased efficiencies in response and support by and among local jurisdictions.

The Township and the Regional Participating Partners accept and agree to abide by the terms and conditions of the grant, including but not limited to those specifically enumerated in this MOU. All parties agree that Federal funds under this award will be used to supplement, but not supplant, State or local funds for first responder preparedness.

## **II. Definitions**

*Authorized Representative:* The fire chief of a participating governmental entity, or his/her designee, who has authorization to execute this MOU.

*Equipment:* Auto Extrication

*Host Organization:* Saline Area Fire Department

*Regional Participating Partners:* Any government entity that executes this MOU.

## **III. Background to the Assistance Firefighters Grant Project**

### **Purpose and Objective:**

The purpose of the AFG Program is to enhance, through direct financial assistance, the health and safety of the public and firefighting personnel and to provide a continuum of support for emergency responders regarding fire, medical, and all-hazard events.

The objective of the FY 2017 AFG Program is to award grants directly to fire departments, nonaffiliated EMS organizations, and SFTAs for critically needed resources to protect the public, train emergency personnel, foster interoperability, and support community resilience.

Eligible activities requested that have an immediate impact on the safety of emergency responders, other personnel, or the public may receive additional consideration during the application review process.

FY 2017 AFG Programs play an important role in the implementation of the National Preparedness System (NPS) by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal (NPG) of a secure and resilient Nation. Delivering core capabilities requires the combined effort of the whole community, rather than the exclusive effort of any single organization or level of government.

### **Problem Statement:**

In Washtenaw, Wayne, and Lenawee Counties, the Saline Area Fire Department and the said Regional Participating Partners lack the appropriate Auto Extrication Equipment to provide better firefighter safety on fire scenes.

The AFG-Funding Opportunity Announcement reflects the Center for Domestic Planning's recommendations for program priorities designed to address:

1. *Protecting the public and first responder safety* - providing the Equipment would be the first step in implementing common Auto Extrication equipment among Regional Participating Partners providing safety service personnel enhanced fire responder safety.
2. *Enhancing capabilities and resilience (local, regional, and national)* – provides/enhances the opportunity to build long-term interagency relationships through better understanding of each local partner's Auto Extrication equipment.



3. *Enhancing National Capabilities* -grant funding will assist in moving the Authority and the Regional Participating Partners closer in meeting one of the national priorities under the National Preparedness Goal by strengthening common capabilities.

4. *Risk - Risk Based Prioritization* -grant funding will assist in moving the Authority and the Regional Participating Partners closer to common equipment amongst all Regional Participating Partners. The Saline Area Fire Department and the Regional Participating Partners will build and/or leverage on existing resources to strategically invest in enhancing future interpretational capabilities and working relationships.

5. *Interoperability* - Grant funding will allow the Authority and the Regional Participating Partners to develop short and long term goals, activities and a continuing training program to continue to enhance regional interoperability, consistent, in concert, and/or in parallel with Mutual Aid programs.

#### **IV. Responsibilities of the Saline Area Fire Department**

As the Hosting Organization for the 2017 Assistance Firefighters Grant, the Authority will:

- a. Oversee the grant application, implementation and coordination with the grantor.
- b. Manage grant activities including, but not limited to, project and fiscal reports for the grantor.
- c. Procuring the Training and/or Equipment after receiving input from the Regional Participating Partners.
- d. Act as the fiscal agent for the grant including:
  1. Invoicing the Regional Participating Partners for their share of the 10% matching grant cost (if applicable) of Equipment based on the count of each department's personnel or requested equipment number at time of Training and/or Equipment purchase.
  2. Arranging payment to vendors.
  3. Preparing program and fiscal reports required by the grantor.
  4. Auditing and tracking grant funds and deliverables as required by the grantor.
  5. Coordinate procurement of the Equipment through a competitive bidding process in compliance with the Saline Area Fire Department's Purchasing Policy.
- e. Coordinate communications with the Regional Participating Partners throughout the grant term.

#### **IV. Responsibilities of the Regional Participating Partners**

Each of the Regional Participating Partners will:

- a. Provide funding share of the 10% matching grant cost of Equipment based on the department's personnel number at time of Equipment and Training Purchase. The share of cost shall be paid upon receipt of invoice from the Authority, in advance of Equipment procurement.
- b. Participate and train its employees on the Equipment which will be documented.
- c. Provide the following assigned liaison(s):
  1. Primary Contact who is responsible for: the Regional Partner's point of contact.
  2. Training Contact who is responsible to oversee the Regional Partner's training
  3. Fiscal Contact: responsible for accounting, fiscal reporting and payment.

- d. Promptly provide any additional documentation to the Authority as requested that may be necessary in connection with the grant.
- e. Be responsible for their received equipment maintenance as needed

## **VI. Local/Regional Mutual Aid or Reciprocal Aid Compacts and Agreements**

Nothing in this MOU, including participation in or requests for assistance by any eligible Regional Participating Partner shall preclude, abrogate or supersede the fulfillment of the terms of any local or regional mutual aid or reciprocal aid compacts and agreements and the duty of the Hosting Organization to provide equipment and other available resources during a threat or actual occurrence of any emergency, disaster or serious threat to public health and safety.

## **VII. Arbitration of Disputes**

Any controversy or claim arising out of or relating to this MOU, or the breach thereof by the parties, shall be resolved in the following manner:

- a. The party asserting noncompliance shall serve written notice to the other party or parties. The notice shall identify the specific provision alleged to have been violated and shall specify the factual and legal basis for the alleged noncompliance.
- b. In the event the controversy or claim is not resolved to the satisfaction of both parties within 90 days after service of the notice set forth in subsection a above, either party may request that controversy or claim be resolved through mediation or any other available legal proceedings.
- c. Nothing herein shall be construed to waive, limit or restrict any defense that is otherwise available to either party.

## **VIII. Indemnification**

- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the Saline Area Fire Department pursuant to the terms of this MOU shall be the responsibility of the Saline Area Fire Department if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Saline Area Fire Department or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the government body or unit of government or its employees by common law, statute, or court decision.
- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of a Regional Participating Partner, or its employees shall be the responsibility of the Regional Participating Partner if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Regional Participating Partner or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the Regional Participating Partner, or the employees of any of them as provided by common law, statute, or court decision.

## **IX. Insurance**

Each party to this MOU shall bear the risk of its own actions as it would with normal, day-to-day operations and determine for itself what kinds and amounts of insurance it should carry.

## **X. Termination of the MOU**

- a. This MOU shall terminate when all AFG Program obligations are completed and/or expired.
- b. A Regional Participating Partner may terminate its participation in this MOU any time prior to the Regional Participating Partners purchasing the Training and/or Equipment and with 30 days' written notice to the Authority's Project Lead.

## **XI. Points of Contact**

The Saline Area Fire Department will designate a Primary Lead, as well as identify Points of Contact for Training, Fiscal, and Documentation responsibilities. The Regional Participating Partners will designate a Primary Point of Contact, as well as identify Points of Contact for Training and Fiscal responsibilities. Points of Contact are set forth in the attached Exhibit A.

## **XII. Notice**

Notice of termination or withdrawal from this MOU shall be made in writing and shall be served personally or by registered mail upon the Saline Area Fire Department's Project Lead. Termination or withdrawal shall not be effective until 30 days after the Saline Area Fire Department has received written notice. The termination or withdrawal from the MOU shall apply only to the Regional Participating Partner that has tendered the required notice; this MOU shall otherwise remain in full force and effect until all AFG Program obligations are completed and/or expired.

## **XIII. Choice of Law; Severability**

This MOU will be governed and controlled in all respects by the laws of the State of Michigan, including interpretation, enforceability, validity and construction. Whenever possible, each provision of this MOU will be interpreted in a manner as to be effective and valid under applicable law. However, if any provision of this MOU or the application of any provision to any party or circumstance will be prohibited by or invalid under applicable law, that provision will be ineffective to the extent of the prohibition or invalidity without invalidating the remainder of the provisions of this MOU or the application of the provision to other parties and circumstances.

## **XIV. Authority to Enter into MOU; Execution by Counterpart**

The persons executing this MOU on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this MOU on behalf of the entity for which they sign.

This MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement.

## **XV. Extent of Agreement; Amendments**

This MOU, together with any affixed exhibits or other documentation, constitutes the entire understanding between the Hosting Organization and the Regional Participating Partners with respect to the subject matter of the MOU and it supersedes, unless otherwise incorporated by reference herein, all prior representations, negotiations, agreements or understandings whether written or oral. No party has relied on any prior representations, of any kind or nature, in entering into this MOU. This MOU may be amended by written agreement by all parties if approved in accordance with grant contract terms and conditions. Notice of any amendments or revisions of the MOU must be made in writing to all parties by the requesting entity. Amendments shall only take effect upon acceptance and execution of an amended instrument by all parties.

**Saline Area Fire Department  
(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_

**Craig Hoeft, Fire Chief**

**EIN: 38-2145514**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY ANN ARBORTOWNSHIP

Ann Arbor Township, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ann Arbor Township.

**Ann Arbor Township Fire Department  
(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Mark Nicholai, Fire Chief**

**EIN: 38-6008278**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY AUGUSTA TOWNSHIP FIRE DEPARTMENT

Augusta Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Augusta Township Fire Department.

**Augusta Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**David Music, Fire Chief**

**EIN: 38-2042062**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY CITY OF BELLEVILLE FIRE DEPARTMENT

City of Belleville Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the City of Belleville Fire Department.

**City of Belleville Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_

**Brian Loranger, Fire Chief**

**EIN: 38-6004535**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY CHELSEA AREA FIRE AUTHORITY

Chelsea Area Fire Authority, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Chelsea Area Fire Authority.

**Chelsea Area Fire Authority  
(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_  
**Rob Arbini, Fire Chief**

**EIN: 38-3479379**



ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY GREEN OAK TOWNSHIP FIRE DEPARTMENT

Green Oak Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the Green Oak Township Fire Department.

**Green Oak Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_

**Kevin Gentry, Fire Chief**

**EIN: 38-1805680**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY MANCHESTER TOWNSHIP FIRE DEPARTMENT

Manchester Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Manchester Township Fire Department.

**Manchester Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Bill Scully, Fire Chief**

**EIN: 38-1867002**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER  
BY MILAN AREA FIRE DEPARTMENT

Milan Area Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Milan Area Fire Department.

**Milan Area Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Bob Stevens, Fire Chief**

**EIN: 38-2334316**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY NORTHFIELD TOWNSHIP FIRE DEPARTMENT

Northfield Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Northfield Township Fire Department.

**Northfield Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**William Wagner, Fire Chief**

**EIN: 38-1812291**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY NORTHVILLE TOWNSHIP FIRE DEPARTMENT

Northville Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Northville Township Fire Department.

**Northville Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Brent Siegel, Fire Chief**

**EIN: 38-6006917**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY PITTSFIELD TOWNSHIP FIRE DEPARTMENT

Pittsfield Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Pittsfield Township Fire Department.

**Pittsfield Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Sean Gleason, Fire Chief**

**EIN: 38-1737680**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY VAN BUREN TOWNSHIP FIRE DEPARTMENT

Van Buren Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Van Buren Township Fire Department.

**Van Buren Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Amy Brow, Fire Chief**

**EIN: 38-6007135**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI CITY FIRE DEPARTMENT

Ypsilanti City Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti City Fire Department.

**Ypsilanti City Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Max Anthouard Fire Chief**

**EIN: 38-600475**



ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI TOWNSHIP FIRE DEPARTMENT

Ypsilanti Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti Township Fire Department.

**Ypsilanti Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Eric Copeland, Fire Chief**

EIN: 38-6007433

Brenda L. Stumbo  
Brenda L. Stumbo, Supervisor 2-21-18

Karen Longway  
Karen Longway, Clerk 2-21-18



**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE NORTHFIELD TOWNSHIP FIRE DEPARTMENT AND ITS REGIONAL  
PARTICIPATING PARTNERS**

**2017 ASSISTANCE FOR FIREFIGHTERS GRANT PROGRAM**

**FIRE HOSE**

**PREAMBLE**

This Memorandum of Understanding (“MOU”) is entered into between the Northfield Township Fire Department (hereafter “Hosting Organization”) and by and among each municipal and township that executes this MOU and adopts its terms and conditions, in view of the following:

Whereas, the Hosting Organization has agreed and will be responsible for submission of the Regional Application to the 2017 Assistance for Firefighters Grant Program, in its own name on behalf of itself and the other regional participating partners who have executed this MOU on behalf of their respective government entities, for the acquisition of Fire Hose;

Whereas, if awarded the grant the Hosting Organization has agreed to perform all programmatic and financial responsibilities as grant recipient and accept the awarded equipment and share it with its Regional Participating Partners in accordance with the terms of the grant;

Whereas, each Regional Participating Partner, as evidenced by their execution of this MOU agrees to accept the terms under which facilitation of their use of the training and equipment as may be specified by the grant award and/or this MOU.

**TERMS**

**I. Purpose**

The purpose of this MOU is to establish a cooperative agreement between the Northfield Township Fire Department, the programmatic and financial administrator (host) for the Northfield Township Fire Department and its Regional Participating Partners, (hereinafter the “Regional Participating Partners”) to secure a 2017 Assistance to Firefighters Grant and to provide Fire Hose for the region’s safety services. This purchase will help protect the health and safety of the public and safety service personnel through obtaining equipment on a regional basis allowing for increased efficiencies in response and support by and among local jurisdictions.

The Township and the Regional Participating Partners accept and agree to abide by the terms and conditions of the grant, including but not limited to those specifically enumerated in this MOU. All parties agree that Federal funds under this award will be used to supplement, but not supplant, State or local funds for first responder preparedness.

## **II. Definitions**

*Authorized Representative:* The fire chief of a participating governmental entity, or his/her designee, who has authorization to execute this MOU.

*Equipment:* Fire Hose and appropriate associated accessories

*Host Organization:* Northfield Township Fire Department

*Regional Participating Partners:* Any government entity that executes this MOU.

## **III. Background to the Assistance Firefighters Grant Project**

### **Purpose and Objective:**

The purpose of the AFG Program is to enhance, through direct financial assistance, the health and safety of the public and firefighting personnel and to provide a continuum of support for emergency responders regarding fire, medical, and all-hazard events.

The objective of the FY 2017 AFG Program is to award grants directly to fire departments, nonaffiliated EMS organizations, and SFTAs for critically needed resources to protect the public, train emergency personnel, foster interoperability, and support community resilience.

Eligible activities requested that have an immediate impact on the safety of emergency responders, other personnel, or the public may receive additional consideration during the application review process.

FY 2017 AFG Programs play an important role in the implementation of the National Preparedness System (NPS) by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal (NPG) of a secure and resilient Nation. Delivering core capabilities requires the combined effort of the whole community, rather than the exclusive effort of any single organization or level of government.

### **Problem Statement:**

In Washtenaw and Wayne Counties, the Northfield Township Fire Department and the said Regional Participating Partners lack the appropriate Fire Hose to provide better firefighter safety on fire scenes.

The AFG-Funding Opportunity Announcement reflects the Center for Domestic Planning's recommendations for program priorities designed to address:

1. *Protecting the public and first responder safety* - providing the Equipment would be the first step in implementing common Fire Hose among Regional Participating Partners providing safety service personnel enhanced fire responder safety.
2. *Enhancing capabilities and resilience (local, regional, and national)* – provides/enhances the opportunity to build long-term interagency relationships through better understanding of each local partner's Fire Hose.
3. *Enhancing National Capabilities* -grant funding will assist in moving the Authority and the Regional Participating Partners closer in meeting one of the national priorities under the National Preparedness Goal by strengthening common capabilities.

4. *Risk* - Risk Based Prioritization -grant funding will assist in moving the Authority and the Regional Participating Partners closer to common equipment amongst all Regional Participating Partners. The Northfield Township Fire Department and the Regional Participating Partners will build and/or leverage on existing resources to strategically invest in enhancing future interpretational capabilities and working relationships.

5. *Interoperability* - Grant funding will allow the Authority and the Regional Participating Partners to develop short and long term goals, activities and a continuing training program to continue to enhance regional interoperability, consistent, in concert, and/or in parallel with Mutual Aid programs.

#### **IV. Responsibilities of the Northfield Township Fire Department**

As the Hosting Organization for the 2017 Assistance Firefighters Grant, the Authority will:

- a. Oversee the grant application, implementation and coordination with the grantor.
- b. Manage grant activities including, but not limited to, project and fiscal reports for the grantor.
- c. Procuring the Training and/or Equipment after receiving input from the Regional Participating Partners.
- d. Act as the fiscal agent for the grant including:
  1. Invoicing the Regional Participating Partners for their share of the 10% matching grant cost (if applicable) of Equipment based on the count of each department's personnel or requested equipment number at time of Training and/or Equipment purchase.
  2. Arranging payment to vendors.
  3. Preparing program and fiscal reports required by the grantor.
  4. Auditing and tracking grant funds and deliverables as required by the grantor.
  5. Coordinate procurement of the Equipment through a competitive bidding process in compliance with the Northfield Township Fire Department's Purchasing Policy.
- e. Coordinate communications with the Regional Participating Partners throughout the grant term.

#### **IV. Responsibilities of the Regional Participating Partners**

Each of the Regional Participating Partners will:

- a. Provide funding share of the 10% matching grant cost of Equipment based on the department's personnel number at time of Equipment and Training Purchase. The share of cost shall be paid upon receipt of invoice from the Authority, in advance of Equipment procurement.
- b. Participate and train its employees on the Equipment which will be documented.
- c. Provide the following assigned liaison(s):
  1. Primary Contact who is responsible for: the Regional Partner's point of contact.
  2. Training Contact who is responsible to oversee the Regional Partner's training
  3. Fiscal Contact: responsible for accounting, fiscal reporting and payment.
- d. Promptly provide any additional documentation to the Authority as requested that may be necessary in connection with the grant.
- e. Be responsible for their received equipment maintenance as needed

## **VI. Local/Regional Mutual Aid or Reciprocal Aid Compacts and Agreements**

Nothing in this MOU, including participation in or requests for assistance by any eligible Regional Participating Partner shall preclude, abrogate or supersede the fulfillment of the terms of any local or regional mutual aid or reciprocal aid compacts and agreements and the duty of the Hosting Organization to provide equipment and other available resources during a threat or actual occurrence of any emergency, disaster or serious threat to public health and safety.

## **VII. Arbitration of Disputes**

Any controversy or claim arising out of or relating to this MOU, or the breach thereof by the parties, shall be resolved in the following manner:

- a. The party asserting noncompliance shall serve written notice to the other party or parties. The notice shall identify the specific provision alleged to have been violated and shall specify the factual and legal basis for the alleged noncompliance.
- b. In the event the controversy or claim is not resolved to the satisfaction of both parties within 90 days after service of the notice set forth in subsection a above, either party may request that controversy or claim be resolved through mediation or any other available legal proceedings.
- c. Nothing herein shall be construed to waive, limit or restrict any defense that is otherwise available to either party.

## **VIII. Indemnification**

- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the Northfield Township Fire Department pursuant to the terms of this MOU shall be the responsibility of the Northfield Township Fire Department if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Northfield Township Fire Department or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the government body or unit of government or its employees by common law, statute, or court decision.
- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of a Regional Participating Partner, or its employees shall be the responsibility of the Regional Participating Partner if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Regional Participating Partner or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the Regional Participating Partner, or the employees of any of them as provided by common law, statute, or court decision.

## **IX. Insurance**

Each party to this MOU shall bear the risk of its own actions as it would with normal, day-to-day operations and determine for itself what kinds and amounts of insurance it should carry.

## **X. Termination of the MOU**

- a. This MOU shall terminate when all AFG Program obligations are completed and/or expired.
- b. A Regional Participating Partner may terminate its participation in this MOU any time prior to the Regional Participating Partners purchasing the Training and/or Equipment and with 30 days' written notice to the Authority's Project Lead.

## **XI. Points of Contact**

The Northfield Township Fire Department will designate a Primary Lead, as well as identify Points of Contact for Training, Fiscal, and Documentation responsibilities. The Regional Participating Partners will designate a Primary Point of Contact, as well as identify Points of Contact for Training and Fiscal responsibilities. Points of Contact are set forth in the attached Exhibit A.

## **XII. Notice**

Notice of termination or withdrawal from this MOU shall be made in writing and shall be served personally or by registered mail upon the Northfield Township Fire Department's Project Lead. Termination or withdrawal shall not be effective until 30 days after the Northfield Township Fire Department has received written notice. The termination or withdrawal from the MOU shall apply only to the Regional Participating Partner that has tendered the required notice; this MOU shall otherwise remain in full force and effect until all AFG Program obligations are completed and/or expired.

## **XIII. Choice of Law; Severability**

This MOU will be governed and controlled in all respects by the laws of the State of Michigan, including interpretation, enforceability, validity and construction. Whenever possible, each provision of this MOU will be interpreted in a manner as to be effective and valid under applicable law. However, if any provision of this MOU or the application of any provision to any party or circumstance will be prohibited by or invalid under applicable law, that provision will be ineffective to the extent of the prohibition or invalidity without invalidating the remainder of the provisions of this MOU or the application of the provision to other parties and circumstances.

## **XIV. Authority to Enter into MOU; Execution by Counterpart**

The persons executing this MOU on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this MOU on behalf of the entity for which they sign.

This MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement.

## **XV. Extent of Agreement; Amendments**

This MOU, together with any affixed exhibits or other documentation, constitutes the entire understanding between the Hosting Organization and the Regional Participating Partners with respect to the subject matter of the MOU and it supersedes, unless otherwise incorporated by reference herein, all prior representations, negotiations, agreements or understandings whether written or oral. No party has relied on any prior representations, of any kind or nature, in entering into this MOU. This MOU may be amended by written agreement by all parties if approved in accordance with grant contract terms and conditions. Notice of any amendments or revisions of the MOU must be made in writing to all parties by the requesting entity. Amendments shall only take effect upon acceptance and execution of an amended instrument by all parties.

**Northfield Township Fire Department  
(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**William Wagner, Fire Chief**

**EIN: 38-1812291**



ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY ANN ARBORTOWNSHIP

Ann Arbor Township, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ann Arbor Township.

**Ann Arbor Township Fire Department  
(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Mark Nicholai, Fire Chief**

**EIN: 38-6008278**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY AUGUSTA TOWNSHIP FIRE DEPARTMENT

Augusta Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Augusta Township Fire Department.

**Augusta Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**David Music, Fire Chief**

**EIN: 38-2042062**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY CITY OF BELLEVILLE FIRE DEPARTMENT

City of Belleville Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the City of Belleville Fire Department.

**City of Belleville Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_

**Brian Loranger, Fire Chief**

**EIN: 38-6004535**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY GREEN OAK TOWNSHIP FIRE DEPARTMENT

Green Oak Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the Green Oak Township Fire Department.

**Green Oak Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_

**Kevin Gentry, Fire Chief**

**EIN: 38-1805680**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER  
BY MILAN AREA FIRE DEPARTMENT

Milan Area Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Milan Area Fire Department.

**Milan Area Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Bob Stevens, Fire Chief**

**EIN: 38-2334316**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY NORTHVILLE TOWNSHIP FIRE DEPARTMENT

Northville Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Northville Township Fire Department.

**Northville Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Brent Siegel, Fire Chief**

**EIN: 38-6006917**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY SALEM TOWNSHIP FIRE DEPARTMENT

Salem Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the Salem Township Fire Department

**Salem Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Craig Hoeft, Fire Chief**

**EIN: 38-2145514**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER  
BY SCIO TOWNSHIP FIRE DEPARTMENT

Scio Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the Scio Township Fire Department

**Scio Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Doug Armstrong, Fire Chief**

**EIN: 38-1948636**



ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY VAN BUREN TOWNSHIP FIRE DEPARTMENT

Van Buren Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Van Buren Township Fire Department.

**Van Buren Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Amy Brow, Fire Chief**

**EIN: 38-6007135**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI CITY FIRE DEPARTMENT

Ypsilanti City Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti City Fire Department.

**Ypsilanti City Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Max Anthouard Fire Chief**

**EIN: 38-600475**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI TOWNSHIP FIRE DEPARTMENT

Ypsilanti Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti Township Fire Department.

**Ypsilanti Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Eric Copeland, Fire Chief**

EIN: 38-6007433

*Branda L. Stumbo*

*Branda L. Stumbo, Supervisor 2-21-18*

*Karen Lovejoy Roe*

*Karen Lovejoy Roe, Clerk 2-21-18*



**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE SUPERIOR TOWNSHIP FIRE DEPARTMENT AND ITS REGIONAL  
PARTICIPATING PARTNERS**

**2017 ASSISTANCE FOR FIREFIGHTERS GRANT PROGRAM**

**SCBA**

**PREAMBLE**

This Memorandum of Understanding (“MOU”) is entered into between the Superior Township Fire Department (hereafter “Hosting Organization”) and by and among each municipal and township that executes this MOU and adopts its terms and conditions, in view of the following:

Whereas, the Hosting Organization has agreed and will be responsible for submission of the Regional Application to the 2017 Assistance for Firefighters Grant Program, in its own name on behalf of itself and the other regional participating partners who have executed this MOU on behalf of their respective government entities, for the acquisition of SCBA;

Whereas, if awarded the grant the Hosting Organization has agreed to perform all programmatic and financial responsibilities as grant recipient and accept the awarded equipment and share it with its Regional Participating Partners in accordance with the terms of the grant;

Whereas, each Regional Participating Partner, as evidenced by their execution of this MOU agrees to accept the terms under which facilitation of their use of the training and equipment as may be specified by the grant award and/or this MOU.

**TERMS**

**I. Purpose**

The purpose of this MOU is to establish a cooperative agreement between the Superior Township Fire Department, the programmatic and financial administrator (host) for the Superior Township Fire Department and its Regional Participating Partners, (hereinafter the “Regional Participating Partners”) to secure a 2017 Assistance to Firefighters Grant and to provide SCBA for the region’s safety services. This purchase will help protect the health and safety of the public and safety service personnel through obtaining equipment on a regional basis allowing for increased efficiencies in response and support by and among local jurisdictions.

The Township and the Regional Participating Partners accept and agree to abide by the terms and conditions of the grant, including but not limited to those specifically enumerated in this MOU. All parties agree that Federal funds under this award will be used to supplement, but not supplant, State or local funds for first responder preparedness.

## **II. Definitions**

*Authorized Representative:* The fire chief of a participating governmental entity, or his/her designee, who has authorization to execute this MOU.

*Equipment:* SCBA

*Host Organization:* Superior Township Fire Department

*Regional Participating Partners:* Any government entity that executes this MOU.

## **III. Background to the Assistance Firefighters Grant Project**

### **Purpose and Objective:**

The purpose of the AFG Program is to enhance, through direct financial assistance, the health and safety of the public and firefighting personnel and to provide a continuum of support for emergency responders regarding fire, medical, and all-hazard events.

The objective of the FY 2017 AFG Program is to award grants directly to fire departments, nonaffiliated EMS organizations, and SFTAs for critically needed resources to protect the public, train emergency personnel, foster interoperability, and support community resilience.

Eligible activities requested that have an immediate impact on the safety of emergency responders, other personnel, or the public may receive additional consideration during the application review process.

FY 2017 AFG Programs play an important role in the implementation of the National Preparedness System (NPS) by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal (NPG) of a secure and resilient Nation. Delivering core capabilities requires the combined effort of the whole community, rather than the exclusive effort of any single organization or level of government.

### **Problem Statement:**

In Washtenaw, Wayne, and Lenawee Counties, the Superior Township Fire Department and the said Regional Participating Partners lack the appropriate Fire Hose to provide better firefighter safety on fire scenes.

The AFG-Funding Opportunity Announcement reflects the Center for Domestic Planning's recommendations for program priorities designed to address:

1. *Protecting the public and first responder safety* - providing the Equipment would be the first step in implementing common SCBA among Regional Participating Partners providing safety service personnel enhanced fire responder safety.
2. *Enhancing capabilities and resilience (local, regional, and national)* – provides/enhances the opportunity to build long-term interagency relationships through better understanding of each local partner's SCBA's.
3. *Enhancing National Capabilities* -grant funding will assist in moving the Authority and the Regional Participating Partners closer in meeting one of the national priorities under the National Preparedness Goal by strengthening common capabilities.

4. *Risk* - Risk Based Prioritization -grant funding will assist in moving the Authority and the Regional Participating Partners closer to common equipment amongst all Regional Participating Partners. The Superior Township Fire Department and the Regional Participating Partners will build and/or leverage on existing resources to strategically invest in enhancing future interpretational capabilities and working relationships.

5. *Interoperability* - Grant funding will allow the Authority and the Regional Participating Partners to develop short and long term goals, activities and a continuing training program to continue to enhance regional interoperability, consistent, in concert, and/or in parallel with Mutual Aid programs.

#### **IV. Responsibilities of the Superior Township Fire Department**

As the Hosting Organization for the 2017 Assistance Firefighters Grant, the Authority will:

- a. Oversee the grant application, implementation and coordination with the grantor.
- b. Manage grant activities including, but not limited to, project and fiscal reports for the grantor.
- c. Procuring the Training and/or Equipment after receiving input from the Regional Participating Partners.
- d. Act as the fiscal agent for the grant including:
  1. Invoicing the Regional Participating Partners for their share of the 10% matching grant cost (if applicable) of Equipment based on the count of each department's personnel or requested equipment number at time of Training and/or Equipment purchase.
  2. Arranging payment to vendors.
  3. Preparing program and fiscal reports required by the grantor.
  4. Auditing and tracking grant funds and deliverables as required by the grantor.
  5. Coordinate procurement of the Equipment through a competitive bidding process in compliance with the Superior Township Fire Department's Purchasing Policy.
- e. Coordinate communications with the Regional Participating Partners throughout the grant term.

#### **IV. Responsibilities of the Regional Participating Partners**

Each of the Regional Participating Partners will:

- a. Provide funding share of the 10% matching grant cost of Equipment based on the department's personnel number at time of Equipment and Training Purchase. The share of cost shall be paid upon receipt of invoice from the Authority, in advance of Equipment procurement.
- b. Participate and train its employees on the Equipment which will be documented.
- c. Provide the following assigned liaison(s):
  1. Primary Contact who is responsible for: the Regional Partner's point of contact.
  2. Training Contact who is responsible to oversee the Regional Partner's training
  3. Fiscal Contact: responsible for accounting, fiscal reporting and payment.
- d. Promptly provide any additional documentation to the Authority as requested that may be necessary in connection with the grant.
- e. Be responsible for their received equipment maintenance as needed

## **VI. Local/Regional Mutual Aid or Reciprocal Aid Compacts and Agreements**

Nothing in this MOU, including participation in or requests for assistance by any eligible Regional Participating Partner shall preclude, abrogate or supersede the fulfillment of the terms of any local or regional mutual aid or reciprocal aid compacts and agreements and the duty of the Hosting Organization to provide equipment and other available resources during a threat or actual occurrence of any emergency, disaster or serious threat to public health and safety.

## **VII. Arbitration of Disputes**

Any controversy or claim arising out of or relating to this MOU, or the breach thereof by the parties, shall be resolved in the following manner:

- a. The party asserting noncompliance shall serve written notice to the other party or parties. The notice shall identify the specific provision alleged to have been violated and shall specify the factual and legal basis for the alleged noncompliance.
- b. In the event the controversy or claim is not resolved to the satisfaction of both parties within 90 days after service of the notice set forth in subsection a above, either party may request that controversy or claim be resolved through mediation or any other available legal proceedings.
- c. Nothing herein shall be construed to waive, limit or restrict any defense that is otherwise available to either party.

## **VIII. Indemnification**

- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the Superior Township Fire Department pursuant to the terms of this MOU shall be the responsibility of the Superior Township Fire Department if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Superior Township Fire Department or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the government body or unit of government or its employees by common law, statute, or court decision.
- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of a Regional Participating Partner, or its employees shall be the responsibility of the Regional Participating Partner if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Regional Participating Partner or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the Regional Participating Partner, or the employees of any of them as provided by common law, statute, or court decision.

## **IX. Insurance**

Each party to this MOU shall bear the risk of its own actions as it would with normal, day-to-day operations and determine for itself what kinds and amounts of insurance it should carry.



## **X. Termination of the MOU**

- a. This MOU shall terminate when all AFG Program obligations are completed and/or expired.
- b. A Regional Participating Partner may terminate its participation in this MOU any time prior to the Regional Participating Partners purchasing the Training and/or Equipment and with 30 days' written notice to the Authority's Project Lead.

## **XI. Points of Contact**

The Superior Township Fire Department will designate a Primary Lead, as well as identify Points of Contact for Training, Fiscal, and Documentation responsibilities. The Regional Participating Partners will designate a Primary Point of Contact, as well as identify Points of Contact for Training and Fiscal responsibilities. Points of Contact are set forth in the attached Exhibit A.

## **XII. Notice**

Notice of termination or withdrawal from this MOU shall be made in writing and shall be served personally or by registered mail upon the Superior Township Fire Department's Project Lead. Termination or withdrawal shall not be effective until 30 days after the Superior Township Fire Department has received written notice. The termination or withdrawal from the MOU shall apply only to the Regional Participating Partner that has tendered the required notice; this MOU shall otherwise remain in full force and effect until all AFG Program obligations are completed and/or expired.

## **XIII. Choice of Law; Severability**

This MOU will be governed and controlled in all respects by the laws of the State of Michigan, including interpretation, enforceability, validity and construction. Whenever possible, each provision of this MOU will be interpreted in a manner as to be effective and valid under applicable law. However, if any provision of this MOU or the application of any provision to any party or circumstance will be prohibited by or invalid under applicable law, that provision will be ineffective to the extent of the prohibition or invalidity without invalidating the remainder of the provisions of this MOU or the application of the provision to other parties and circumstances.

## **XIV. Authority to Enter into MOU; Execution by Counterpart**

The persons executing this MOU on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this MOU on behalf of the entity for which they sign.

This MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement.

## **XV. Extent of Agreement; Amendments**

This MOU, together with any affixed exhibits or other documentation, constitutes the entire understanding between the Hosting Organization and the Regional Participating Partners with respect to the subject matter of the MOU and it supersedes, unless otherwise incorporated by reference herein, all prior representations, negotiations, agreements or understandings whether written or oral. No party has relied on any prior representations, of any kind or nature, in entering into this MOU. This MOU may be amended by written agreement by all parties if approved in accordance with grant contract terms and conditions. Notice of any amendments or revisions of the MOU must be made in writing to all parties by the requesting entity. Amendments shall only take effect upon acceptance and execution of an amended instrument by all parties.

**Superior Township Fire Department  
(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_  
**Victor Chevette, Fire Chief**

**EIN: 38-6019649**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY ANN ARBORTOWNSHIP

Ann Arbor Township, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ann Arbor Township.

**Ann Arbor Township Fire Department  
(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Mark Nicholai, Fire Chief**

**EIN: 38-6008278**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY CLINTON FIRE DEPARTMENT

Clinton Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Clinton Fire Department.

**Clinton Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Dennis Keezer, Fire Chief**

**EIN: 38-6007244**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY MANCHESTER TOWNSHIP FIRE DEPARTMENT

Manchester Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Manchester Township Fire Department.

**Manchester Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Bill Scully, Fire Chief**

**EIN: 38-1867002**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER  
BY MILAN AREA FIRE DEPARTMENT

Milan Area Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Milan Area Fire Department.

**Milan Area Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Bob Stevens, Fire Chief**

**EIN: 38-2334316**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY NORTHFIELD TOWNSHIP FIRE DEPARTMENT

Northfield Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Northfield Township Fire Department.

**Northfield Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**William Wagner, Fire Chief**

**EIN: 38-1812291**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY SALEM TOWNSHIP FIRE DEPARTMENT

Salem Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the Salem Township Fire Department

**Salem Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Craig Hoeft, Fire Chief**

**EIN: 38-2145514**



ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI CITY FIRE DEPARTMENT

Ypsilanti City Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti City Fire Department.

**Ypsilanti City Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Max Anthouard Fire Chief**

**EIN: 38-600475**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI TOWNSHIP FIRE DEPARTMENT

Ypsilanti Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti Township Fire Department.

**Ypsilanti Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Eric Copeland, Fire Chief**

EIN: 38-6007433

Brenda L. Stumbo  
Brenda L. Stumbo, Supervisor 2-21-18

Karen Lovejoy  
Karen Lovejoy Rec. Clerk 2-21-18



**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE MILAN AREA FIRE DEPARTMENT AND ITS REGIONAL  
PARTICIPATING PARTNERS**

**2017 ASSISTANCE FOR FIREFIGHTERS GRANT PROGRAM**

**TURNOUT GEAR**

**PREAMBLE**

This Memorandum of Understanding (“MOU”) is entered into between the Milan Area Fire Department (hereafter “Hosting Organization”) and by and among each municipal and township that executes this MOU and adopts its terms and conditions, in view of the following:

Whereas, the Hosting Organization has agreed and will be responsible for submission of the Regional Application to the 2017 Assistance for Firefighters Grant Program, in its own name on behalf of itself and the other regional participating partners who have executed this MOU on behalf of their respective government entities, for the acquisition of Turnout Gear;

Whereas, if awarded the grant the Hosting Organization has agreed to perform all programmatic and financial responsibilities as grant recipient and accept the awarded equipment and share it with its Regional Participating Partners in accordance with the terms of the grant;

Whereas, each Regional Participating Partner, as evidenced by their execution of this MOU agrees to accept the terms under which facilitation of their use of the training and equipment as may be specified by the grant award and/or this MOU.

**TERMS**

**I. Purpose**

The purpose of this MOU is to establish a cooperative agreement between the Milan Area Fire Department, the programmatic and financial administrator (host) for the Milan Area Fire Department and its Regional Participating Partners, (hereinafter the “Regional Participating Partners”) to secure a 2017 Assistance to Firefighters Grant and to provide Turnout Gear for the region’s safety services. This purchase will help protect the health and safety of the public and safety service personnel through obtaining equipment on a regional basis allowing for increased efficiencies in response and support by and among local jurisdictions.

The Township and the Regional Participating Partners accept and agree to abide by the terms and conditions of the grant, including but not limited to those specifically enumerated in this MOU. All parties agree that Federal funds under this award will be used to supplement, but not supplant, State or local funds for first responder preparedness.

## **II. Definitions**

*Authorized Representative:* The fire chief of a participating governmental entity, or his/her designee, who has authorization to execute this MOU.

*Equipment:* Turnout Gear

*Host Organization:* Milan Area Fire Department

*Regional Participating Partners:* Any government entity that executes this MOU.

## **III. Background to the Assistance Firefighters Grant Project**

### **Purpose and Objective:**

The purpose of the AFG Program is to enhance, through direct financial assistance, the health and safety of the public and firefighting personnel and to provide a continuum of support for emergency responders regarding fire, medical, and all-hazard events.

The objective of the FY 2017 AFG Program is to award grants directly to fire departments, nonaffiliated EMS organizations, and SFTAs for critically needed resources to protect the public, train emergency personnel, foster interoperability, and support community resilience.

Eligible activities requested that have an immediate impact on the safety of emergency responders, other personnel, or the public may receive additional consideration during the application review process.

FY 2017 AFG Programs play an important role in the implementation of the National Preparedness System (NPS) by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal (NPG) of a secure and resilient Nation. Delivering core capabilities requires the combined effort of the whole community, rather than the exclusive effort of any single organization or level of government.

### **Problem Statement:**

In Washtenaw, Wayne, and Lenawee Counties, the Milan Area Fire Department and the said Regional Participating Partners lack the appropriate Fire Hose to provide better firefighter safety on fire scenes.

The AFG-Funding Opportunity Announcement reflects the Center for Domestic Planning's recommendations for program priorities designed to address:

1. *Protecting the public and first responder safety* - providing the Equipment would be the first step in implementing common Turnout Gear among Regional Participating Partners providing safety service personnel enhanced fire responder safety.
2. *Enhancing capabilities and resilience (local, regional, and national)* – provides/enhances the opportunity to build long-term interagency relationships through better understanding of each local partner's Turnout Gear.
3. *Enhancing National Capabilities* -grant funding will assist in moving the Authority and the Regional Participating Partners closer in meeting one of the national priorities under the National Preparedness Goal by strengthening common capabilities.

4. *Risk* - Risk Based Prioritization -grant funding will assist in moving the Authority and the Regional Participating Partners closer to common equipment amongst all Regional Participating Partners. The Milan Area Fire Department and the Regional Participating Partners will build and/or leverage on existing resources to strategically invest in enhancing future interpretational capabilities and working relationships.

5. *Interoperability* - Grant funding will allow the Authority and the Regional Participating Partners to develop short and long term goals, activities and a continuing training program to continue to enhance regional interoperability, consistent, in concert, and/or in parallel with Mutual Aid programs.

#### **IV. Responsibilities of the Milan Area Fire Department**

As the Hosting Organization for the 2017 Assistance Firefighters Grant, the Authority will:

- a. Oversee the grant application, implementation and coordination with the grantor.
- b. Manage grant activities including, but not limited to, project and fiscal reports for the grantor.
- c. Procuring the Training and/or Equipment after receiving input from the Regional Participating Partners.
- d. Act as the fiscal agent for the grant including:
  1. Invoicing the Regional Participating Partners for their share of the 10% matching grant cost (if applicable) of Equipment based on the count of each department's personnel or requested equipment number at time of Training and/or Equipment purchase.
  2. Arranging payment to vendors.
  3. Preparing program and fiscal reports required by the grantor.
  4. Auditing and tracking grant funds and deliverables as required by the grantor.
  5. Coordinate procurement of the Equipment through a competitive bidding process in compliance with the Milan Area Fire Department's Purchasing Policy.
- e. Coordinate communications with the Regional Participating Partners throughout the grant term.

#### **IV. Responsibilities of the Regional Participating Partners**

Each of the Regional Participating Partners will:

- a. Provide funding share of the 10% matching grant cost of Equipment based on the department's personnel number at time of Equipment and Training Purchase. The share of cost shall be paid upon receipt of invoice from the Authority, in advance of Equipment procurement.
- b. Participate and train its employees on the Equipment which will be documented.
- c. Provide the following assigned liaison(s):
  1. Primary Contact who is responsible for: the Regional Partner's point of contact.
  2. Training Contact who is responsible to oversee the Regional Partner's training
  3. Fiscal Contact: responsible for accounting, fiscal reporting and payment.
- d. Promptly provide any additional documentation to the Authority as requested that may be necessary in connection with the grant.
- e. Be responsible for their received equipment maintenance as needed

## **VI. Local/Regional Mutual Aid or Reciprocal Aid Compacts and Agreements**

Nothing in this MOU, including participation in or requests for assistance by any eligible Regional Participating Partner shall preclude, abrogate or supersede the fulfillment of the terms of any local or regional mutual aid or reciprocal aid compacts and agreements and the duty of the Hosting Organization to provide equipment and other available resources during a threat or actual occurrence of any emergency, disaster or serious threat to public health and safety.

## **VII. Arbitration of Disputes**

Any controversy or claim arising out of or relating to this MOU, or the breach thereof by the parties, shall be resolved in the following manner:

- a. The party asserting noncompliance shall serve written notice to the other party or parties. The notice shall identify the specific provision alleged to have been violated and shall specify the factual and legal basis for the alleged noncompliance.
- b. In the event the controversy or claim is not resolved to the satisfaction of both parties within 90 days after service of the notice set forth in subsection a above, either party may request that controversy or claim be resolved through mediation or any other available legal proceedings.
- c. Nothing herein shall be construed to waive, limit or restrict any defense that is otherwise available to either party.

## **VIII. Indemnification**

- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of the Milan Area Fire Department pursuant to the terms of this MOU shall be the responsibility of the Milan Area Fire Department if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Milan Area Fire Department or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the government body or unit of government or its employees by common law, statute, or court decision.
- a. All liability and/or loss or damage as a result of claims, demands, costs, or judgments arising out of activities that are the responsibility of a Regional Participating Partner, or its employees shall be the responsibility of the Regional Participating Partner if the liability, loss, or damage is caused by, or arises out of, the actions or failure to act on the part of the Regional Participating Partner or its employees either directly or indirectly, provided that nothing herein shall be construed as a waiver of any governmental immunity available to the Regional Participating Partner, or the employees of any of them as provided by common law, statute, or court decision.

## **IX. Insurance**

Each party to this MOU shall bear the risk of its own actions as it would with normal, day-to-day operations and determine for itself what kinds and amounts of insurance it should carry.

## **X. Termination of the MOU**

- a. This MOU shall terminate when all AFG Program obligations are completed and/or expired.
- b. A Regional Participating Partner may terminate its participation in this MOU any time prior to the Regional Participating Partners purchasing the Training and/or Equipment and with 30 days' written notice to the Authority's Project Lead.

## **XI. Points of Contact**

The Milan Area Fire Department will designate a Primary Lead, as well as identify Points of Contact for Training, Fiscal, and Documentation responsibilities. The Regional Participating Partners will designate a Primary Point of Contact, as well as identify Points of Contact for Training and Fiscal responsibilities. Points of Contact are set forth in the attached Exhibit A.

## **XII. Notice**

Notice of termination or withdrawal from this MOU shall be made in writing and shall be served personally or by registered mail upon the Milan Area Fire Department's Project Lead. Termination or withdrawal shall not be effective until 30 days after the Milan Area Fire Department has received written notice. The termination or withdrawal from the MOU shall apply only to the Regional Participating Partner that has tendered the required notice; this MOU shall otherwise remain in full force and effect until all AFG Program obligations are completed and/or expired.

## **XIII. Choice of Law; Severability**

This MOU will be governed and controlled in all respects by the laws of the State of Michigan, including interpretation, enforceability, validity and construction. Whenever possible, each provision of this MOU will be interpreted in a manner as to be effective and valid under applicable law. However, if any provision of this MOU or the application of any provision to any party or circumstance will be prohibited by or invalid under applicable law, that provision will be ineffective to the extent of the prohibition or invalidity without invalidating the remainder of the provisions of this MOU or the application of the provision to other parties and circumstances.

## **XIV. Authority to Enter into MOU; Execution by Counterpart**

The persons executing this MOU on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this MOU on behalf of the entity for which they sign.

This MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement.



## **XV. Extent of Agreement; Amendments**

This MOU, together with any affixed exhibits or other documentation, constitutes the entire understanding between the Hosting Organization and the Regional Participating Partners with respect to the subject matter of the MOU and it supersedes, unless otherwise incorporated by reference herein, all prior representations, negotiations, agreements or understandings whether written or oral. No party has relied on any prior representations, of any kind or nature, in entering into this MOU. This MOU may be amended by written agreement by all parties if approved in accordance with grant contract terms and conditions. Notice of any amendments or revisions of the MOU must be made in writing to all parties by the requesting entity. Amendments shall only take effect upon acceptance and execution of an amended instrument by all parties.

Milan Area Fire Department  
**(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_  
**Bob Stevens, Fire Chief**

**EIN: 38-2334316**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY CLINTON FIRE DEPARTMENT

Clinton Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Clinton Fire Department.

**Clinton Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Dennis Keezer, Fire Chief**

**EIN: 38-6007244**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY GREEN OAK TOWNSHIP FIRE DEPARTMENT

Green Oak Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of the Green Oak Township Fire Department.

**Green Oak Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_

**Kevin Gentry, Fire Chief**

**EIN: 38-1805680**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY MANCHESTER TOWNSHIP FIRE DEPARTMENT

Manchester Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Manchester Township Fire Department.

**Manchester Township**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Bill Scully, Fire Chief**

**EIN: 38-1867002**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY VAN BUREN TOWNSHIP FIRE DEPARTMENT

Van Buren Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Van Buren Township Fire Department.

**Van Buren Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Amy Brow, Fire Chief**

**EIN: 38-6007135**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI CITY FIRE DEPARTMENT

Ypsilanti City Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti City Fire Department.

**Ypsilanti City Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ **Date:** \_\_\_\_\_

**Max Anthouard Fire Chief**

**EIN: 38-600475**

ACCEPTANCE AND AGREEMENT TO MEMORANDUM OF UNDERSTANDING AS A  
REGIONAL PARTICIPATION PARTNER

BY YPSILANTI TOWNSHIP FIRE DEPARTMENT

Ypsilanti Township Fire Department, a Michigan municipal corporation, hereby agrees to the foregoing MOU and obligations therein, on behalf of Ypsilanti Township Fire Department.

**Ypsilanti Township Fire Department**  
**(Regional Participating Partner)**

\_\_\_\_\_ Date: \_\_\_\_\_

**Eric Copeland, Fire Chief**

EIN: 38-6007433

Brenda L. Stumbo

Brenda L. Stumbo, Supervisor 2-21-18

Karen Lovjoy Roe  
Karen Lovjoy Roe, Clerk 2-21-18

