MORTON

TOWNSHIP

ZONING

ORDINANCE

Updated as of July 10, 2018

INDEX

PREAMBLE 1
ENACTING CLAUSE 2
ARTICLE 1 TITLE
SECTION 1.0 ESTABLISHMENT OF ORDINANCE 2

ARTICLE 2 APPLICATION OF THIS ORDINANCE
SECTION 2.0 WHO IT APPLIES TO 3
SECTION 2.1 RELATIONSHIP TO OTHER LAWS 3

ARTICLE 3 ACCESSORY USES AND STRUCTURES
SECTION 3.0 WHAT IS AUTHORIZED 4

ARTICLE 4 EXEMPTIONS
SECTION 4.0 PUBLIC UTILITIES 5
SECTION 4.1 WATER WELLS 5

ARTICLE 5 ESTABLISHMENT OF DISTRICTS
SECTION 5.0 ZONING DISTRICTS 6
SECTION 5.1 CONDITIONAL REZONING 6
SECTION 5.2 DISTRICT R-1 8
SECTION 5.3 DISTRICT R-2 8
SECTION 5.4 DISTRICT R-3 9
SECTION 5.5 DISTRICT R-4 9
SECTION 5.6 DISTRICT C-1 10
SECTION 5.7 DISTRICT C-2 10
SECTION 5.8 DISTRICT C-3 11
SECTION 5.9 INDUSTRIAL DISTRICT 1 (I) 11
SECTION 5.10 AGRICULTURAL DISTRICT 1 (A1) 11
SECTION 5.11 AGRICULTURAL DISTRICT II (A2) 12
SECTION 5.12 WETLANDS 13
SECTION 5.13 CAMPGROUNDS 13
SECTION 5.14 STORAGE BUILDINGS 14
SECTION 5.15 HEIGHT AND PLACEMENT MINIMUM SET BACKS 15
SECTION 5.16 BUILDING STANDARDS AND FACILITIES 17
SECTION 5.17 LANDSCAPE REQUIREMENTS 19
SECTION 5.18 PLANNED UNIT DEVELOPMENT 20
SECTION 5.19 SPECIAL LAND USE PERMITS 25

ARTICLE 6 SITE PLAN REVIEW
SECTION 6.0 INTENT 28
SECTION 6.1 CLASS "A" SITE PLAN REQUIREMENTS 28
SECTION 6.2 CLASS "B" SITE PLAN REQUIREMENTS 29
SECTION 6.3 REVIEW PROCEDURE 30

ARTICLE 7 GENERAL PROVISIONS
SECTION 7.0 HOME OCCUPATION 31
SECTION 7.1 FENCES 32
SECTION 7.2 DOCKS 33
SECTION 7.3 SIGNS 33
SECTION 7.4 OUTDOOR SOLID FUEL HEATING DEVICES 47
SECTION 7.5 OFF-STREET PARKING REQUIREMENTS 48
SECTION 7.6 WIRELESS COMMUNICATION FACILITIES 50
SECTION 7.7 GRADING PERMITS 56
SECTION 7.8 ANTI-FUNNELING DEVELOPMENT 58
SECTION 7.9 WIND GENERATED ELECTRICAL ENERGY SYSTEMS 60
SECTION 7.10 SOLAR ENERGY SYSTEMS 63

ARTICLE 8 NONCONFORMING USES
SECTION 8.0 INTENT 70

SECTION 8.1 ALTERATIONS, SUBSTITUTION OR EXPANSION OF NONCONFORMING USES 70
SECTION 8.2 BUILDING DAMAGE 70
SECTION 8.3 DISCONTINUANCE OF USE 70
SECTION 8.4 COMPLETION OF NONCONFORMING BUILDINGS AND STRUCTURES 70
SECTION 8.5 NONCONFORMING LOTS 70
SECTION 8.6 NONCONFORMING MOBILE HOMES IN DISTRICT R-1 71
SECTION 8.7 NONCONFORMING AGRICULTURAL OPERATIONS 71

ARTICLE 9 TEMPORARY USES AND STRUCTURES
SECTION 9.0 TEMPORARY STRUCTURES - RESIDENCE DURING CONSTRUCTION 72
SECTION 9.1 TEMPORARY DWELLINGS-RV 72

ARTICLE 10 DEFINITIONS
SECTION 10.0 GENERAL 74
SECTION 10.1 SPECIFIC TERMS 74

ARTICLE 11 PLANNING COMMISSION
SECTION 11.0 INTENT 81
SECTION 11.1 MEMBERSHIP 81
SECTION 11.2 OFFICERS 81
SECTION 11.3 MEETINGS 82
SECTION 11.4 ATTENDANCE 83
SECTION 11.5 HEARINGS 83
SECTION 11.6 AMENDMENTS 83

ARTICLE 12 ZONING BOARD OF APPEALS
SECTION 12.0 ZONING BOARD OF APPEALS-ORGANIZATION 84
SECTION 12.1 ZONING BOARD OF APPEALS-DUTIES 85
SECTION 12.2 VARIANCE 85

ARTICLE 13 ADMINISTRATION
SECTION 13.0 ADMINISTRATIVE STANDARDS AND PROCEDURES 87
SECTION 13.1 ORDINANCE AMENDMENTS 88
SECTION 13.2 FINANCIAL SECURITY (PERFORMANCE GUARANTEE) 89
SECTION 13.3 FEES 90
SECTION 13.4 THE ORDINANCE CONTROL MANAGER 90
SECTION 13.5 ZONING COMPLIANCE PERMITS 90
SECTION 13.6 CERTIFICATE OF OCCUPANCY 91
SECTION 13.7 SPECIAL ZONING ORDERS, BOOK AND MAP 91
SECTION 13.8 VIOLATIONS AND PENALTIES 91
SECTION 13.9 ZONING MAPS 92
MORTON TOWNSHIP ZONING MAP 94

ARTICLE 14 SEVERABILITY, ENACTMENT, CERTIFICATION
SECTION 14.0 SEVERABILITY 95
SECTION 14.1 ORDINANCE ENACTMENT AND EFFECTIVE DATE 95
SECTION 14.2 CERTIFICATION 96

AMENDMENTS, ORDINANCES, RESOLUTIONS
ORDINANCE #35 97
RESOLUTION R-01814 97
RESOLUTION R-051108 98
RESOLUTION R-05-1108A 100
RESOLUTION R-08813 103

RESOLUTION R-14129 106
ORDINANCE #40 108

DATE SCHEDULE OF AMENDMENTS/RESOLUTIONS/CORRECTIONS 113

THE MORTON TOWNSHIP ZONING ORDINANCE

PREAMBLE

Morton Township has provided for a Planning Commission and has appointed members thereof who have been entrusted with the duty to develop a Master Plan for Morton Township which has been adopted by the Morton Township Board on June 6, 1978. The plan is designated for the orderly development and use of land and natural resources in those areas of Morton Township outside the limits of incorporated Towns and Villages.

In accordance with the authority and intent of Act 184 of the Public Acts of 1943, as amended, known as the "Township Rural Zoning Act", and Act 168 of the Public Acts of 1959, as amended, known as the "Township Planning Commission Act", the Township of Morton desires to provide for the orderly development of the Township which is essential to the well-being of the community and which will place no undue burden upon developers, industry, commerce, farmers or residents.

The Township further desires to:

- Assure adequate sites for agriculture, industry, commerce and residences.
- Insure adequate green belts and the preservation of land for agricultural recreational and ecological purposes and well-being to achieve desirable land management objectives.
- Avert mismanagement and unsound use of the land and natural resources of this township.
- Assure that all uses of land and buildings within the township are so related as to provide for economy of government and mutual support.
- Promote and protect the public health, safety, comfort, convenience and general welfare of all persons and property owners within Morton Township, Mecosta County, Michigan.

ENACTING CLAUSE

THE TOWNSHIP OF MORTON, COUNTY OF MECOSTA,

STATE OF MICHIGAN ORDAINS:

ARTICLE 1 TITLE

SECTION 1.0 ESTABLISHMENT OF ORDINANCE

An ordinance enacted pursuant to the authority contained in Act 184 of the Public Acts of 1943, as amended, known as the "TOWNSHIP RURAL ZONING ACTS" for the establishment of Zoning Districts in the unincorporated portions of Morton Township, within which district the proper use of land and natural resources may be encouraged or regulated; for the adoption for such districts of provisions designating the location of, the size of, sanitary, safety and protective measures that shall be required for, and the maximum number of families that may be housed in dwellings, buildings and structures, including tents and trailer coaches, that may be erected or altered after the effective date of this ordinance; to designate the use of certain state licensed residential facilities; to provide for the acquisition by purchase, condemnation, or otherwise of non-conforming property; to provide for the administering of this ordinance; to establish a zoning board of Appeals, to grant authority to said Board in addition to that expressly provided in such Public Act 184; to provide standards to guide actions and decisions of said Board; to provide other provisions for the administration of this ordinance; to provide for the assessment, levy, and collection of taxes; to provide for the establishment of fees and collection of fees for building permits and the administration of this ordinance; to provide for petitions, public hearings, and referenda; to provide for appeals; and to provide for the amendments thereof and the repeal of all ordinances and the parts of ordinances in conflict therewith.

This ordinance shall be known as the Morton Township Zoning Ordinance.

ARTICLE 2 APPLICATION OF THIS ORDINANCE

SECTION 2.0 WHO IT APPLIES TO

No structure shall be constructed, erected, placed, or maintained and no land use commenced or continued within the unincorporated parts of the Township, contrary to the spirit of this ordinance and except as specifically authorized by this ordinance.

Any zoning permit issued by the Morton Township Ordinance Control Manager or building permit issued by Morton Township Building Inspector may be challenged by adjoining property owners only within seven (7) days of their issuance date.

SECTION 2.1 RELATIONSHIP TO OTHER LAWS

Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations or restrictions imposed by local (County Road Commission, Health Dept., Soil and Erosion, etc.), state, or federal governmental authorities, those which are more restrictive or which impose higher standards or requirements shall govern.

This ordinance shall supersede the Mecosta County ordinance relating to Zoning and Land Use, as amended.

ARTICLE 3 ACCESSORY USES AND STRUCTURES

SECTION 3.0 WHAT IS AUTHORIZED

Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized except as prohibited specifically or by necessary implication in this or any other ordinance.

The following special rules are applicable:

1. Customary home occupations are permitted as an accessory to residential use or occupancy but only to the extent authorized by the definitions of these terms in this ordinance.

2. Accessory uses to gasoline service station are limited to lubrication, changing oil and filters, changing and repair of tires and tubes, engine tune-up, hand washing and polishing without automatic equipment, and replacement of light bulbs, windshield wiper blades and other small parts, and do not include steam cleaning, body repairs except as listed above.

3. All accessory structures, attached or unattached, shall require a ZONING PERMIT and shall be properly anchored.

   All accessory structures shall be located so as to allow a primary building to be built on the same parcel, and all structures must meet all setback requirements.

ARTICLE 4 EXEMPTIONS

SECTION 4.0 PUBLIC UTILITIES

The location of pipes, wires, poles, and generating and transmission equipment of public utilities or railroad tracks regulated by the state of Michigan or by the United States are exempt from regulation under this ordinance.

SECTION 4.1 WATER WELLS

Water wells, water well equipment enclosures not larger than 150 square feet in area, water pipelines, water pipeline equipment vaults not higher than 2 feet above grade level and not larger than 50 square feet in area, and water monitoring wells are permitted uses in all zoning districts, subject to setback and building code regulations. (See ORDINANCE #35, (Adopted 01/09/2001))

ARTICLE 5 ESTABLISHMENT OF DISTRICTS

SECTION 5.0 ZONING DISTRICTS

The Township of Morton is hereby divided into Zoning Districts, as named and described in the following sections. The boundaries of said zoning districts are hereby established as shown on the official zoning map.

SECTION 5.1 CONDITIONAL REZONING

An owner of land in Morton Township may voluntarily offer in writing certain use and development of the land as a condition to rezoning of the land. Morton Township can receive requests for conditional rezoning as authorized by MCL 125.286i without being obligated to grant or approve the requested rezoning. All requests for rezoning with conditions shall be submitted and reviewed according to this Article.

1. Request
   All requests for rezoning with conditions authorized by MCL 125.286i shall be submitted in writing to the Morton Township Ordinance Control Manager with documentary evidence of the applicant's ownership interest in the land requested to be rezoned;

   - the offer in writing proposing certain use and development of the land as a condition to the requested rezoning;
   - a "Class A Site Plan" depicting any proposed use or development that is offered as a condition of the requested rezoning;
   - a timetable on which proposed development will occur;
   - an acknowledgment that Morton Township is not obligated to grant the requested rezoning;
   - an application fee of $250.

2. Procedure
   A. The request for rezoning with conditions along with supporting documents shall be submitted to the Township Planning Commission for:
      1. review;
      2. conducting a public hearing;
      3. providing a recommendation to the Morton Township Board of Trustees on whether
         a. to grant;
         b. to deny;
         c. to remand to the Morton Township Planning Commission;
         d. or otherwise respond to the request.

   B. Notice of the requested rezoning shall be given as required by law.

   C. Morton Township shall not require a landowner to offer conditions as a requirement for rezoning.

D. Not less than ninety (90) days from the date of receiving a request for rezoning with conditions in the form described in this Article, the Morton Township Planning Commission shall complete the review process and forward its recommendation to the Morton Township Board of Trustees, and within thirty (30) days of receipt of the recommendation, the Morton Township Board of Trustees shall act to grant, deny or remand to the Township planning commission for additional study and recommendation, or otherwise grant in part and deny in part the request.

E. There is no right to appeal to the Zoning Board of Appeals from the recommendation of the Township Planning Commission on the request for rezoning with conditions, or on the action of the Morton Township Board on the request.

3. Standards

In evaluating the request for rezoning with conditions the Township Planning Commission shall consider:

A. Uses permitted in the existing zoning district in which the land is located;

B. The uses permitted in the zoning district requested by rezoning;

C. The use(s) proposed to be excluded, limited, or prohibited as a condition of the requested zoning;

D. The compatibility or incompatibility of the uses or development that will be allowed by the requested rezoning with existing uses and development on properties within fifteen hundred (1500) feet of the parcel(s) requested to be rezoned;

E. Whether the requested rezoning with conditions is consistent with the Morton Township Master Plan, or contrary to it;

F. Whether the uses or development proposed for the parcel(s) requested to be rezoned are likely to increase or decrease surrounding property values;

G. Whether the infrastructure in the form of roads and utilities in the area suggested for rezoning will support the proposed uses or development, or if significant upgrades or changes will be necessary;

H. Whether the proposed conditions will provide adequate safeguards for surrounding uses and properties if the requested rezoning is granted;

I. Whether the proposed conditions provide terms by which the conditions can be enforced or accomplished after rezoning occurs;

J. Whether any of the proposed conditions need to be recorded and reflected in the chain of title to be effective;

K. Whether the requested rezoning will allow and encourage "the proper use of land and natural resources" as specified in Section 1.0 of the Morton Township Zoning Ordinance;

L. Any other factor deemed important and appropriate for consideration by the Morton Township Planning Commission.

The Morton Township Planning Commission shall reflect its determinations or findings on each of the enumerated standards when making its recommendations to the Morton Township Board of Trustees on the requested rezoning.

4. Contract
Any rezoning with conditions approved or granted by the Morton Township Board of Trustees shall include a signed contract between the owner(s) and Morton Township, which shall be recorded with the Mecosta County Register of Deeds.

5. Decision
The Morton Township Board of Trustees' decision on the request for rezoning is not limited or restricted to the land or zoning district described in the request, and the Morton Township Board of Trustees is not required to accept any or all of the proposed conditions. The authority and discretion of the Morton Township Board of Trustees to rezone land that is the subject of conditional rezoning is not limited or restricted by the fact or terms of conditional rezoning.

6. Review
There shall be no right of review or appeal of the actions of the Township Planning Commission, except to the extent the request for rezoning is considered and decided by the Morton Township Board of Trustees.

SECTION 5.2 DISTRICT R-1

1. Intent - To establish and preserve quiet, single family home neighborhoods as desired by large numbers of people, free from other uses except those which are both compatible with and convenient to the residents of such a district.

2. Permitted Principal Uses - Detached single family dwellings, limited to one dwelling per lot.

3. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

4. Every residential building hereafter erected or moved upon the premises must have a minimum width on three sides of 24’.

SECTION 5.3 DISTRICT R-2

1. Intent - Same as R-1 with the inclusion of mobile homes.

2. Permitted Principal Uses - Detached single family dwellings, mobile homes, and double wides, which meet Michigan standards, and duplexes.

3. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

SECTION 5.4 DISTRICT R-3

1. Intent - To establish and preserve neighborhoods for medium density residential uses, free from other uses except those which are both compatible with and convenient to the residents of such a district.

2. Permitted Principal Uses - Single, and two-family dwellings, mobile homes and double wides which meet Michigan Standards, multiple dwellings, hotels, bed and breakfast, group homes and nursing homes.

3. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

SECTION 5.5 DISTRICT R-4

1. Intent - To make provision for mobile homes in mobile home parks subdivided into individual lots, in appropriate, safe, sanitary and attractive environment.

2. Permitted Principal Uses - Mobile homes and double wides which meet Michigan Standards in Mobile Home Parks.

3. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

4. District Regulations - As required by the Mobile Home Commission Act 96 of 1987, and the State of Michigan Department of Commerce and Securities Bureau, as from time to time amended.

5. Site Plan - A person who desires to develop a mobile home park or seasonal mobile home park shall submit a preliminary plan to the Township Planning Commission for approval of zoning requirements only.

   A. All mobile home parks or seasonal mobile home parks shall have a greenbelt of at least 30 feet in width, along all boundaries, and shall be screened by a wood or masonry fence or wall at least 6 feet high except at points of entry and exit.

6. Upon approval of all reviewing agencies, the developer shall deliver a copy of accepted site plan and permit issued by the Department of Commerce to the Township Ordinance Control Manager.

7. Upon completion of the mobile home park, the owner or operator of the park and a registered professional engineer or architect shall deliver to the Township Ordinance Control Manager a copy of the affidavit, filed with the Department of Commerce, certifying that the mobile home park or seasonal mobile home park, lot and work were completed in accordance with the approved specifications and plans.

8. Except for purposes of issuing a license, renewing a license or the placing of a mobile home a local government may not make an inspection, unless it has reason to believe that the Mobile Home Commission Act 96 of 1987 has been violated and by written request by the Department of Health.

A. Anyone who desires to place a mobile home in a mobile home park shall first obtain a building permit from the local Building Inspector. Owner of the park shall be held responsible to see that this requirement is complied with.

SECTION 5.6 DISTRICT C-1

1. Intent - To establish and preserve a compact business district suited to neighborhood needs and travelers, tourists, and vacationers, as distinguished from industry or general commercial uses.

2. Permitted Principal Uses - Retail establishments selling gifts, hardware, pharmaceuticals, groceries, sporting goods, antiques and baked goods; art and crafts studios, barber and beauty shops, banks restaurants, laundromats, offices, funeral parlors, hotels and motels, shoe repair shops, churches; accessory building and uses customarily incidental to any of the foregoing, NOT including any manufacturing, treatment activities, or retail sale business where assembling, treatment or manufacturing is required.

3. Loading spaces required under this Section shall be at least 50 feet long and 12 feet wide. Every lot used for commercial or industrial purposes and having a building or buildings with a total floor area of at least 4,000 square feet, shall have at least one off-street loading space.

   An additional off-street load space shall be required for lots used for commercial or industrial purposes where the floor area of all buildings exceeds 10,000 square feet.

4. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

5. All outdoor storage areas, which include trash or refuse containers shall be screened from view and enclosed by a fence at least six (6) feet high measured from the grade, and designed to prevent trash from blowing out of the enclosed area.

SECTION 5.7 DISTRICT C-2

1. Intent - To establish and preserve general commercial areas consisting of shopping centers and commercial strips.

2. Permitted Principal Uses - Car wash establishments, clinics, hospitals, and mental health centers, taverns or bars, outdoor and indoor theaters, bowling alleys, gasoline services stations, all permitted principal uses in District C-1 and all other retail and personal service establishments except those listed in District C-3.

3. Refer to #3 in District C-1.

4. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

5. Refer to #5 in District C-1.

SECTION 5.8 DISTRICT C-3

1. Intent - To establish and preserve a district for light industry with those commercial uses which are more compatible with light industry than with other commercial uses.

2. Permitted Principal Uses - Motor vehicle sales, service and rental; kennels; auto body and paint shops; construction and farm equipment sales; sales of mobile homes, campers and recreational vehicles, boats and monuments; wholesale and storage uses; food packaging and bottling works; commercial printing and newspaper offices; laundry and cleaning and dying plants; airports; marinas and race tracks.

3. Refer to #3 in District C-1.

4. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

5. Refer to #5 in District C-1

6. All properties within the Morton Township Business Park are zoned C-3 and to include all permitted uses in C-1, C-2 and C-3 in compliance with Morton Township Zoning Ordinance regulations applicable to these permitted uses. All other uses are prohibited.

SECTION 5.9 INDUSTRIAL DISTRICT I (I)

1. Intent - This district is designed for manufacturing, assembly and fabricating businesses and commercial activities which cause a minimum of adverse effect beyond the boundaries of the site upon which they are located.

2. Permitted Principal Uses - Industrial manufacturing operations assembling or treatment of articles which do not emanate noise, smoke, odors, dust, dirt, noxious gases, heat, vibration or physiological ill effects at level which constitutes a health hazard as determined by EPA standards.

3. Loading Spaces - Refer to #3 in C-1.

4. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Article 5, Section 5.19 General Regulations.

5. Storage Areas - Same as #5 in C-1.

6. Special Regulations. All industry must comply with Federal and State Environmental Protection Acts.

SECTION 5.10 AGRICULTURAL DISTRICT 1 (A1)

1. Intent - This district is intended to maintain and encourage for agricultural purposes those lands which because of their soil characteristics and other factors, are especially well suited for agricultural uses.

2. Permitted Principal Uses - Agricultural production operations including crop cultivation, pastures, orchards, farmstead and customary uses.

3. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

SECTION 5.11 AGRICULTURAL DISTRICT II (A2)

1. Intent - This district is intended to include those lands which because of their soil, drainage and other characteristics are less suited for agricultural production.

2. Permitted Principal Uses.
   A. All uses permitted in Agricultural District 1.
   B. Timber production.
   C. Other similar bona fide farming or agricultural enterprise, excluding, however, rendering plants, commercial fertilizer production, or garbage feeding, or disposal activities; (except by Special Land Use Permit).
   D. Greenhouses, kennels, nurseries.
   E. Markets for the sale of products grown or produced upon the premises.
   F. Home occupations as defined in Section 10.1 of this ordinance and requires a Home Occupation Permit as per the requirements of Section 7.0.
   G. A single family dwelling, a mobile home, churches, parish houses, public schools and educational institutions and other municipal building structures, parks, golf courses, and cemeteries.

3. Special Land Use Permit - Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.
   A. Mining operations, such as gravel sand, marl or peat.
      1. Permit required from Ordinance Control Manager. (See Section 7.7)

      2. Permit must be renewed each two years provided the person or persons has operated according to Permit Provisions.

      3. Failure to operate for 12 months, without notification, invalidates the permit.

      4. At the termination of operations the land must be graded to conform with the contour of the adjacent land.

      5. Liability Insurance - All operators shall be required to carry personal injury and property damage insurance while any reclaimed or unrehabilitated area exists, in the amount of not less than $300,000 for each person or property injured or damaged and not less than $500,000 for injury or damage to more than one person or one person's property, arising out of one occurrence. Such insurance shall cover injury or damage occurring upon the site of operations as well as upon properties adjoining thereto, as a result of activities existing upon the site. The township shall be named as additionally insured, and copy of the policy shall be filed with the Morton Township Clerk.

SECTION 5.12 WETLANDS

1. Intent - To preserve as Wetlands those areas which because of their soil, drainage or topographic characteristics, including springs and feeder streams, and/or their lack of accessibility, or because they are important wildlife habitat, are not suitable for development.

2. Permitted Principal Uses.
   A. Harvesting of timber.

3. Special Land Uses. Other recreational uses where such development can be accomplished without significant adverse environmental impact.

SECTION 5.13 CAMPGROUNDS

1. Intent - To provide areas for recreational use that conform with environmental health and site guidelines.

2. Minimum lot size 20 acres, with at least 660 feet of road frontage along an improved gravel or paved public road.

3. Overall gross ratio shall not exceed as follows:
   A. Modern campgrounds (providing on-campsite utilities such as electricity, water); three camping sites/acre.
   B. Primitive campgrounds (without providing the above facilities); five camping sites/acre.

4. Minimum campsite size shall be 2100 square feet (modern) or 1400 square feet (primitive), and minimum width for each campsite shall be 35 feet for both.

5. No vehicle, trailer, or tent shall be erected or placed within ten (10) feet from the traveled portion of any road.

6. A minimum fifty (50) foot setback (greenbelt) shall be maintained along the perimeter of the campground.

7. Parking is prohibited on all internal roads and trails.

8. Campgrounds which enter and/or exit on paved County Primary Roads shall be required to have acceleration and deceleration lanes as approved by the County road Commission.

9. Service buildings may be permitted to provide retail services which are customary and necessary for camping related activities.

10. All garbage and refuse shall be placed in containers and shall be screened; any lot which abuts a residential district shall also be screened.

11. Mini Cabins - A mini cabin shall be classified as recreational camping structure with a minimum size of 120 sq. ft. and a maximum of 500 sq. ft. living area. Mini cabins shall be permitted provided the following requirements are met:

A. Mini Cabins shall be sited in a licensed campground on an approved lot (limit 1 cabin per lot).

B. Mini Cabins may have permanent utility hookups.

C. Mini Cabins shall meet all requirements for density, setback and any other applicable zoning requirements that apply to tents, trailers, and recreational vehicles sited within the campground.

D. Michigan Residential Code requirements shall be adhered to (building, electrical, mechanical, and plumbing) for structural and life safety standards. All necessary permits and inspections are required.

E. No more than 30% of the licensed campground lots shall be developed in this manner.

SECTION 5.14 STORAGE BUILDINGS

Storage buildings on land without a dwelling are permitted in all districts except Commercial and Industrial, on written application to and approval by the Zoning Administrator. Storage buildings for personal use on any parcel or lot of record which does not have a lawful dwelling on it may be issued a zoning permit for the storage building for the storage of personal items only, subject to the following conditions.

1. The building shall be required to be inspected by the Morton Township Building Official at least once every two years, both interior and exterior, to confirm that the building is not being occupied as a dwelling or used as sleeping quarters.

2. The inspection shall be arranged by the building owner and the fee for the inspection shall be paid before the inspection is to be conducted. Failure to comply with inspection requirements shall be a Municipal Civil Infraction.

3. On parcels of less than 20,000 sq ft, the size of said building shall be limited to 800 square feet.

4. The storage building shall be located on the lot or parcel so as to allow for the construction of a dwelling, including area for a well and septic system as required by the health department.

5. Storage buildings (sheds less than 200 sq. ft. not requiring a building permit) may use the side yard setback requirement for the rear yard setback.

These conditions cannot be abrogated by the transfer of ownership of the parcel, and remain a restriction on the building and property until a dwelling is constructed on the parcel, and a certificate of occupancy is issued by the building official.

SECTION 5.15 HEIGHT AND PLACEMENT MINIMUM

1. Regulations - Except as otherwise specifically provided in this ordinance, all structures shall comply with the following size, height, and setback requirements, except: sidewalks, fences, driveways, stairways to the water and docks, water pipelines and equipment vaults.

2. Size Requirements:

DISTRICT	MINIMUM LOT SIZE	MINIMUM LOT WIDTH AT REQUIRED SETBACK LINE
R-1, R-2	20,000 sq. ft.	100 feet
R-3 Single Family	20,000 sq. ft.	100 feet
R-3 Multi Family	2 acres (1st unit)	200 feet
	+7,000 sq. ft. (ea. add unit)	20 feet
C-1, C-2	20,000 sq. ft.	150 feet
C-3 and I	20,000 sq. ft.	150 feet
Wetlands	20 acres	200 feet
A-1and A-2	1acre	200 feet
Campgrounds	20 acres	660 feet

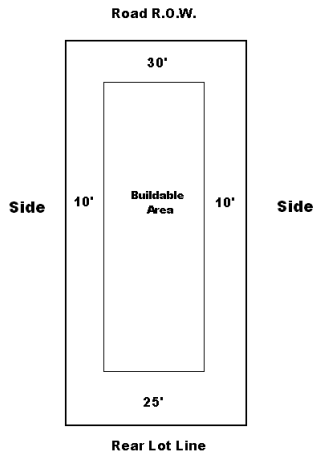
3. Setbacks: All setbacks are measured from the point on the structure nearest the lot line.

DISTRICT	ROAD SETBACK	FRONT SETBACK	BOTH SIDE SETBACK	REAR SETBACK	HEIGHT LIMIT
R-1, R-2, R-3	30 feet	30 feet	10 feet	25 feet	35 feet
R-4	30 feet	SEE SECTION 5.5			
C-1, C-2	40 feet	40 feet	10 feet	25 feet	35 feet
C-3	40 feet	40 feet	10 feet	25 feet	Note A
I	40 feet	40 feet	10 feet	25 feet	Note A
A-1, A-2	40 feet	40 feet	10 feet	25 feet	Note A
WETLANDS	30 feet	30 feet	10 feet	25 feet	35 feet

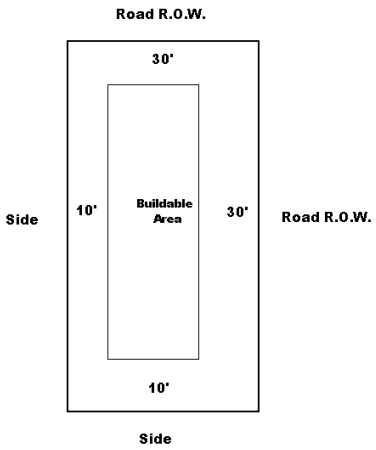
Note A: Height at any point on a structure shall not exceed the horizontal distance to any lot line.
Note B: Sheds less than 200 sq. ft. (see Section 5.14 (5) Storage Buildings)

ROAD SETBACK

A road setback shall be required from each road right-of-way adjoining a lot. Lots abutting more than one street shall have extra size to permit required setbacks for each street. In residential districts where there is inadequate lot size to permit 30 feet setbacks from each road or street right-of-way, one of the road setbacks with no driveway through it can be reduced to a side setback.



Front Setback - Road R.O.W. - Two Side Yards
Rear Lot Line



Corner Lot with two (2) Side Yards

HEIGHTS: Chimneys, cooling towers, elevator bulkheads, fire towers, steeples, stacks, scenery lofts, water towers, ornamental towers, spires, television or radio towers and necessary mechanical appurtenances may be erected to height not exceeding 150 feet unless permitted by the Zoning Board of Appeals.

AIRPORTS: The above structures cannot be erected near an airport to a height that exceeds a twenty-to-one (20 to1) glide slope from the end of each runway and extends up to 150 feet above the airport elevation. The glide slope starts at the runway end at the same elevation as the end of the runway.

4. In Districts R-1, R-2, R-3, R-4, A-1 and A-2, the minimum lot size and lot width regulations do not apply to any non-conforming parcel of land shown as a lot in a recorded plat, or described in a deed or land contract executed and delivered prior to the effective date of this ordinance.

   A. Setback requirements on non-conforming lots in Districts R-1, R-2, and R-3 (Non-conforming - lots that are less than 100’ X 200’, 20,000 sq. ft.)

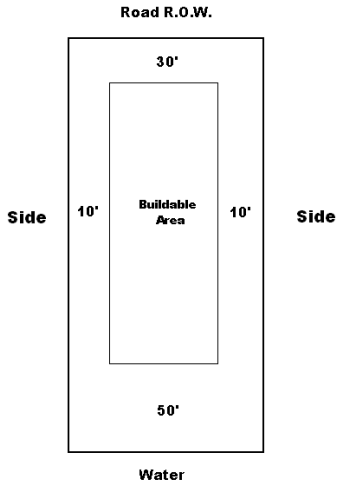
      1. Setbacks may be reduced with approval by the Ordinance Control Manager.

      2. Each side yard setback may be reduced to 10% of lot width, to a minimum of 6’.

      3. Front and rear setbacks may be reduced to conform with neighboring structures.

5. ZONING - DISTRICT- BOUNDARY-SETBACK-REGULATIONS
   On lots in Districts C-1, C-2, C-3 and I, no structure shall be erected or maintained within 30 feet of the boundary line of any R-1, R-2, R-3 districts. Where a district boundary line divides a lot into two districts, it shall be treated as a lot line for purposes of the setback provisions of this ordinance.

6. WATERFRONT SETBACK
   Lot lines which abut water, either lake, river or stream will have a building setback of 50 feet from said water, with no authority to encroach into any greenbelt.



Front Setback - Water Front (no Greenbelt)
Road R.O.W. - Two (2) Side Yards

SECTION 5.16 BUILDING STANDARDS AND FACILITIES

The following section applies to all residential Zoning Districts.

1. Every residential building hereafter erected or moved upon the premises must conform with the following conditions.

   A. It complies with the minimum square footage requirements for the zone in which it is located.

   B. It is firmly attached to a permanent foundation constructed on the site in accordance with the Michigan Construction Code, as amended (Pub Act 230), as enforced by Morton Township, and shall have a wall of the same perimeter dimensions of the dwelling and construction of such materials and type as required in the applicable building code for single family dwellings.

   C. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall be installed pursuant to the manufacturer's setup instructions, and shall be secured to the premises by an anchoring system of device complying with the rules and regulations of the Michigan Mobile Home commission as amended.

   D. In the event that a dwelling is a mobile home, as defined herein, each mobile home shall be installed with the wheels removed. Additionally, no dwelling shall have an exposed towing mechanism, undercarriage or chassis.

   E. The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.

   F. The dwelling contains a storage capability area 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.

   G. The dwelling is esthetically compatible in design and appearance with other residences in the vicinity.

   H. The dwelling contains no additions or rooms or other areas which are not constructed with similar quality workmanship as the original structure, including a permanent attachment to the principle structure and construction of a foundation as required herein.

   I. The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus, and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development as from time to time amended.

      Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.

      Every residential building hereafter erected or moved upon the premises must have a minimum width of 13 feet 8 inches.

J. The exterior of all buildings must be completed with finished siding within one year of the date of issuance of the zoning permit.

K. No crawl space area or any area under the mobile home shall be used for any storage purpose whatever and any such area shall be fully enclosed by fireproof and weatherproof skirting and any ventilators shall be screened.

Skirting must be installed within 6 months after mobile home placement.

Every mobile home shall have an accessory storage building of at least 56 square feet.

2. Minimum Living Area - Every dwelling unit shall have a main floor area of not less than 720 sq. feet of living area. This shall not include the area of any accessory structure.

3. Private Swimming Pools - Private swimming pools are permitted in all districts and must meet building code and health department requirements.

4. Travel Trailer and Recreational Vehicle Restrictions
Travel trailers may not be occupied, outside of a travel trailer park except as noted.

When parking for storage, they must have a current license and cannot be hooked to electric or sewer. No person shall use or permit the use of any automobile or travel trailer as a residence on any site, field, or tract of land not specifically licensed as a travel trailer park.
Temporary permits may be granted for vacation use, subject to the following conditions:

A. On permits issued in advance by the Ordinance Control Manager -
Such temporary permits may be granted for up to 21 days.
Upon expiration of the 21 days, the temporary permit, the trailer must be removed for at least 21 days before a new permit may be issued.
Any trailer found parked without a permit will be deemed to have been present for a period of 21 days and must be removed immediately.

B. The location of the travel trailer shall conform to all lot and yard regulations governing dwellings in the district in which it is to be located.

C. Every building, structure or trailer coach hereafter erected or moved upon the premises must conform to the existing county Health Department rules and regulations for water and sewage disposal.

D. Travel trailers may be utilized as a dwelling by owner during the period when a home is being built on the same lot.

It shall be limited to 12 months, beginning with the date of issuance of the permit. Application for use of such a trailer shall be made in writing to the Ordinance Control Manager.

5. Farm Animals in R1, R2, or R3
A. The keeping of any livestock (such as but not limited to: poultry, pigs, hogs, horses) shall be permitted by special use permit under the following conditions.

1. The parcel shall be at least 10 acres.
2. All barns, stables, coops, etc. shall have a setback from neighboring dwellings of at least 150'.
3. Areas for animals shall be fenced and meet the requirements of Section 7.1.

B. All livestock shall be prohibited if the same become obnoxious by reason of odor or noise. The determination of the Planning Commission shall in the absence of fraud be conclusive on the question of whether such are so obnoxious.

6. Pets in R1, R2, or R3
The keeping of more than 3 dogs and/or cats shall be prohibited, providing however that any litter of dogs or cats which causes the aforesaid limit of 3 to be exceeded shall not constitute a violation of this provision for a period of 4 months after birth.

7. Other animals in R1, R2, or R3
Animals normally considered wild or predatory shall not be allowed.

SECTION 5.17 LANDSCAPE REQUIREMENTS

The provisions of the following are applicable to every lot with respect to which a zoning compliance permit or a building permit for any new structure or enlargement of any existing structure is hereafter required.

1. Required Planting Screens -
In Districts C-1, C-2, C-3, and I, wherever any parking lot, trash collection, outdoor storage area, merchandising or service area lies within fifty (50) feet of any other Zoning District, a planting screen of evergreen shrubs or trees designed to reach six (6) feet in height within five (5) years shall be required to screen the view thereof from the adjoining zoning district, except the view is blocked by a change in grade or other natural or manmade features of the site, as may be approved by the Ordinance Control Manager.

Where, because of intense shade or soil conditions, the planting screen cannot be expected to thrive, an opaque wooden fence, a chain link fence with interwoven redwood or cedar slats, or a masonry wall may be substituted.

2. Planting Screen Specifications -
All planting screens required by this ordinance shall consist of plants, at least 30 inches high when planted, maintained in a healthy condition and so pruned as to provide maximum cover from the ground to a height of five (5’) feet.

3. Time of Completion -
All plantings required by this ordinance shall be installed prior to occupancy or commencement of use. Where compliance with the preceding sentence is not possible because of the season of the year, the Ordinance Control Manager shall grant an appropriate delay but no permanent certificate of occupancy shall be issued until completion of all required plantings.

Any certificate of occupancy may be revoked, after 30 days written notice to the person assessed for taxes on the affected lot and to the occupant, whenever plantings are not maintained as required in this ordinance.

SECTION 5.18 PLANNED UNIT DEVELOPMENT (PUD)

1. Intent - To permit in all districts greater flexibility in the use and design of structures and land for the purpose of:

   A. Preserving unique environmental or cultural resources,

   B. Providing more collective or common open space,

   C. Providing for a mutually beneficial mix of compatible land uses without zoning, or

   D. Encouraging more creative and innovative designs for development which will promote more economical and efficient use of the land and public services.

2. Discretionary Powers -
   In acting upon a PUD application, the Planning Commission may make modifications of the specific provisions of this ordinance provided these modifications are no more than 20% of the normal requirements of this ordinance, also that these modifications shall not:

   A. Be contrary to the ordinance spirit or district's intent and purpose;

   B. Be harmful to the neighborhood or general area in which the PUD occurs.

   C. Impede or impair development of the uses permitted within the Zoning District.

   The Planning Commission may alter setback requirements, height, lot and building size limits, off-street parking regulations, and landscaping rules, but shall not alter the permitted district's gross density limits by more than 20%.

   It may also authorize uses not permitted in the district where the PUD is located, providing such uses are desirable or convenient for the users of the PUD as developed or the immediate neighborhood, and provided that such uses are planned so as to assure that they will not materially alter the existing character of the neighborhood.

   The development of the PUD shall not create demands on other existing public services in excess of current capacity, nor shall uses be detrimental to the health, safety, or welfare of persons or property through excessive production of traffic, noise, smoke, odor, fumes or glare.

   1. Lot Area Requirements
      a. The minimum lot area shall not be reduced for any permitted use more than 20% below that required, by the Subdivision Control Ordinance, in the District which the PUD is located.

   2. Setbacks: The minimum setback requirements for buildings and structures shall be the same as those noted in the Morton Township ordinance for the district in which they are located.

   3. Lot Frontage: The minimum lot frontage, required by the Zoning Ordinance, maybe reduced by 15%.

D. Signs

1. One free standing permanent sign per entrance to the development shall be permitted, not to exceed 32 sq. ft. in area for the purpose of identifying the name of the development only; provided that not more than two such signs shall be permitted per development.

2. The general theme, plan or policy for all such signs proposed in the PUD shall be submitted with a sketch plan, including size and proposed location, to the Planning Commission for its review before any such signs are installed.

3. Clear Vision Requirements
On a corner lot, nothing shall be erected, placed or allowed to grow in such a manner as to impede vision between a height of 2 ½ feet and 10 feet, as measured above ground level in a triangular area bounded by the center lines of the intersection roads and a line joining points along said lines; 300 feet for state trunk lines and railroad crossings, 200 feet for county primary roads, 150 feet for county local roads, and 100 feet for private roads entering onto any of the above.

3. Application Procedure (Preliminary & Public Hearing)
The provisions of this Section shall be applied to the existing Zoning District, as defined on the zoning map where the PUD is to be located.

The application procedure for a PUD is as follows:

A. Preliminary Conference - Prior to preparing a formal application the applicant shall meet with the Planning Commission to discuss the proposed development.

B. Preliminary Application - The applicant shall prepare and submit eight (8) 11” x 17” copies and two (2) 24” x 36” copies of a preliminary development plan which includes the following written and graphic documents to the Ordinance Control Manager ten days prior to the regular meeting of the Planning Commission to request agenda time:

1. A written description of the PUD, including a discussion on how the PUD meets the intent of the provisions of this section; a statement identifying the intended uses including future sale or leasing arrangements of all or portions of the PUD; a legal description of the PUD parcel, listing all owners, holders of easements, etc., or other interested parties; and a projected assessment of the PUD demands on public services and utilities.

2. A preliminary development plan which is in accordance with the Class "B" Site Plan requirements (see Section 6.2).

3. A development schedule; a list of covenants or deed restrictions; any maintenance agreements on open space or common ownership areas; and a description of the type of financial guarantees to be utilized to ensure PUD development.
4. Any other information as the Planning Commission may reasonably require to show the applicant's intent for the development and the viability of the proposal.

5. After review and recommendation of the Planning Commission, submit the preliminary development plan to the Township Board of Trustees for preliminary review and approval.

The Planning Commission shall hold a public hearing to review the above information. In making its review of any portion of the PUD preliminary development plan, the Planning Commission shall determine if the PUD complies with the standards outlined in Article 6 and other relevant provisions of this ordinance.

Within 60 days, following the public hearing, the Planning Commission shall approve, approve with conditions or subject to modifications, or deny by writing, the preliminary application, specifying changes or the reasons for denial.

The approval of the preliminary application does not constitute recording of the plan or plat nor authorize the issuance of building permits.

4. Permitted Uses
No structure or part thereof shall be erected, altered or used, and no land shall be used except for one or more of the following regardless of the zoning district in which the same is located:

A. Residential Uses Permitted
1. Single-family detached dwellings
2. Two-family dwellings
3. Townhouses
4. Apartment buildings
5. Condominiums

B. Nonresidential Uses Permitted
1. Parks, forest preserves, and recreational areas
2. Churches
3. Schools, public or private
4. Bakery and dairy products, retail sales only
5. Barber and beauty shops
6. Drug and grocery stores
7. Laundromat
8. Books, stationery, newspapers, and library
9. Tailoring, dress making, shoe repair and sales
10. Golf courses
11. Real estate office (for the sale or rental of units within the development only)
12. Temporary buildings needed to house construction equipment for a period not to exceed the completion date of PUD
13. Other uses may be permitted upon approval from the Planning Commission

C. Buildings designed and intended to be used for nonresidential uses, in whole or in part, shall be constructed according to the following:

1. Nonresidential uses permitted only upon approval from the Planning Commission.
2. Nonresidential uses allowed in the PUD shall occupy no more than ten percent of the PUD's area.

5. Changes in PUD Preliminary Development Plan
If modification is required in the PUD preliminary development plan the applicant shall make such necessary changes and resubmit the plan within six months for preliminary approval.

6. Final Application Filing Time Limit
   Within a maximum of twelve months following preliminary approval, the applicant shall file for final application as outlined in Section 6.3. For good cause, the Planning Commission may extend this time period for six months.

   If the applicant fails to apply for final application for any reason, approval or conditional approval shall be revoked.

7. Final Application Procedure

   A. The applicant shall prepare and submit eight (8) 11" x 17" copies and two (2) 24" x 36" copies of a final development plan which shall include in final form all information as required for final approval: signed copies of any preliminary plats, in accordance with Act 288 of 1967, as amended, Sections 111-119: (attached): a detailed development timing schedule, deed restrictions or covenants, and any other plans, documentation or specifications, as the planning commission may require to insure final engineering review and approval, which includes building plans, elevation and perspective drawings, drainage, road, or other facility designs; and letters of commitment or intent insuring adequate financing for public utilities and/or services.

   B. Upon receipt of the final development plan, the Planning Commission shall hold a second public hearing and shall determine whether or not the final plans substantially conform to the approved preliminary development plan and is in proper form for final recording.

      Where the Planning Commission determines that this application is consistent with this Section and other requirements thereof, and is in proper form for recording;

      The Planning Commission shall recommend to the Township Board of Trustees that a PUD SPECIAL USE PERMIT be issued for development and use in accordance with the final accepted development plan.

      The PUD SPECIAL USE PERMIT shall be issued by the Township Board upon receipt of evidence of recording of the PUD final Development Plan with the Mecosta County Register of Deeds.

      A denial of the PUD shall be in writing, setting forth the reasons for denial, and any changes which would make the PUD acceptable.

   C. Notice of approval or denial shall be given to the applicant, from the Township Board in writing within twenty (20) days after the next regular Township Board meeting is held.

5.18.1 PUD DESIGN STANDARDS & GENERAL REGULATIONS

1. All PUD applications shall comply with all standards outlined in Section 5.19.

2. Parcel Size - Minimum parcel size shall be ten (10) acres.

3. Development Staging -
   Any PUD designed to be developed in stages shall be designed so that each stage is a complete homogeneous unit and not directly dependent on any other stage.

   Further, the various stages shall be developed in order, as established, in the PUD permit.

   At no time during any stage or during construction of the PUD shall the number of constructed structures per acre exceed the overall density per acre established in the Zoning District, nor exceed any established open space or recreation development schedule.

4. Development Timing -
   Significant physical construction and development shall begin within twelve (12) months from the approval of the PUD.

   Three (3) years from PUD approval, construction shall be completed, or completed in accordance with the approved staging schedule.

   Upon showing of good cause, these development timing restrictions may be extended for a period of one (1) year.

   If the PUD developer fails to comply with these requirements, the Morton Township Board of Trustees may take action to modify or revoke the PUD Special Use Permit.

5. Amendments -
   Minor changes in the location, sitting or character of building and structures may be authorized by the Ordinance Control Manager, if required by engineering or other required circumstances not foreseen at the time the final development plan was approved.

   No changes so authorized may cause a change in the use, character, or intent of the development; an increase in the intensity of use; changes in the overall coverage of structures, or problems of traffic circulation, utility services or similar services; or a reduction in the approved open space, off-street parking and loading space, or pavement width requirements.

   All other changes in use; rearrangement of lots, blocks or building tracts; or any changes other than listed above must be approved by the Morton Township Board.

   Any changes which are approved must be recorded as amendments, in accordance with the procedures established for the recording of the initial final development plan.

6. Interpretation. No other Morton Township Ordinances shall be interpreted and applied to reduce or negate the standards of the Morton Township Zoning Ordinance as applied to any Planned Unit Development.

7. No rezoning. The approval of a PUD shall not constitute rezoning of the land within the PUD.

8. Approved uses. Only the uses specified in the approved PUD shall be permitted. No other use is permitted except by modification, submittal, review, and approval of the PUD by the Planning Commission and the Morton Township Board of Trustees.

9. Review and enforcement. Each PUD shall be reviewed annually by the Ordinance Control Manager for compliance with the approved development plan and PUD Special Use Permit. Noncompliance with the approved development planned and the PUD Special Use Permit may be prosecuted as a violation of the Zoning Ordinance, enjoined as a nuisance, or relied upon by the Morton Township Board of Trustees to revoke the PUD Special Use Permit after notice of noncompliance, failure to correct the noncompliance within sixty (60) days, a hearing and a recommendation by the Planning Commission to revoke the PUD Special Use Permit.

SECTION 5.19 SPECIAL LAND USE PERMITS - GENERAL REGULATIONS

1. Uses requiring Special Land Use Permits are those uses of land which are not essentially incompatible with the uses permitted in a zoning district; but possess characteristics or locational qualities which require individual review and restriction in order to avoid incompatibility with the character of the surrounding area, public services and facilities, and adjacent uses of land.

2. Proposed uses will be evaluated according to their compatibility with the nature, extent and density of the surrounding area. A Special Land Use Permit must be consistent with the Morton Township Master Plan and with the intent of the Zoning District in which it is to be located.

3. Special Land Use Permits may be allowed in all zoning districts including R-1 as designated by this ordinance. They may be granted by the Morton Township Board after a public hearing before the Planning Commission, and a recommendation from the Planning Commission to the Township Board.

4. Prior to approval of a special land use permit, the Township Board shall insure that the standards specified in this Article, as well as, standards established elsewhere in this ordinance shall be satisfied.

5. Standards - All uses by special land use permit shall comply with each of the following standards:
   A. All special land uses shall, at a minimum, be subject to the general regulations for structures, uses, lots, yards, and vehicles contained in this ordinance, as well as, the specific dimension and area regulations for lots and structures in the specific zoning district.

   B. Greater building setback lines may be required when the lot has more than the minimum lot area required or when deemed necessary to protect surrounding properties.

   C. The Planning Commission may recommend, and the Morton Township Board may require, that the premises be permanently screened from adjoining or contiguous properties by a wall, fence, plant screen and/or other approved enclosure when deemed necessary to buffer the special land use from surrounding uses.

D. The nature, location and size of the special land use, shall not change the essential character of the surrounding area, nor disrupt the orderly and proper development of the district as a whole. The use shall not be in conflict with, or discourage the principal permitted uses of, the adjacent or neighboring lands or buildings.

E. The special land use shall not diminish the value of the land, buildings, or structures in the neighborhood; and shall represent an improvement to the property under consideration.

F. The special land use shall not increase traffic hazards or cause congestion on the public highways or streets of the area. Adequate access to the parcel shall be furnished.

G. The water supply and sewage disposal system shall be adequate for the proposed special land use, however, the use shall not overburden any existing services or facilities.

H. Uses by special land use permit shall not be significantly more objectionable to nearby properties by reason of traffic, noise, vibrations, dust, fumes, odor, smoke, glare, flashing lights, or disposal of waste than the operation of any principal permitted use, nor shall the use increase hazards from fire or other dangers to either the property or adjacent property.

I. The special land use shall be consistent with the intent and purpose of this ordinance and conformance with the intent of the Morton Township Master Plan and shall protect the public health, safety and general welfare.

J. In case of a denial, the applicant shall have the right to appeal to the Zoning Board of Appeals.

5.19.1 PROCEDURE

1. The owner of the property or his agent shall file an application for a Special Land Use Permit. The application shall be accompanied by a site plan prepared in accordance with Article 6, and a statement with regard to compliance with the requirements of this Article and any other provision of this ordinance.

2. Application shall be submitted through the Ordinance Control Manager to the Planning Commission which shall hold a public hearing in accordance with Section 13.0. Within a reasonable time following the hearing, not to exceed forty-five (45) days, the Planning Commission shall communicate to the Township Board of Trustees in writing, its recommendations to grant or deny the requested special use permit, and may recommend conditions for permit approval necessary to insure compliance with the standards contained in this Ordinance.

   Such conditions, if imposed by the Township Planning Commission, shall be considered an integral part of the special land use permit and shall be enforced by the Ordinance Control Manager and/or Ordinance Enforcement Officer. The Morton Township Board of Trustees shall grant or deny the application for a Special Land Use Permit.

3. Approval of a Special Land Use Permit shall be valid regardless of change of ownership, provided that all terms and conditions of the permit are met by any subsequent owners. Special Land Use Permits shall be reviewed annually by the Ordinance Control Manager.

4. In instances where development authorized by a special land use permit has essentially changed in nature, extent, or character or has not substantially commenced within one year from date of issuance, the Ordinance Control Manager shall send a letter to the applicant requesting a response within 30 days clearly stating the applicants intentions. If no response is received within the allotted time period, or the response provides an indication that there has been a violation in the provisions of the Special Land Use Permit, the Ordinance Control Manager shall recommend the Planning Commission conduct a public hearing in accordance with Section 13.0 to review the Special Use Permit, and to determine if: a) the Planning Commission should recommend to the Township Board that the Special Land Use be declared null and void, or b) be granted an extension.

ARTICLE 6 SITE PLAN REVIEW

SECTION 6.0 INTENT

An approved site plan, which includes those documents and drawings specified in this section are necessary to insure that the proposed land use or activity is in compliance with this ordinance.

The Site Plan shall be required prior to receiving Zoning Review and other township authority to use, erect or enlarge any structure.

Further, no use shall be undertaken or carried on and no structure shall be constructed, enlarged or improved except, as shown upon an approved site plan.

SECTION 6.1 CLASS "A" SITE PLAN REQUIREMENTS

A Class "A" Site Plan shall be required for the following structures: all single family, two family, mobile homes and any customary accessory uses; other nonresidential structures, which are similar to one and two family residential uses when considering floor area, solid waste loads, water use, traffic congestion, noise, smoke, odor and construction costs.

This site plan shall include a sketch plan with accurate dimensions showing:

1. The lot, with a legal description.

2. Location of existing or proposed buildings and structures.

3. Location of existing or proposed public and private roads and rights-of-way, parking areas, and walkways.

4. Location of existing or proposed public utility systems and/or private sewage systems and wells or water supply source.

5. Existing natural or man-made features such as: wood lots, streams, lakes, and ponds.

6. A description of any changes in grade or drainage systems, excepting those changes to accommodate basement and driveway grading. When development occurs within 500 feet of a watercourse, all grade changes shall be shown in conformance with the County Drain Commissioner's requirements.

7. Use of adjacent properties.

8. Any other information necessary to establish compliance with this ordinance and any other ordinances applicable.

SECTION 6.2 CLASS "B" SITE PLAN REQUIREMENTS

A Class "B" Site Plan shall be required for all other uses and structures, including activities in Districts C-1, C-2, C-3, I, Planned Unit Developments, all special uses, and all multifamily uses.

This site plan shall be drawn to a scale not smaller than 40 feet to the inch, certified by a licensed architect, a registered land surveyor or professional engineer.

A Class "B" Site Plan shall show the following:

1. The boundary lines of the area included in the Site Plan including angles, dimensions, and reference to a section corner, quarter corner, or point on a recorded plat, an arrow pointing north, and the lot area of the land included in the site plan.

2. Existing and proposed grades and drainage systems and structures with topographic contours at intervals not exceeding five feet.

3. The shape, size, location, height, and floor area of all structures, the floor area for the finished ground and basement floor grades.

4. Natural features such as wood lots, streams and lakes or ponds, and man-made features such as existing roads and structures, with indication as to which are to be retained and which are to be removed or altered. Future landscaping designs shall also be indicated.

5. Drainage - All site plans shall indicate that all surface water runoff from the site shall be drained to established or maintained public drainage ways or a properly designed (capable of withstanding a 50 year storm or flood) private drainage retention basins on the site or accessible thereto.

6. Proposed street, driveways, parking spaces, loading spaces, and sidewalks and the total number of parking spaces shall be shown.

7. The size and location of all existing and proposed public and private utilities including private sewage systems, wells or water sources.

8. A vicinity sketch showing the location of the site in relation to the surrounding street system.

9. A legal description of the lot; the name, address, and telephone number of the owner, developer, and designer.

10. Any other information necessary to establish compliance with this and other ordinances.

SECTION 6.3 REVIEW PROCEDURE

1. Upon receipt of a Class "A" Site Plan, the Ordinance Control Manager shall review it to determine whether it is in proper form, contains all of the required information and shows compliance with this and all other ordinances of Morton Township.

   The Ordinance Control Manager shall do an onsite inspection before issuing any permit, upon notice of property having been staked.

   Upon request by the proprietor of the site plan, the Ordinance Control Manager shall, within ten (10) business days, approve the plan or deny approval in writing.

2. Upon receipt of a Class "B" Site Plan, the Ordinance Control Manager shall review the plan to determine whether it is in proper form, contains all of the required information, shows compliance with this and all other ordinances of Morton Township and then forward the site plan to the Planning Commission for their review.

   All actions of the Planning Commission shall be in writing.

3. A denial of any site plan shall set forth in detail the reasons, which shall be limited to any defect in form or required information, any violation or inadequacy of any utility, facility or structure.

   The proprietor may appeal any denial to the Zoning Board of Appeals.

4. Any approval of a Class “A” or Class “B” Site Plan shall be null & void one (1) year from the date approval is given unless the work authorized is substantially commenced within the year.

ARTICLE 7 GENERAL PROVISIONS

SECTION 7.0 HOME OCCUPATIONS

HOME OCCUPATIONS, as defined in Section 10.1, shall be allowed in residential R1, R2, R3 and agricultural A-2 districts provided the following conditions are met:

In R1, R2, R3 Districts

1. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purpose by its occupants and employing the inhabitants thereof; not within any detached garage or accessory building.

2. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation.

   However, one sign not exceeding four square feet in area shall be permitted provided it is non-illuminated and mounted flat against the wall of the main building.

   No machinery, equipment or related merchandise will be permitted to be stored outside.

In A-2 Districts

1. In agricultural districts, 50 percent of the floor area of the principal dwelling may be used for a home occupation, or in an accessory building to the principal dwelling.

2. A non-illuminated sign announcing a home occupation or service offered on the premises provided that such sign shall not exceed 16 square feet, and placed no nearer than 10 feet to any property line.

In All Permitted Districts

1. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood (up to 12 trips per day).

   Any need for parking generated by the conduct of such home occupation shall be met off the street and in an approved parking area.

   No more than three off-street parking spaces may be permitted in residential districts.

2. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odor or electrical interference detectable to the normal senses off the premises, if the occupation is conducted in a single-family residential dwelling zoned R-1, R-2, R-3, or outside the dwelling unit if conducted in an agricultural A-2 zoned district.

   In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television off the premises, or causes fluctuation in line voltage off the premises.

3. Home occupations such as, but not limited to family day care centers, hair dressers, CPA's, computer programming, arts, and crafts sales, insurance sales, real estate professionals, lawyers,

professionals in the medical field, and other professional offices providing a service, shall be permitted provided they meet all of the provisions of this Ordinance.

4. A Home Occupation Permit will be required.
   Application shall be made to the Planning Commission, and upon approval, shall be subject to an annual inspection by the Ordinance Control Manager.

   This permit may be revoked by the order of the Planning Commission whenever the applicant fails to comply with the rules and regulations of this Ordinance.

SECTION 7.1 FENCES

Note: This Section does not apply to fences in A1 or A2 Districts.

DEFINITIONS:
DECORATIVE PRIVACY FENCE
An opaque or mostly opaque fence that has some architectural or 3 dimensional detail to it; excluding flat plywood type panels or commonly used roofing type materials, constructed to obstruct views across the fence line or as a wind break.

FENCES OR WALLS
Upright structures or barriers of wood, stone, brick, metal, plastic, rails, posts, wire mesh, etc. designed to enclose, protect, divide, confine, or define a boundary.

All fences of any nature, type or description located in the Township of Morton shall conform to the following regulations:

A. The erection, construction, or alteration of any fence, wall, or other type of protective barrier shall be approved and a permit issued by the Ordinance Control Manager as to their conformance to the requirements of this section.

   1. Fences shall not be constructed within the road right-of-way, across alleys, streams, rivers, lakes or creeks.

   2. In R1, R2 and R3 Districts only fences of living shrubs, chain link, wrought iron, and wood or plastic fences of corral, picket or decorative privacy fences will be permitted.

   3. In C1, C2, C3 and I, the Planning Commission may require, in addition to fence, natural screening to protect adjacent properties, as per Section 5.17 of the Morton Township Zoning Ordinance.

   4. In R1, R2, R3, and R4 Districts, the fence height maximum shall be 6 feet.

   5. In C1, C2, C3 and I Districts, the fence height maximum shall be 10 feet.

SECTION 7.2 DOCKS

1. Number of docks permitted (Applicable to All Zoning Districts)
   No more than one (1) dock can be placed on any lot whose water frontage is 100 feet or less, and then no more than one (1) dock for each additional 100 feet of water frontage within the same lot.

2. Maximum length of a dock on a public lake
   No dock shall extend into Blue Lake, Round Lake, Lake Mecosta or School Section Lake, a distance greater than fifty (50') feet, including boat wells. However, all docks and boat wells in existence and in location and which exceed this length are permitted to remain in place. No permanent, roofed structures are allowed on boat docks or boat wells.

SECTION 7.3 SIGNS

1. Intent and Purpose
   A. This Article is intended to protect and further the health, safety, and welfare of the residents of the Township of Morton; to further the intent of the Township of Morton Zoning Ordinance and its Zoning Districts; to prevent traffic hazards; to provide safer conditions for pedestrians; to improve community appearance; and to promote economic development by regulating the construction, alteration, repair, maintenance, size, location and number of signs.

   B. When more restrictive with respect to location, use, size, height or other requirements relating to structural safety, the provisions of the Building Code that Morton Township adopts shall take precedence over this Article.

   C. Scope
      1. A sign erection permit shall be required for the erection, construction, or alteration of any sign, except signs of a temporary nature as specified hereinafter, but not limited to:
         A. Name Plates
         B. Existing signs that may be changed or altered so long as none of the provisions of the Zoning Ordinance are violated and no non-conformity is increased or enlarged.
         C. Signs required by Federal or State agencies in connection with Federal or State Grant Projects and Programs.
         D. Signs that have been approved in conjunction with a valid zoning permit for any principal use or accessory use in connection with a Plot Plan or Site Plan.
         E. Non-advertising signs exclusively devoted to controlling property access (no trespassing, private property, keep out, no hunting, etc.) provided the sign does not exceed a total area of two (2) square feet.
         F. Temporary real estate signs, not exceeding ten (10) square feet, on individual lots in platted one family residential subdivisions advertising a premises as being for lease, rent or sale.

      2. As of the effective date of Section 7.3 Signs, the Planning Commission will not allow any new billboard permits to be issued.

2. Definitions
   The following words and phrases shall be interpreted and construed in accordance with the definitions delineated herewith.

Animated Sign: A sign other than an electronic message sign, whereby the sign itself or the information conveyed incorporates or involves action, motion, or the appearance of action or motion; such as flashing lights, color changes, moving parts, reflective materials, scrolling messages, or video-like features.

Awning or Canopy: A retractable or fixed shelter constructed of material on a supporting framework that projects from the exterior wall of a building.

Awning or Canopy Sign: A sign fixed to or integral with the surface of an awning or canopy.

Balloon Sign: A sign composed of an inflatable, non-porous bag.

Banner Sign: A fabric, plastic, or other sign made of non-rigid material without an enclosing structural framework.

Billboard: A sign which contains a message or advertises an establishment, product, service, space or activity not available on the lot on which the sign is located, and exceeds thirty-two (32) square feet of each sign face.

Building Code: The current code or codes in effect in the Township which governs the erection, alteration, maintenance and removal of structures; including all signs not specifically exempted from the provisions thereof.

Canopy: Refer to awning or canopy definition.

Construction Sign: A sign which identifies the owners, financiers, contractors, architects, engineers or tenants of a project under construction.

Directional sign: A sign which gives directions or instructions for the use on the lot on which the sign is located, such as parking or exit and entrance signs.

Electronic Message Signs: Any sign which is a video terminal or is electronically changeable in which sign copy or portions of the copy change at regular intervals without human intervention except to input the copy and set the interval of change. This is different from an animated sign due to only copy changing in a sequence and constant light brightness.

Essential Services: Equipment and accessories reasonably necessary for the furnishing of utility service or for the public health, safety, or general welfare by public utilities or municipal departments and commissions.

Freestanding Sign: A permanent sign which is not attached to a building.

Government Sign: A temporary or permanent sign erected by the Township of Morton, Village of Mecosta, Mecosta County, or the State or Federal Government including temporary signs as necessary in conjunction with the improvement of public infrastructure.

Grade: Refers to *Natural Grade*: the elevation of the ground level in its natural state, before construction, filling or excavation. Used in this fashion, it is most often expressed in feet above sea level.

Marquee: A permanent structure constructed of rigid materials that projects from the exterior wall of a building.

Marquee Sign: A sign fixed flat against the surface of the marquee.

Mural: A design or representation painted or drawn on a wall which does not contain promotional or commercial advertising.

Off-Premises Advertising Sign: A sign which contains a message or advertising an establishment, product, service, space or activity not available on the lot on which the sign is located, and does not exceed thirty-two (32) square feet of each sign face.

Placard: A sign which provides notices of a public nature, such as "No Trespassing" or "No Hunting" signs.

Permanent Sign: A sign which has a permanent location on the ground or which is attached to a structure having a permanent location and which meets the structural requirements for signs as established in the Building Code.

Political Sign: A temporary sign used in connection with an official Morton Township, school district, county, state, or federal election or referendum.

Projecting Sign: A double-faced sign attached to a building or wall.

Reader Board: A portion of a sign on which copy is manually changed.

Real Estate Sign: A sign advertising the real estate upon which the sign is located as being for sale, rent, or lease.

Roof Line: The eaves line of a roof or building parapet, whichever is higher, but excluding any cupolas, chimneys, or other minor projections.

Roof Sign: A sign erected above the roof line of a building.

Sign: A device, structure, fixture, or placard using graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying an establishment, product, service, or activity provided on the site on which the sign is located.

Sign Face: The section of a billboard or off-premises advertising sign that displays a message or messages facing in one direction. It shall include the entire area of the portion of the billboard or off-premises advertising sign that is above the supporting pole(s) and any other part that displays a message.

Temporary Sign: A sign intended for a limited period of display.

Tourist-oriented Directional Sign: A sign used to provide motorists with advance notice of a lawful cultural, historical, recreational, educational, or commercial activity that is annually attended by

2,000 or more people and for which a major portion of the activity's income or visitors are derived during the normal business season for motorists not residing in the immediate area of the activity.

Wall Sign: A single faced sign painted or attached directly to and parallel to the exterior wall or door of a building.

Window Sign: A sign placed on the inside of a window and intended to be viewed from the outside.

3. General Sign Provisions

A. Any sign and supporting structure (other than a billboard or off-premises advertising sign) which for a period of sixty (60) days no longer advertises or identifies a bona fide business conducted or product sold shall be removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which such sign is located, within thirty (30) days of receipt of written notice by the Building Official or Ordinance Control Manager.

B. No light pole, utility pole, or other supporting member of a building or property shall be used for the placement of any sign unless the owner of the pole or supporting member has given permission for such use and the sign conforms to all requirements of this Article.

C. Except for signs for home occupations, a sign may be internally or externally illuminated. If externally illuminated, the source of the light shall be enclosed and directed to prevent the source of light from shining directly onto traffic or residential property.

D. A sign accessory to a nonconforming use or structure shall conform to the provisions of the zone district in which the nonconforming use or structure is located. Any addition that is attached to the sign other than the verbiage, may protrude to the front, back, top, bottom or sides, but must be included in the measurements of the sign.

E. Painted or paper-faced signs shall be maintained free of peeling paint or paper, sun fading, staining, rust, or other conditions which impair the legibility or intelligibility of such sign.

F. Any signs permitted by the provisions of this Article, including all supports, braces, guys and anchors, shall be maintained in conformance with this Article and in such a manner so as to not cause a hazard to the public.

G. Signs shall not be placed in, upon, or over any public right-of-way, alley, or other public place, except as may be otherwise permitted by this Article and unless a revocable license is approved by the Township Board.

H. Reader boards are permitted on a wall or as a freestanding sign but not at both sign locations at one business, property, address or location.

I. Any sign not resting directly on the ground, exceeding ten (10) square feet and set back less than thirty (30) feet from the public right-of-way, shall maintain a minimum clear space of eight (8) feet from the bottom of the sign to the ground, except in commercial districts.

J. Awning, canopy, marquee signs or projecting signs which extend over the township right-of-way shall maintain a clear space of eight (8) feet from the bottom of the awning, canopy, or marquee to the grade. In the event the awning, canopy marquee or projecting sign extends over the Township right-of-way, a revocable license from the Township Board is necessary prior to receiving a permit.

K. All signs shall comply with the Building and Electrical Codes of the Township of Morton. Underground wiring shall be required for all illuminated signs, or signs requiring electrical connections except for permitted temporary signs.

L. In keeping with Morton Township's goal to stimulate economic growth, it may be necessary to accommodate commercial signage modifications. Consideration for sign size increase will be submitted for review by the Planning Commission for commercial and agricultural zoned areas with buildings greater than 12,000 SF. Each case would have to be justified and approved by the Planning Commission for an increase in size other than prescribed by Section 7.3.11, regulations for on premise signs.

4. Sign Prohibitions

A. Strings of light bulbs, pennants, streamers, banners, or flags (other than those of a governmental nature not used for the purpose of commercial advertisement) are prohibited, except as permitted in Sections 7.3.12, 7.3.13, and 7.3.18 as temporary signs for promotions.

B. Signs, including reader boards, shall not employ any flashing, moving, oscillating, blinking, or variable intensity light.

C. Signs shall not contain any moving or animated parts or be designed so as to give the appearance of movement.

D. A sign shall not be erected in any place where it may, by reason of its position, shape, color, or other characteristic, interfere with, obstruct the view of, or be confused with any authorized traffic signs, signal, or device, obstruct traffic visibility, or constitute a nuisance per se.

E. A wall sign shall not extend beyond the edge of the wall to which it is affixed nor extend above the roof line of the building.

F. Roof signs are not permitted.

G. Balloon signs are prohibited except as permitted by application to the Planning Commission for use as a temporary sign for promotions for a period not to exceed 15 days.

H. Any vehicle (including trailers) which has the primary function of acting as a sign, shall not be permitted.

I. Any sign which is not specifically permitted by, or does not conform to the provisions of this Article, is prohibited.

5. Units of Measurement

A. The area of a sign shall be measured as the area within a single, continuous perimeter composed of either the smallest square, rectangle, or circle which encloses the extreme limits

of writing, representation, emblem, logo, or any other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign. Reader boards shall be included in the sign measurements.

B. The area of a freestanding or projecting sign that has two (2) or more faces shall be measured by including the area of all sign faces, except if two (2) such faces are placed back-to-back and are equal size, the area of the two (2) back-to-back shall be counted as one (1) face. If the two (2) back-to-back faces are unequal in size, the larger of the two (2) sign faces shall be counted as the one (1) face.

C. The height of the sign shall be measured as the vertical distance from the highest point of the sign to the original grade of the ground immediately beneath the sign.

D. Any addition that is attached to the sign other than the verbiage, which may protrude to the front, back, top, bottom or sides must be included in the measurements of the sign.

6. Nonconforming Signs

A. Every permanent legally existing sign which does not conform to the height, size, area, or location requirements of this Article as of the date of the adoption of this ordinance, is hereby deemed to be nonconforming

B. Nonconforming signs may not be expanded, enlarged, extended or relocated, however; said signs may be maintained and repaired so as to continue the useful life of the sign.

C. For purposes of this Section, a nonconforming sign may be diminished in size or dimension or the copy of the sign amended or changed without jeopardizing the privilege of nonconforming use.

D. Any nonconforming sign, sign structure, or frame substantially destroyed by fire or other casualty loss shall not be restored or rebuilt.

E. When a nonconforming sign or portion thereof is removed, it shall be replaced only with a sign that conforms with all requirements of the Zoning District within which the property is located. A sign which may be removed for maintenance or repair purposes in accordance with Section 7.3.6(b) following a permit from the Building Official or Ordinance Control Manager or authorized representative that the sign, of the same size, width and height, would be reinstalled within ninety (90) days of removal or the right of nonconforming use shall be deemed abandoned.

7. Removal of Unsafe or Unlawful Signs

A. If the Building Official and/or Ordinance Control Manager or their authorized representative determines that any sign regulated by this Article is unsafe or constitutes a hazard to the public, such as obstructing vision of vehicle drivers or pedestrians, or has been constructed, erected or maintained in violation of the provisions of this Article, the Official or Inspector may remove the sign or require its immediate removal. Failure to comply with a notice of violation by the Official or Control Manager shall be deemed a misdemeanor or nuisance per se.

B. Any sign placed or erected in a public street, alley, or right-of-way, or other public place, which is not specifically permitted in such place, shall be deemed an unlawful sign and the department of the Township having jurisdiction over the maintenance of such public place shall remove such sign. Such removal may be without written or other notice to the owner, lessee or person of the property adjacent to the public street, alley or right-of-way, or other public place upon which such sign is located.

8. Sign Permits

A. No person shall erect, alter, place or permit to be placed, or replace any sign structure, except as provided herein, without first obtaining a permit as required.

B. Sign Erectors Licensing: No person shall erect or place on any property any sign which has a maximum vertical height greater than the horizontal distance from any portion of the sign to any property line of the property, unless such person has obtained a sign erector's license as provided herein. Any person desiring a sign erector's license shall make written application to the Township Clerk, on forms prescribed by the Clerk, and shall pay the fee as established by the Township Board.

C. Before a sign erector's license shall be issued, the applicant shall file with the Township Clerk evidence satisfactory to the township that public liability and property damage insurance has been obtained under which the applicant and the township are coinsured with respect to any personal injury or property damage arising out of any act done or negligence committed while acting under any license permit, whether such act or negligence be of the licensee or subcontractor of the licensee, or any other person who may be performing any act under or in accordance with the authority granted by such license or permit. Such policies of insurance shall insure both the applicant and the Township against loss or damage to any person or property as a result of the acts or omissions of the licensee.

Such insurance shall be a minimum of one million dollars ($1,000,000.00), or as directed by the Morton Township Board, from an insurer approved by the Commissioner of Insurance of the State. Every policy of insurance required by this section shall bear an endorsement to the effect that the insurer shall notify the licensee and the Township in writing at least ten (10) days prior to the expiration of such policy.

D. If the licensee shall at any time fail to comply with the provisions of the Article or shall fail to comply with any written directions of the Building Official and Ordinance Control Manager, based upon the provisions of this Article, the Building Official and Ordinance Control Manager or authorized representative may proceed with legal action to suspend or revoke the license.

9. Exempt Signs: The following signs are exempt from the regulations of this Article regarding permits.

No sign may be placed in the road right-of-way and any sign over 6 ft in height must be set back from the road right-of-way equal distance to the height of the sign. All signs must have a side yard setback of 10 feet. Any person adversely affected by the provisions of this article may apply for a variance from the Ordinance Control Manager.

On Premise Signs	Guidelines/Restrictions
Government Signs	No Restrictions.
Highway and Traffic Signs	Erected by a state, county or municipal road agency identifying streets or highways, giving directions to streets or places of interest or establishing restrictions or conditions of use for street or highways. This exemption shall further include such signs authorized by a road agency in conjunction with street or utility construction projects denoting detours, or identifying access to business or industrial areas or sites when normal access is disrupted by such construction.
Tourist-Oriented Directional Sign	Provided such signs are otherwise permitted by the Michigan Department of Transportation pursuant to PA 299 of 1996, as amended and permitted with the jurisdictional boundaries of the Village of Mecosta as provided by and pursuant to MCL 247.403(7).
Historical Markers	Under authority of local, state, or federal government.
Window Signs	No Restrictions.
Essential Service Signs	No Restrictions.
Placards	Not to exceed two (2) square feet.
Flags	Any nation, state, municipality, educational institution, college, or university.
Handicap Sign	International symbol of accessibility or van accessible logo for such designation.
On or Off Premise Signs	**Guidelines/Restrictions**
Light Strings	Permitted during November and December for activities associated with holiday sales or events.
Temporary signs for holidays, special events, business openings or events, community events, public demonstrations, promotion of civic welfare, or charitable purposes	2’ x 2’ maximum size, date of event must be on sign, placement limited to 14 days. Date sign is placed must be on sign, cannot be within public road right of way, elevation at top of sign must be no more than 6’ above grade. Sign cannot be illuminated or use an electronic message board.
Temporary signs for garage, yard sales or similar sales or events, and basement sale signs	2’ x 2’ maximum size, date of event must be on sign, placement limited to 14 days. Date sign is placed must be on sign, cannot be within public road right of way, elevation at top of sign must be no more than 6’ above grade. Sign cannot be illuminated or use an electronic message board. Must be removed within 48 hours of conclusion of the sale. For residential properties in any zoning district.
Church, nonprofit, educational institutions	One (1) onsite temporary sign provided that the sign be displayed no more than two (2) weeks prior to a specific event, and must be removed within forty-eight (48) hours of the conclusion of the event or activity. 32 sf maximum size.
Fabric Umbrella	Signage or advertising that is integrated into the fabric to provide shade or cover to customers at a dining table within an approved outdoor dining area in conjunction with a licensed food service establishment.

10. Temporary Political, Real Estate, Construction, and Directional Signs
The following signs shall not require a building permit but shall comply in all other respects with the regulations set forth herein:

A. Political signs are subject to the following provisions:
1. Political signs shall be no larger than six (6) square feet in residential zone districts and no larger than thirty-two (32) square feet in nonresidential zone districts.
2. Political signs shall be placed only on private property with the permission of the property owner, not in the right-of-way.
3. Political signs shall be no higher than six (6) feet from the grade.
4. Political signs shall not obstruct visibility at road intersections.
5. Political signs shall be removed within ten (10) days after the official election to which a sign pertains.

B. Real estate signs are subject to the following provisions:
1. Real estate signs shall be no larger than ten (10) square feet in residential zone districts and no larger than thirty-two (32) square feet in nonresidential zone districts.
2. Real estate signs shall be placed only on private property with the permission of the property owner, not in the right-of-way.
3. Real estate signs shall be removed within thirty (30) days after closing of the sale or lease of the property.
4. The entire height of real estate signs shall be no higher than six (6) feet from the grade.
5. One (1) real estate sign per street frontage except during the period an open house is conducted, wherein signs directing traffic to the open house are permitted.
6. Real estate signs announcing the sale of properties within a subdivision provided that such signs do not exceed thirty-two (32) square feet in area; and that the signs be removed at such time as seventy-five (75) percent or more of the lots in such subdivision are sold.

C. Construction signs are permitted within any Zoning District subject to the following provisions:
1. Construction signs shall not be erected until a building permit has been issued for the project which is the subject of the proposed sign, and construction has begun.
2. Construction signs shall be removed immediately upon the issuance of any occupancy permit or completion of the structure(s) or facility which is the subject of the sign.
3. Construction signs shall not exceed the maximum size for the type of sign in the zoning district in which they are located.

D. Directional signs are permitted subject to the following provisions:
1. Directional signs shall not exceed six (6) square feet in area and six (6) feet in height.
2. Directional signs shall be limited to the identification of functions such as traffic control, loading areas, employment office.

11. Regulations for on premises signs for Residential, Agricultural, Industrial, & Commercial Zone Districts. Permits are required.

Zoning District	Sign Type	Quantity	Size Sq Ft	Location	Restrictions
Residential & Agricultural R-1, R-2, R-3, R-4 A-1, A-2	Free Standing	2 per subdivision, park, multi-family complex, school, church, etc.	32 SF*	No sign may be placed in the road right-of-way and any sign over 6 ft in height must be set back from the road right-of-way equal distance to the height of the sign.	Six (6) or more residential units, schools, churches, etc. Height – six (6) feet from grade max
	Wall Signs	1 per lot	4 SF	Wall of structure – Face the road	
	Multi –Family				
	Wall Signs	1 per street frontage	12 SF	Wall of structure – Face the road	
	Bed & Breakfast				
	Free Standing	Limit one (1) or the other 1 identifying sign	4 SF	No sign may be placed in the road right-of-way and any sign over 6 ft in height must be set back from the road right-of-way equal distance to the height of the sign.	Sign face not to exceed 3 feet in height
	Wall Signs	Limit one (1) or the other 1 identifying sign	6 SF	Flat against residence	
Commercial					
C-1	**Drive thru Restaurants**				
	Menu Signs	1 per parcel or lot	32 SF	Not visible from right of way	Speakers directed away from any residential use
C-1 C-2 C-3	**Special & Promotions**				
	Temporary / Banners	Same As other Signs in the district		No sign may be placed in the road right-of-way and any sign over 6 ft in height must be set back from the road right-of-way equal distance to the height of the sign.	14 day limit
	Wall Signs	1 / frontage of road or parking lot	See Restrictions	Not more than 12in from wall	10% of the wall area to which the sign is attached
	General Use				
	Wall Signs	1 / tenant per frontage road or parking lot	See Restrictions	Not more than 12in from wall	10% of the wall area to which the sign is attached

Zoning District	Sign Type	Quantity	Size Sq Ft	Location	Restrictions
C-1 C-2 C-3 (cont.)	Freestanding Sign	1 / lot or parcel	32 SF*	No sign may be placed in the road right-of-way and any sign over 6 ft in height must be set back from the road right-of-way equal distance to the height of the sign.	Height: Ten(10) ft from the road grade closest to the sign structure.
	*Consideration for sign increase for commercial & agricultural zoned areas with buildings greater than 12,000 ft shall be submitted to the Planning Commission for approval. See Section 7.3.3L				
	General Use				
	Awning Sign Including: Canopy & Marquee	1 / building	See Restrictions	Copy must be flat to the surface of the awning.	1SqFt per linear foot of street front.
	Projecting Sign	1 facing road / parking lot	See Restrictions	Max of 36in from wall. Not beyond roof or eves.	10% of the wall area to which it sign is attached.
	Projecting Sign Multi-tenants	1 facing road / parking lot	6 SF	Per 25 ft of store front or 1 / tenant	8ft clearance from sidewalk. Below second floor window.
Industrial					
I-1	**Special & Promotions**				
	Temporary / Banners	Same As other Signs in the district		No sign may be placed in the road right-of-way and any sign over 6 ft in height must be set back from the road right-of-way equal distance to the height of the sign.	14 day limit
	General Use				
	Freestanding	1 / lot or parcel	32 SF	No sign may be placed in the road right-of-way and any sign over 6 ft in height must be set back from the road right-of-way equal distance to the height of the sign.	Height: Ten(10) ft from the road grade closest to the sign structure.
	Awning Signs Including: Canopy & Marquee	1 / building	See Restrictions	Copy must be flat to the surface of the awning.	1SqFt per linear foot of street front.

12. Electronic Message Signs.

Zoning District	Quantity	Size Sq Ft	Location	Restrictions
All Districts Except Residential	1 per road frontage or corner lot	32SF	Minimum 30ft from the road Right-of-way	Permitted as on-premises sign only. Only on the parcel which contains the advertised entity. The lighted sign face must not face closer than 400ft from a residential use. May not contain any flashing lighting. Must not change sign copy more than once every 5 seconds. Other than changing sign copy; action, motion or the appearance of action or motion is prohibited. No more than 4 lines of variable sign copy.

13. Adverse Impact of Article
    Any person adversely affected by the provisions of the Article, with the exception of those provisions contained in this Article relating to licensing and permits, may apply for a variance.

14. Billboards and Off-Premises Advertising Signs, Requirements
    A. This section is adopted for the following general purposes:
        1. To promote traffic safety in the Township of Morton;
        2. To protect public and private investment and property values in buildings, land development, and open land in the Township of Morton;
        3. To prevent obstruction of light and sunshine; and
        4. To limit the adverse impact that would be caused by a proliferation of billboards and off-premises advertising signs and resulting visual pollution contrary to the Master Plan adopted by the Township of Morton and protect the public health, safety and general welfare.

    B. Based on the Planning Commission's recommendation made after it conducted a public hearing on the regulations set forth in this Section and after it received reports from the Township's staff concerning the proposed ordinance, the Township Board determined that:
        1. Billboards or off-premises advertising signs are not permitted in the R-1 through R-4 Residential Districts and those portions of the PUD Districts used for residential purposes in that the advertising activity is commercial in nature. Such activity would be harmful to property values, aesthetics and the quality of life in residential areas;
        2. The limited presence of off-premises advertising signs is compatible only in Agricultural, Commercial and Industrial Districts; subject to spacing and other limitations to promote traffic safety.
        3. The limitations on the number, size, height, setback, and spacing in the proposed ordinance are necessary based on the volume and nature of traffic patterns in areas where off-premises advertising signs are allowed, to limit the proliferation of off-premises advertising signs and to promote the purposes set forth herein;
        4. The regulation of off-premises advertising signs is necessary to limit or avoid unduly distracting motorists and pedestrians; avoid traffic hazards; and avoid reducing the effectiveness of signs and devices that regulate traffic; to promote signage that is near eye-level and can be readily viewed from moving vehicles with the least amount of eye distraction; and otherwise assure the public safety of the community;

5. The following regulations of off-premises advertising signs are necessary to limit the visual impact of outdoor advertising signs in the Township; to improve the appearance of the Township; to enhance the visual quality of new and older business areas; to enhance and insure the compatibility between outdoor advertising signs and adjacent land uses; to limit the impact of off-premises advertising signs in terms of the visual sign clutter and confusion in the community; to ensure appropriate proportional scale with adjacent land uses and adjacent on-premises signage;
6. Extensive construction of off-premises signs is contrary to the Morton Township Master Plan and represents a form of visual or aesthetic pollution.

C. Each off-premises advertising sign shall be set back at least thirty (30) feet from the public right-of-way or front yard property line and thirty (30) feet from each side or rear property line. Billboards or off-premises advertising signs shall also be set back two hundred and fifty (250) feet from the nearest Residential District, or any PUD used for residential purposes. For purposes of determining the distance for those setbacks, the distance shall be measured at ground level directly below the point on the sign nearest to the lot line of the off-premises advertising sign. Height shall be measured from the road grade level at the point of the road grade level closest to the off-premises advertising sign up to the highest part of the off-premises advertising sign structure, and be no higher than twenty-five (25) feet.

D. An off-premises advertising sign shall not be constructed closer than one thousand (1,000) linear feet from another off-premises advertising sign on both sides of the street or highway. For the purposes of this Section, the linear feet between off-premises signs shall be measured along the center line of the highway or street right of way from points on the center line which are directly opposite the center of the bases of those structures being measured and shall apply to both sides of the street or highway.

E. An off-premises advertising sign shall not have more than one (1) sign face facing in any one (1) direction.

F. Off-premises advertising signs shall comply with the following requirements:
1. Off-premises advertising signs are subject to all permit requirements for structures under the provisions of the Building Code that Morton Township adopts and shall be considered a structure for the purposes of the Building Code that Morton Township adopts, regardless of how constructed.
2. Off-premises advertising signs shall comply with all other applicable Sections of the Morton Township Code, including but not limited to, Section 7.3.4. No billboard or off-premises advertising sign shall have sign faces which change its copy, display, or message by the use of motorized copy, digital imaging, or other enhancement.
3. No portion of the sign display shall project more than eighteen (18) inches in front of a sign face.
4. Any extension of the sign face above, below, or to the side of a sign face shall be counted in the area of the sign face and height of the off-premises advertising sign.
5. No flags shall be affixed to or hung from a billboard or off-premises advertising sign.

G. No permit for an off-premises sign shall be issued until the applicant demonstrates that it complies with the following requirements:
1. That the applicant owns the lot or has written permission from the property owner to construct the off-premises advertising sign.

2. That the lawful uses of the lot permit its use for an off-premises advertising sign.
3. That lighting of the off-premises advertising sign complies with the standards set forth in Section 7.3.3(c).
4. That the applicant has supplied a copy of the permit from the State of Michigan pursuant to the Highway Advertising Act, M.C.L. 252.301, et seq. or proof that it can obtain the permit, if a permit is required.
5. That the Ordinance Control Manager or Building Official may demand of the applicant documentation evidencing compliance with this section.

H. Off-premises advertising signs shall contain advertising limited to one (1) subject or commercial advertising, per sign face.

I. Off-premises advertising signs shall not be eligible for a special exemption under other sections of the Zoning Ordinance.

J. The provisions of this Section or of Article 7 shall not be construed to prohibit the owner of a sign otherwise lawfully constructed or existing under Article 7 to display noncommercial messages on a sign in C-1 or C-2 Commercial Zone District or the Industrial Zone Districts.

15. Identification
Every sign hereafter erected or reconstructed shall have, in a conspicuous place thereon and in legible lettering, the date of the erection and permit number.

16. Section A. Validity and Severability. Should any portion of this ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section B. Repealer Clause. Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and affect.

SECTION 7.4 OUTDOOR SOLID FUEL HEATING DEVICES

1. Outdoor solid fuel heating devices.

   A. Definitions. As used in the section, the following terms shall have the meanings indicated:

      SOLID FUEL HEATING DEVICE – An outdoor device or structure designed for solid fuel combustion and for the purpose of providing indoor heat, including but not limited to combination fuel furnaces or boilers which burn solid fuel.

      STACK or CHIMNEY – Any vertical structure enclosing a flue or flues that carry off smoke or exhaust from a solid fuel fired heating device or structure, including that part of the structure extending above a roof.

   B. Allowed material to burn. Only the following materials may be burned in the outdoor solid fuel heating devises: brush, personal papers, pellets, and clean, untreated and unpainted wood products.

   C. Zoning permit required prior to installation. No outdoor solid fuel heating device shall be erected within a fifty (50) foot radius of the property lines.

   D. Public nuisance. All solid fuel fired heating devices without a stack or chimney extending four (4) feet above the highest point of any structure within a fifty (50) foot radius of the heating device and a minimum of 15 feet in height measured from the ground at and on which the device is located shall be considered a public nuisance within the Township of Morton and are banned.

SECTION 7.5 OFF-STREET, PARKING REQUIREMENTS

There shall be provided off-street parking for motor vehicles and the minimum number of parking spaces to be provided shall be as shown in the following list:

USE	SPACES REQUIRED
Commercial Services	
Automobile Repair	2.0 per service bay; 1.0 per each tow/service vehicle; 1.0 per employee
Gas Stations	1.0 per pump and 2.0 per 500 square feet of retail sales space, 1.0 per employee
Automobile Wash	2.0 stacking spaces per semi- or fully automatic car wash bays. 2.0 stacking spaces per bay for a self-service bay; 1.0 per employee
Barber Shops and Beauty Parlors	1-1/2 per station; 1.0 per employee
Dry Cleaners	3.0 per customer service area,; 1.0 per employee
Funeral Parlors	1.0 per employee; 1.0 per funeral vehicle; or 1.0 space per every two persons of capacity authorized by the Uniform Building Code, etc., whichever is greater
Hotels, Motels, and Bed & Breakfast	1.2 per room in addition to spaces required for restaurant facilities
Laundromats/coin operated dry cleaners	1.0 per 2 machines; 1.0 per employee on duty
Food and Beverage	
Bars, lounges, tavern, nightclubs (majority of sales consist of alcoholic beverages)	1.0 per two seats; 1.0 per employee based on peak shift
Carry-out restaurant	1.0 per two seats; 1.0 per employee based on peak shift
Coffee house	1.0 per two seats; 1.0 per serving station; 1.0 per employee based on peak shift
Fast Food take-out establishments and drive-in restaurants, restaurants and night clubs	1.0 per two seats; 1.0 per employee based on peak shift
Institutional	
Auditoriums, assembly halls, and outdoor arena/stadiums	1.0 per 3 seats; or 1.0 space per every two persons of capacity authorized by the Uniform Building Code, etc., whichever is greater
Churches and similar places of worship	0.5 times permitted occupancy of the largest room
Community/Senior Centers	1.0 per employee; 0.5 per building occupancy
Convalescent/nursing home	1.0 per three beds or two rooms, whichever is less; 1.0 per each employee during peak shift
Elderly Housing – Assisted Living	1.0 per four beds; 1.0 per employee based on greatest number of employees in any one shift
Elderly Housing – Congregate Care	1.0 per two units; 1.0 per employee based on greatest number of employees in any one shift
Elderly Housing – Independent Living	1.0 per unit; 1.0 per employee based on greatest number of employees in any one shift
Elementary and junior high schools	1.0 per employee; 1 per each 30 students; in addition to requirements for auditorium or stadium
Library	1.0 per 300 sq. ft. of floor space
Municipal office buildings	.25 times permitted occupancy; 1.0 per employee; 1.0 per 2 units of business, 1.0 per 3 seats of maximum allowed occupancy
Museums & galleries	0.5 per 100 sq ft of floor space
Private clubs, lodge halls, union halls, fraternal orders, civic clubs, and similar	1/3 spaces of maximum occupancy
Rooming houses, convalescent homes, group homes and group family homes	0.5 times maximum lawful number of occupants
Senior “interim care” and “intermediate care” units	1.0 per each room or two beds, whichever is less; 1.0 space per employee (peak shift)
Senior high schools, colleges and commercial schools	1.0 per employee; 1.0 per each 10 students, in addition to the requirements of the auditorium or stadium, whichever is more.
Senior Independent Housing	1.5 per unit

USE	SPACES REQUIRED
Office	
Banks/ Savings and Loans/Credit Unions	2.0 per teller station; 2.0 per ATM station; 2.0 stacking spaces of each drive up window/ATM; 1.0 per employee
Business Office (Insurance, Real Estate, Financial Planning, etc.	2.0 per potential customer based upon number of servicing employees; 1.0 per employee
Doctor's and Dentist's Offices	1.0 per exam/treatment/ procedure room; 1.0 per employee; 2.0 per treatment specialist
Offices	1 per 300 sq. ft. of floor space
Recreational	
Banquet facilities	2.0 per table; 1.0 per employee; or 1.0 space per every two persons of capacity authorized by the Uniform Building Code, etc., whichever is greater
Bowling Alleys	5 per lane in addition to spaces required for restaurant facilities
Golf Courses	4.0 per hole; 1.0 per employee
Golf Courses with clubhouse	4.0 per hole; 1.0 per employee; restaurants – per above
Health fitness centers; athletic clubs/ etc. Physical therapy	1.0 space per every two persons of capacity authorized by the Uniform Building Code; etc.
Theatres, facilities for spectator sports, auditoriums, concert halls	0.5 times the maximum occupancy
Residential	
Apartments and Townhouses	2 per dwelling unit
Manufactured/Mobile Housing Park	2.0 for each mobile home unit or site and 1.0 for each employee of the facility
Multiple-Family Residential	1.5 per each efficiency or 1 bedroom dwelling unit, 2.0 spaces per each unit with 2 or more bedrooms
Single-Family and Two-Family Residential	2 per dwelling unit
Retail	
Automobile and Motor cycle sales	1.0 per employee; 2.0 per service/sales station/ area
Furniture, appliance, household equipment carpet and hardware stores, repair shops, including shoe repair, contractor's showrooms and others	0.5 per 100 sq. ft. of floor space
Home improvement /remodeling/etc	1.0 per employee; 2.0 per service station
Retail stores and service establishments	1 per 150 sq. ft. of floor space and outdoor sales space
Shopping Centers	1.0 per 200 sq. ft. of floor space

For uses not specifically listed above the requirements below are applicable:	
Other commercial and industrial uses, warehouses	.75 times maximum number of employees on premises at any one time.

Where calculation in accordance with the foregoing list results in requiring a fractional space, any fraction of one-half or more shall require one space.

Required off-street parking shall be provided on the lot to which it pertains. The use of any required parking space for storage of any motor vehicle for sale, or for any purpose other than the parking of motor vehicles is prohibited, excluding R-1 and R-2, the following minimum standards shall be observed in laying out off-street parking facilities:

PARKING ANGLE IN DEGREES	STALL WIDTH	AISLE WIDTH	PARKING STALL LENGTH	CURB TO CURB
0 to 15	9 ft.	12 ft.	23 ft.	30 ft.
16 to 37	10 ft.	11 ft.	19 ft.	47 ft.
38 to 57	10 ft.	13 ft.	19 ft.	54 ft.
58 to 74	10 ft.	18 ft.	19 ft.	61 ft.
75 to 90	10 ft.	24 ft.	19 ft.	63 ft.

There shall be ample space provided for a turn around so no vehicle backs out into the road right of way in Districts C-1, C-2, C-3 and Industrial.

SECTION 7.6 WIRELESS COMMUNICATIONS FACILITIES

1. Intent and Purpose
   A. Purpose
      It is the general purpose and intent of Morton Township to carry out the will of the United States Congress by authorizing the placement and construction of wireless communication facilities needed to operate wireless communication systems. It also is the purpose of this section to establish general guidelines for the placement of wireless communication support structures and antennas which encourages their use in a manner that will retain the integrity of neighborhoods and the aesthetic quality of the overall community.

      More specifically, it is the further purpose and intent of this section to: generally locate wireless communication support structures in nonresidential areas; minimize the number of wireless communication support structures throughout the Township; facilitate adequate and efficient provision of sites for needed facilities; promote the public health, safety and welfare; minimize the adverse impact of technological obsolescence of wireless communications facilities; encourage the joint use of existing and new wireless communication support structure sites; enable wireless communication support structure and antenna users to provide facilities and services to the Township quickly, efficiently and effectively; and ensure that facilities are situated in appropriate locations with respect to other land uses, structures and buildings.

2. Definitions
   Wireless Communication Facilities: shall mean and include all structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to radio towers, television towers, telephone devices and exchanges, microwave relay towers, telephone transmission equipment building and commercial mobile radio service facilities. Not included in this definition are: citizen band radio facilities; short wave facilities; ham, amateur radio facilities; satellite dishes; and governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority.

   Wireless Communication Facilities: <u>*are not*</u> Essential Public Services as defined:
   The erection, construction, alteration, or maintenance by public utilities or Township departments of the following utilities: gas, overhead or underground electrical, steam, water or sewer for the purpose of transmission or distribution, collection, communications, supply, or disposal or such utility services including poles, wires, mains, drains, sewers, pipes, conduits, cables, traffic signals, hydrants, towers, electrical substations, telephone exchange buildings, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate public utility service by such public utilities or township for the public health, safety, or general welfare, but not including buildings other than such as are primarily enclosures or shelters of the above essential service equipment. This definition shall not include sanitary landfills, recycling centers, or transfer stations.

Attached Wireless Communications Facilities: shall mean "wireless communication facilities" that are affixed to existing structures, such as existing buildings, towers, water tanks, utility poles, and the like. A wireless communication support structure, proposed to be newly established, shall not be included within this definition.

Wireless Communication Support Structures: shall mean structures erected or modified to support wireless communication antennas. Support structures within this definition include, but shall not be limited to, monopoles, lattice towers, light poles, wood poles and guyed towers, or other structures which appear to be something other than a mere support structure.

Collocation: for purposes of this Ordinance, shall mean the location by three (3) or more wireless communication providers of "wireless communication facilities" on a common structure, wireless communication support structure, or building, with the intention of reducing the overall number of structures required to support wireless communication antennas within the community.

3. Permitted Wireless Communication Facilities
There are three (3) methods by which Wireless Communication Facilities are permitted within the Township, as follows:

A. Attached Wireless Communication Facilities are permitted within any zone district subject to the Planning Commission granting the Class "B" Site Plan Review approval in accordance with the provisions of Article 6 and provided that all of the requirements of Section 7.6.4 are satisfied:

1. Wireless Communication Facilities, which are to be located on an existing wireless communication support structure which was designed for collocation and was previously approved by the Planning Commission.

2. Wireless Communication Facilities which are to be located on a lawfully existing building or structure and which will not extend above the highest point of the building or structure more than thirty (30) feet or fifty percent (50%) of the height of the existing building or structure, whichever is less.

B. Wireless Communication Facilities are permitted as a principal or accessory use within any A-1, A-2, or Industrial Zone District, subject to the issuance of a Special Use Permit by the Morton Township Board in accordance with the procedures contained in Section 5.19 and the Site Design Standards contained in Section 7.6.5.

C. Wireless Communication Facilities are permitted as a principal or accessory use within any zone district, subject to the issuance of a Special Use Permit by the Morton Township Board, in accordance with the procedures contained in Section 5.19, the Site Design Standards contained in Section 7.6.5 and the following:

1. Sufficient evidence must be submitted by the applicant to demonstrate, to the satisfaction of the Planning Commission that the Wireless Communication Facilities cannot be reasonably established under the preceding Section 7.6.3(b).

2. Any Wireless Communication Facility shall be constructed on or within an existing structure so as not to be any more visually obtrusive than the existing structure if at all possible.

3. The maximum height of the tower from the ground elevation to the highest part of the facility shall not exceed the height stated in the governing authorities permission issuance and must correspond to the ratio of the parcel on which it will be erected. i.e. the height of any point on a structure shall not exceed the horizontal distance to any lot line.

4. Conditions and Requirements Applicable to all Wireless Communication Facilities approved in accordance with Section 7.6.

A. All applications shall include a Site Plan and shall be reviewed in accordance with the following standards and conditions, and if approved, shall be constructed and maintained in accordance with such standards and conditions. In addition, if the facility is approved, it shall be constructed and maintained with any additional conditions imposed by the Planning Commission at its discretion.

1. The applicant shall submit a grid map illustrating existing and proposed service areas and demonstrating why the proposed facility is required at the specific proposed location.

2. The maximum height of the new or modified support structure and antenna shall be the minimum height demonstrated to be necessary for communication by the applicant. Any building necessary to enclose switching or other related equipment shall be limited to the maximum height permitted for other buildings within the zoning district in which the facility is being proposed.

3. There shall be unobstructed access to the support structure, for operation, maintenance, repair, and inspection purposes, which may be provided by an easement. All access drives shall have a minimum:
   a. Surface width of sixteen (16) feet.
   b. Twelve (12) inch sand and sub-base with a sub-base drainage system.
   c. Six (6) inch gravel base with a minimum crown of two-tenths (0.2) of one (1) foot from the centerline of the access drive to the outside edge.
   d. A sixty (60) foot radius turn-around not including the width of the drive.
   e. There shall be a pull-off maintained for every five-hundred (500) lineal feet, eight (8) feet wide by twenty (20) feet in length.

4. The location of the drive shall be determined by such factors as:
   a. The location of adjacent thoroughfares and traffic and circulation within the site.
   b. Utilities needed to service the wireless communication support structure and any attendant facilities.
   c. The location of buildings and parking facilities.
   d. Proximity to residential districts and minimizing disturbance to the natural landscape.
   e. The type of equipment which will need to access the site.

5. The division of property for the purpose of locating a wireless communication facility is prohibited unless all zoning and land division requirements are met as dictated by the State of Michigan Land Division Act.

6. If an attached wireless communication facility is proposed on the roof of a building and the equipment enclosure is proposed as a roof appliance or penthouse on the building, it shall be designed, constructed and maintained to be architecturally compatible with the principal building.

   The equipment enclosure may be located within the principal building or may be proposed as a separate building. If proposed as a separate building, it shall conform to all district yard setback requirements for principal buildings.

7. The Planning Commission shall, with respect to the support structure and all accessory buildings, review and approve the application so as to:
   a. Minimize distraction.
   b. Reduce visibility.
   c. Maximize aesthetic appearance and ensure compatibility with surroundings.

   It shall be the responsibility of the applicant to maintain the wireless communication facility in a neat and orderly manner as a condition of the Special Land Use Permit.

8. No signs or advertising of any kind shall be allowed on any wireless communication support structure or antenna except as may be required by a governmental agency with the authority to require a sign.

   The Morton Township Board will require a sign, legible from the access drive, stating ownership, name of the company and a responsible phone number. If the name of the company and/or owner, or the phone number, should change, then the tower owner would be liable for correcting/updating the sign within thirty (30) days of the new change.

   The size of the sign would be no smaller than 2’ X 2’ or larger than 4’ X 6’, depending on location.

9. A maintenance plan and any applicable maintenance agreement shall be submitted as part of the required Class “B” Site Plan for the proposed facility to be approved by the Planning Commission. At a minimum, it shall include provisions for maintaining the wireless communication facility, all of the premises, the access drive and all landscaping. The plan shall be sufficient to ensure the safety of the facility, to keep the access drive accessible by emergency vehicles at all times and to keep the facilities and landscaping from becoming a blight on the neighborhood.

10. The Planning Commission shall require a performance bond, irrevocable bank letter of credit, cash deposit or other surety to guarantee the removal of the facility in the event its removal is required in accordance with Section 7.6.6.

B. Factors to be considered in granting Special Use Permits under Section 7.6.

In addition to any standards for consideration of Special Land Use Permit applications pursuant to Section 5.19 Special Land Use Permits, of this Zoning Ordinance, the Planning Commission shall consider the following factors in determining whether to issue a Special Land Use Permit:

1. Height of the proposed wireless communication support structure.

2. Proximity of the wireless communication support structure to residential structures and residential district boundaries.

3. Nature of uses on adjacent and nearby properties.

4. Topography of the site and surrounding area.

5. Tree coverage and foliage on the site and in the surrounding area.

6. Design of the wireless communication support structure, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.

7. Proposed ingress and egress to the site.

8. Availability of suitable existing wireless communication support structures. No new wireless communication support structure shall be permitted unless the applicant demonstrates, with written support or other documentation of refusal or denial, to the reasonable satisfaction of the Planning Commission that no existing wireless communication support structure can accommodate the applicant's proposed antenna. An applicant shall submit information requested by the Planning Commission related to the availability of suitable existing wireless communication support structures. Evidence submitted to demonstrate that no existing wireless communication support structure can accommodate the applicant's proposed antenna may consist of any of the following:
   a. No existing wireless communication support structures are located within the geographic area which meets applicant's engineering requirements.
   b. Existing wireless communication support structures are not of sufficient height to meet applicant's engineering requirements.
   c. Existing wireless communication support structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
   d. The applicant's proposed antenna would cause interference with the antenna on an existing wireless communication support structure, or the antenna on the existing wireless communication support structure would cause interference with the applicant's proposed antenna.
   e. The fees, costs, or contractual provisions required by the owner in order to share an existing wireless communication support structure or to adapt an existing wireless communication support structure for collocation.
   f. The applicant demonstrates that there are other limiting factors that render existing wireless communication support structures unsuitable.

5. Heights, Setbacks and Access

A. Any proposed wireless communication support structure and any related buildings and structures shall be located on a site that is either owned by or leased to the owner of the support structure. All required setbacks shall be measured from the nearest part of the support structure, building or other structure to the boundary line of the owned or leased site. No other uses, structures or buildings can be located within any setback area.

B. The setback distances measured from the nearest part of the wireless communication support structure to each boundary line shall be equal to or greater than the height of the support structure unless the application includes a signed certification by a State of Michigan licensed professional engineer indicating the maximum distance, from a base, that any portion of the support structure and antenna can fall. If that distance is less than the height of the structure, the Planning Commission may reduce the required setbacks as deemed appropriate based on that certification and other characteristics of the particular site.

C. The front, side and rear yard setbacks for any building related to the facility shall be the same as those required for any other building permitted within the particular zoning district.

D. Applicants shall demonstrate a justification for the proposed height of the structures and an elevation of alternate designs, which might result in lower heights.

E. Any wireless communication support structure shall be enclosed with “chain link” type of fencing with a minimum height of six (6) feet and with a lockable gate. Said fencing shall be a minimum of ten (10) feet from the nearest portion of any support structure. In lieu of fencing, the Planning Commission may approve an alternative means of deterring entry to the wireless communication facility by uninvited guests.

F. The wireless communication facility and any related buildings shall be screened by evergreen trees with a minimum height of five (5) feet at the time of planting and spaced not more than fifteen (15) feet apart. All proposed landscaping shall be shown on the required Site Plan.

G. Any wireless communication support structure shall be designed and constructed for the collocation of a minimum of three (3) wireless communication providers. The owner of any wireless communication support structure shall permit collocation on the structure by other wireless communication providers under reasonable conditions.

H. A Zoning Permit must be obtained from the Morton Township Ordinance Control Manager prior to erecting or installing a wireless communication tower or facility. A Zoning Permit will not be issued until after the approval of the Class “B” Site Plan by the Planning Commission.

6. Removal of Abandoned or Unused Wireless Communications Facilities

A. A condition of every zoning approval of a wireless communication facility shall include provision for removal of all or part of the facility from the site by users and owners upon the occurrence of one or more of the following events:

1. When the facility has not been used for six (6) months or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmissions and/or reception of radio signals) shall be considered as beginning of a period of nonuse.

2. Upon a determination by the Morton Township Building Inspector, any wireless communication support structure which is in use or out of use for any period of time, but due to obsolescence, damage, or lack of maintenance, may pose a threat to public safety.

3. Failure to maintain the facilities in accordance with the requirements of this and any other applicable ordinances.

B. The situations in which removal of a facility is required, as set forth in Section 7.6.6(a), may be applied and limited to portions of a facility.

C. Upon the occurrence of one or more of the events requiring removal, as set forth in Section 7.6.6(a), the users and owners of the facility, or the owner of the real property on which it is situated, shall immediately apply or secure the application for any required demolition or removal permits, and immediately proceed with the complete removal and restoration of the premises to an acceptable condition as reasonably determined by the Morton Township Building Inspector.

D. If the required removal of a facility or a portion thereof has not been lawfully completed within sixty (60) days of the applicable deadline, and after at least thirty (30) days written notice, the Township may remove or secure the removal of the facility or required portions thereof. The actual cost and a reasonable administrative charge shall be collected from the security posted at the time application was made for establishing the facility, or from the owner of the facility.

SECTION 7.7 GRADING PERMITS

1. No grading, including any act by which soil, rock or mineral matter is cut into, dug quarried, uncovered, removed, displaced, or relocated, and including the removal of vegetable cover, excavation, and land balancing, shall be undertaken without first obtaining a grading permit from the Ordinance Control Manager and upon payment of a fee and a performance bond or other security in the amount necessary to insure compliance with the requirements of Section 7.7(3).

   No grading permit shall be required for agricultural, horticultural activities, the construction of a driveway which does not at any point vary from the surrounding grade by more than one foot, the normal graveling or grading of a road or driveway, any project that does not involve, in any one year, an area exceeding 10,000 square feet or more than 1,000 cubic yards of material, or construction or maintenance of a septic tank or associated drain field. No grading permit for operations requiring more than one year for completion shall be issued except for lands in District I.

   In addition, no grading permit shall be required for activities for which a permit has been issued pursuant to the provisions of the Soil Erosion and Sedimentation Control Act, Act 347, Public Acts

of 1972. A copy of said permit shall be filed with the Morton Township Ordinance Control Manager.

Those long term or large scale operations with anticipated regular grading operations may be permitted on an annual grading permit issued by the Morton Township Ordinance Control Manager. The permit shall require a grading plan identifying general locations, nature, extent of grading and/or reclamation program in addition to other requirements of this section.

2. Grading Requirements - Anyone engaged in grading shall at all times take all appropriate and reasonable steps to prevent erosion including the construction of silt traps, the mulching and temporary or permanent planting of all areas exposed by grading, the construction of diversions, channel linings, grade stabilization structures, and bank protection structures, and shall limit, insofar as is practical, the area of land exposed to erosion resulting from grading at any one time and the length of time that any area is exposed, and shall, upon completion of operations, leave the area in a condition where further erosion will not take place and the land is at least as suitable for uses permitted under this ordinance as when grading operations commenced.

3. Application for Grading Permits - An application for a grading permit must contain sufficient information to enable the Ordinance Control Manager to determine that the applicant proposes to take such measures as are necessary to meet the requirements of the preceding section.

   Where necessary, the Ordinance Control Manager shall require the submission of topographic maps, soil boring reports, or other necessary technical information. Upon receiving an application meeting the requirements set forth in this section, and the fee as required by the Morton Township Board, the Ordinance Control Manager shall issue a grading permit to the applicant.

   No grading permit shall be valid except for work described in the application.

   The Ordinance Control Manager shall impose such conditions or requirements in granting the permit as may be necessary to insure compliance with the requirements of the proceeding section, and shall impose such limits on working hours and time limits for completion of operations and various stages thereof as may be necessary to minimize incompatibility with nearby land uses, and failure to take any action or refrain from any action specified either in the application or on the face of the permit shall constitute a violation of this ordinance.

4. Grading Operations - Whenever, during or following grading operations, conditions arise which require the taking of any measures or precautions or the imposition of any limits or restraints to assure compliance with the requirements of Section 7.7(3), the Ordinance Control Manager shall make a written order requiring the taking or refraining from any such action and post such order on the premises, and any violation thereof shall constitute a violation of this ordinance.

   Wherever it appears that measures or precautions previously required are unnecessary, the Ordinance Control Manager shall waive them in writing.

SECTION 7.8 ANTI-FUNNELING DEVELOPMENT

7.8.1 LAKE ACCESS REGULATIONS FOR SCHOOL SECTION LAKE, BLUE LAKE, ROUND LAKE AND LAKE MECOSTA

1. Purpose: It is the purpose of Section 7.8 to promote the integrity of School Section Lake, Blue Lake, Round Lake and Lake Mecosta (the Lakes) within Morton Township while preserving the quality of recreational use of the inland water; to protect the quality of the Lakes by discouraging excessive use; to promote the ecological balance of the lake waters by limiting incompatible land use of wetlands associated with the Lakes; and to maintain the natural beauty of the Lakes by minimizing man-made adjustments to the established shorelines.

   Nothing within this Section 7.8 shall be construed to limit access to the Lakes through a public park or public access site provided or maintained by any unit of state, county or local government.

2. Findings: Morton Township finds

   A. School Section Lake, Blue Lake, Round Lake and Lake Mecosta within Morton Township (the Lakes) are subject to overcrowding by water craft;

   B. The value of private property around the Lakes can be decreased by unregulated access to the Lakes;

   C. The natural resources of Morton Township are damaged by unregulated access to the Lakes.

3. Definitions:

   Parcel: Shall mean any lot, tract or other parcel of real property.

   Access Property: Shall mean any riparian parcel abutting a lake, river, stream or pond over which pedestrian or vehicular access to the water is provided to persons who are not owners of the riparian parcel by easement, deed, plat, agreement, lease, license, permit, gift, business invitation, or any form of dedication or conveyance, and any riparian parcel commonly owned by persons for the purpose of accessing the Lakes.

   Water Access: Shall mean any easement, agreement, conveyance, lease, license, permit, gift, plat provision, business invitation or dedication by which access to the Lakes, is provided over a riparian parcel to the owners or users of a non-riparian parcel.

   Lake or "the Lakes": Shall mean School Section Lake, Blue Lake, Round Lake, or Lake Mecosta.

4. Regulations: A riparian parcel can be used as access property, including any common area, walkway, park or outlot of a subdivision, plat, site condominium, or association, only if all of the following conditions are met:

   A. The access property shall consist of at least one hundred (100) feet of lake frontage as measured along the normal high water mark of the lake for each single family home, dwelling unit, cottage, condominium unit, site condominium, apartment unit, or undeveloped parcel utilizing the access property.

B. The restrictions contained in this section shall apply to all riparian parcels used as access property on the Lakes.

C. The minimum required amount of water frontage cannot include any shoreline consisting of swamp, marsh or bog as shown on the most recent US Geological Survey maps or Michigan Department of Natural Resources MIRIS map, or wetland determined by the Michigan Department of Natural Resources. No swamp, marsh, bog or wetland can be filled or drained for the purpose of increasing required water frontage for access property, except by a permit issued by the authorized state agency.

D. No access property can be located on a manmade canal or channel, and the minimum amount of water frontage cannot be met by frontage on a manmade canal or channel.

7.8.2 USE OF WATER ACCESS

1. Use of Water Access: The use of any water access is defined in this Section 7.8 shall be limited to pedestrian access, and:

   A. No person shall place anything in the access property or water access area that prevents another person from using the water access;

   B. No person entitled to water access shall be prevented from using the water access;

   C. Ingress and egress to other parcels shall not be blocked or denied by the use of the access property;

   D. No access property shall have more than (1) one dock, raft, or similar mooring equipment placed in front of or within the water access area of the access property per one hundred (100) feet of lake frontage.

7.8.3 PERMITS REQUIRED

A Zoning Permit is required for the proper creation of water access through access property in Morton Township. The Ordinance Control Manager shall issue a zoning permit for water access over access property within ten (10) business days of the receipt of the information required to determine if the request complies with the Morton Township Zoning Ordinance.

7.8.4 CONFLICTS

These water access regulations shall be in addition to and shall not negate any of the restrictions or other requirements of the Zoning Ordinance or the Zoning District involved. If any provisions of the Morton Township Zoning Ordinance conflicts with this Section 7.8 to the Zoning Ordinance, the most restrictive provision shall be applied.

7.8.5 PENALTY

A violation of this article shall be a municipal civil infraction. The Morton Township Ordinance Control Manager is authorized to issue municipal civil infraction citations for violations of this article.

SECTION 7.9 WIND GENERATED ELECTRICAL ENERGY SYSTEMS

A. Purpose

The purpose of this regulation is to enable construction and operation of wind generated electrical energy systems (hereafter referred to as "wind energy system(s)") that convert wind energy into electricity and to promote their safe, effective and efficient use by providing reasonable standards and restrictions which will preserve public health, safety and welfare of the residents of Morton Township.

B. Definitions

Ambient Sound Level is the amount of background noise at a given location prior to the installation of a wind energy system which may include, but not be limited to, traffic, machinery, lawnmowers, human activity, and the interaction of wind with the landscape. The ambient sound level is measured on the dBA weighted scale as defined by the American National Standards Institute.

Anemometer is a temporary wind speed indicator constructed for the purpose of analyzing the potential for utilizing a wind energy turbine at a given site. This includes the tower, base plate, anchors, cables and hardware, wind direction vanes, booms to hold equipment, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

Decibel is defined as a unit of measure used to express the magnitude of sound pressure and sound intensity. Decibels shall be measured on the dBA weighted scale as defined by the American National Standards Institute.

Large Wind Energy Turbine is a tower-mounted wind energy system that converts wind energy into electricity through the use of equipment which includes any base, blade, foundation, generator, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. These have a nameplate capacity that identifies the maximum kilowatts.

Medium Wind Energy Turbine is a tower-mounted wind energy system that converts wind energy into electricity through the use of equipment which includes any base, blade, foundation, generator, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. This has a nameplate capacity that shall not exceed two hundred fifty (250) kilowatts. The Total Height shall not exceed one hundred and fifty (150) feet.

Rotor Diameter is the cross-sectional dimension of the circle swept by the rotating blades of a wind energy turbine.

Small Tower-Mounted Wind Energy Turbine is a tower-mounted wind energy system that converts wind energy into electricity through the use of equipment which includes any base, blade, foundation, generator, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. This has a nameplate capacity that shall not exceed thirty (30) kilowatts. The Total Height shall not exceed one hundred twenty (120) feet.

Small Structure-Mounted Wind Energy Turbine converts wind energy into electricity through the use of equipment which includes any base, blade foundation, generator, rotor, tower,

transformer, vane, wire, inverter, batteries, or other components used in the system. This turbine shall be attached to a structure's roof, walls, or other elevated surface. This has a nameplate capacity that shall not exceed ten (10) kilowatts. The Total Height shall not exceed fifteen (15) feet as measured from the highest point of the roof, excluding chimneys, antennae, and other similar protuberances.

Total Height of the tower shall be measured as the vertical distance from the highest point of the uppermost vertical extension of any blade, or the maximum height reached by any part of the wind energy turbine to the original grade of the ground immediately beneath the tower.

Tower is a freestanding monopole or other engineered structural system that supports a wind energy system.

Wind Energy Turbine is any structure-mounted, small, medium, or large wind energy conversion system that converts wind energy into electricity through the use of a wind generator and includes the rotor, tower, and pad transformer, if any.

C. A wind energy system shall be permitted as a "Special Land Use" in all zoning classifications subject to all of the following requirements.

1. The wind energy system shall be built at a distance from all property lines not leased or owned by the owner of the system that is not less than 1.5 times the height of the system tower including the top of the blade in its vertical position.

2. Only one small structure mounted wind energy turbine unit will be allowed per each residential use.

3. The minimum vertical clearance from the blade tip to the ground shall not be less than 20 feet.

4. The sound created by the system shall not exceed 55 dBA at the closest property line of property not served by the system.

5. The system shall comply with all applicable State Construction and Electrical codes and Aviation regulations.

6. A building permit shall be required for the installation of all wind energy systems. Building Permit fee for these systems will be set by Morton Township Building Department. The building permit application shall be accompanied by two (2) copies of the plot plan which includes the following:
   a. Property lines and physical dimensions of the property
   b. Location, dimensions, and types of existing major structures on the property
   c. Location of the proposed wind system tower
   d. The right-of-way of any public road that is contiguous with the property
   e. Any overhead utility lines
   f. Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed) as certified and sealed by a professional engineer
   g. Tower foundation structural design documents as certified and sealed by a professional engineer
   h. Tower structural design documents as certified and sealed by a professional engineer

i. Structure-Mounted Wind Energy Turbines as certified and sealed by a professional engineer
j. Any addition to the existing wind energy system shall require Zoning and Building Department approval.

7. A permit issued pursuant to this ordinance shall expire if:
   a. The wind energy system is not installed and functioning within 12 months from the date the permit is issued; or,
   b. The wind energy system is out of service or otherwise unused for a continuous 12-month period.

8. All interconnected customer owned wind energy system generators shall comply with all applicable Michigan Public Service Commission and Electric supplier interconnection requirements. Copy of approval or acceptance from applicant's power company shall be furnished with the applicant's Special Land Use application.

D. Morton Township may require from the owner of the system a bond or other security to cover the costs reasonably associated with the removal of a wind energy system.

E. The owner of a wind energy system shall establish, file and follow a regular maintenance program.

F. An owner of a wind energy system shall not be found to be a public or private nuisance if the system complies with the requirements of this section. This subsection applies notwithstanding any of the following:
   1. Change in ownership
   2. Temporary cessation or interruption in producing electricity by the system
   3. New Technology

G. Abandonment
   1. A wind energy system that is out-of-service for a continuous 12-month period will be deemed to have been abandoned. The Morton Township Ordinance Control Manager may issue a Notice of Abandonment (via certified mail) to the owner of the system that is deemed to have been abandoned. The owner shall have the right to respond, in writing, to the Notice of Abandonment within 30 days from Notice receipt date. If the owner provides information that demonstrates the system has not been abandoned, the Ordinance Control Manager shall withdraw the Notice of Abandonment.

   2. If the system is determined to be abandoned, the owner of the system shall remove the wind generator from the tower **at the Owner's expense** within 3 months of the receipt of Notice of Abandonment. If the owner fails to remove the wind generator system, the Ordinance Control Manager may pursue legal action to have the wind generator removed at the owner's expense.

SECTION 7.10 SOLAR ENERGY SYSTEMS

A. Purpose and Prohibition

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

B. Definitions

1. **Ancillary Solar Equipment** shall mean any accessory part or device of a solar energy system that does not require direct access to sunlight, such as batteries, electric meters, converters, or water heater tanks.

2. A **Solar Collector Surface** shall refer to any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface does not include frames, supports, and mounting hardware.

3. **Solar Energy** shall mean radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.

4. A **Solar Energy System (SES)** shall mean a system (including solar collectors and ancillary equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and distributes solar energy for heating or cooling, generating electricity, or heating water. Solar Energy Systems
include, but are not limited to, photovoltaic (PV) power systems and solar thermal systems.

    a. A **Personal-Scale SES** shall mean a solar energy system that is accessory to the principal use on the site. The total surface area of all Solar Collector Surfaces within a Personal-Scale SES shall not exceed 1,500 square feet. The sale and distribution of excess available energy, if permitted, to an authorized public utility for distribution shall be incidental to this type of system, and not its primary purpose. Sale of excess energy to anything other than an authorized public utility shall be prohibited.

    b. A **Utility-Scale SES** shall mean a solar energy system that meets one or more of the following:

        i. Is primarily used for generating electricity for sale and distribution to an authorized public utility;
        ii. The total surface area of all Solar Collector Surfaces exceeds 1,500 square feet; and/or
        iii. Is not an accessory use or structure.

    c. A **Building-Mounted SES** shall mean a solar energy system affixed to a permanent principal or accessory building (i.e. roof or wall).

d. A **Ground-Mounted SES** shall mean a freestanding solar energy system that is not attached to and is separate from any building on the parcel of land on which the solar energy system is located.

C. Standards for Personal-Scale SES

Personal-Scale SES shall be permitted as an accessory use/structure in all zoning districts, subject to the following standards:

1. Application for Zoning Compliance Permit of Personal-Scale SES

   A Personal-Scale SES requires a Zoning Compliance Permit, except as stated in Section 7.10.C.2 below. An application for a Zoning Compliance Permit shall include the following:

   a. Photographs of the property's existing conditions.

   b. Renderings or catalogue cuts of the proposed solar energy system.

   c. Plot/Sketch plan to indicate where the solar energy system is to be installed on the property (or, if building-mounted, the system's location on the permanent building), including property setbacks and the total Solar Collector Surface area.

   d. Elevations showing the height of the solar energy system.

      i. For ground-mounted solar systems, the height of the system above ground.
      ii. For pitched roof-mounted solar systems, the elevation must show the highest finished height of the system and the height of the finished roof surface on which it is mounted.
      iii. For flat roof-mounted solar energy systems, the elevations shall show the highest finished height of the system and the highest point of the roof, including any parapets on the building.

   e. Description of the screening to be provided for ground or building-mounted solar energy equipment.

2. Exclusions from Zoning Compliance Permit for Personal-Scale SES

   The following situations do not require a Zoning Compliance Permit, but shall still comply with all other standards of this Ordinance:

   a. The installation of one (1) building-mounted solar energy system with a total solar collector surface area of less than eight (8) square feet.

   b. The installation of one (1) ground-mounted solar energy system with a height of less than six (6) feet and a solar collector surface of less than eight (8) square feet.

   c. Repair and replacement of existing solar energy equipment, provided that there is no expansion of the size or coverage area of the solar energy system.

3. Ground-Mounted SES

Ground-mounted, personal-scale SES shall be subject to the following additional standards:

a. Setbacks: In all Zoning Districts, ground-mounted solar energy systems shall be located only in the rear or side yard and shall be located at least ten (10) feet from the property line.

b. Height: Ground-mounted solar energy systems shall not exceed sixteen (16) feet in height, measured from the ground at the base of such equipment to the highest point of the system.

c. Attachment: Solar energy systems shall be permanently and safely attached to the ground. Proof of the safety and reliability of the means of such attachment, in the form of certification by a professional engineer or other qualified person, shall be submitted with the application.

d. Installation and Maintenance: Solar energy systems shall be installed, maintained and used only in accordance with the manufacturer's directions. A copy of such directions shall be submitted with the site plan application.

e. Visual Impact: The solar energy system shall not have a significant adverse visual impact on the natural features or neighborhood character of the surrounding area and shall be located to minimize glare on adjacent properties and roadways.

f. Compliance with Additional Codes: Solar energy systems, and the installation and use thereof, shall comply with the Township/State construction code, the electrical code and other applicable Township and State codes. Installation of a solar energy system shall not commence until all necessary permits have been issued.

4. Building-Mounted SES: Building-mounted, personal-scale SES shall be subject to the standards of Section 7.10.E, in addition to the standards contained within this Section.

5. Ancillary Solar Equipment**:** Where feasible, ancillary solar equipment shall be located inside of a building or be screened from public view. All ancillary solar equipment such as, but not limited to, water tanks, supports, batteries, and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the State Building Code and when no longer in use shall be disposed of in accordance with applicable laws and regulations.

D. Standards for Utility-Scale SES

Utility-scale SES shall be permitted as a special use in all districts, subject to the following standards:

1. Special Land Use Approval Required

a. Prior to the construction of a utility-scale solar system, an application for a special use permit must be filed and approved by the Planning Commission. The Planning Commission shall review the special use based on the provisions of this Section as well as the standards of Section 5.19.

b. The construction and operation of all utility-scale solar systems shall be consistent with all applicable local, state and federal requirements. All buildings and fixtures forming part of a utility-scale solar installation shall be constructed in accordance with the Michigan Building Code.

c. No utility-scale solar system shall be constructed, installed or modified as provided in this section without first obtaining all applicable permits.

d. Applications to build a utility-scale solar system in Morton Township must be accompanied by the fees required for a special use permit and site plan review.

No utility-scale solar system shall be installed until evidence has been given to the planning commission that the owner has been approved by the authorized utility company to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

2. Standards for Ground-Mounted Utility-Scale SES

a. Setbacks

i. Front Yard: Utility-scale solar energy systems shall be set back at least fifty (50) feet from the road right-of-way line.

ii. Each side yard shall be at least twenty-five (25) feet. Where utility-scale solar energy systems abut a residentially-zoned (including A-2) or used lot, the side yard shall not be less than fifty (50) ft.

The rear yard shall be at least twenty-five (25) feet. Where utility-scale solar energy systems abut a residentially-zoned (including A-2) or used lot, the rear-yard shall not be less than fifty (50) feet.

b. **Height:** Utility-scale ground-mounted solar energy systems shall conform to the maximum height standards of the zoning district in which it is located.

c. Minimum Lot Area: Minimum lot area for a utility-scale solar energy system shall be five (5) acres.

d. Lighting: Lighting shall be limited to that required by the Michigan Building Code for safety and operational purposes, and shall be directed downward and shielded from abutting properties.

e. Signage: Signs shall comply with the requirements described in Section 7.3. Further, utility-scale solar energy system installations shall not be used for displaying any

advertising except for reasonable identification of the manufacturer or operator of the solar energy system.

f. Utility Connections: All utility connections from the solar energy system shall be placed underground, depending on site conditions and any requirements of the utility provider.

g. Screening: When a utility-scale solar energy system is adjacent to a residentially-zoned or used lot, side and rear yard screening may be required as determined by the Planning Commission to address specific site needs at the time of site plan review. Solar panels shall be placed such that concentrated radiation or solar glare shall not be directed onto nearby properties or roadways. When deemed appropriate, the Planning Commission may require a report from a registered civil engineer or other professional to address this issue.

3. Building-Mounted SES: Building-mounted, utility-scale SES shall be subject to the standards of Section 7.10.E. in addition to the standards contained within this Section.

4. Other Special Use Permit Requirements for Utility-Scale SES

a. Site Control: The applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed installation.

b. Operation and Maintenance Plan: The applicant shall submit a plan for the operation and maintenance of the utility-scale system, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures of operational maintenance of the installation.

c. Emergency Services: Upon request by Morton Township, the owner/operator of the solar energy system shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar energy system shall be clearly marked. The owner/operator shall identify a responsible person for public inquiries throughout the life of the installation. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator.

d. SES Maintenance: The utility-scale SES owner/operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to local emergency response personnel. The owner/operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s).

e. Site Clearing: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the installation.

5. Abandonment or Decommissioning

a. Any utility-scale solar energy system which has reached the end of its useful life or has

been abandoned consistent with this section of the Zoning Ordinance shall be removed and parcel owners shall be required to restore the site to its original condition. The owner/operator shall physically remove the installation no more than one-hundred and fifty (150) days after the date of discontinued operations. The owner/operator shall notify the Township and the Planning Commission by certified mail of the proposed date of discontinued operations and plans for removal.

b. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the utility-scale SES shall be considered abandoned when it fails to operate for more than one year. If the owner/operator fails to remove the installation in accordance with the requirements of this Section within 150 days of abandonment of the proposed date of decommissioning, Morton Township is permitted to enter the property and physically remove the installation.

c. Decommissioning shall consist of:
   i. Physical removal of all utility-scale solar energy systems, structures, equipment, security barriers, and transmission lines from the site.

   ii. Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations.

   iii. Stabilization or re-vegetation of the site as necessary to minimize erosion.

6. Ancillary Solar Equipment: Where feasible, ancillary solar equipment shall be located inside the building or be screened from public view. All ancillary solar equipment such as, but not limited to, water tanks, supports, batteries, and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the State Building Code and when no longer in use shall be disposed of in accordance with applicable laws and regulations.

7. Financial Surety: The applicant for a utility-scale solar energy system shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event Morton Township must remove the installation, in an amount and form determined to be reasonable by the Planning Commission, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the applicant. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

E. Standards for all Building-Mounted SES

Personal-Scale and Utility-Scale building-mounted SES shall be subject to the following standards:

a. Height: Solar energy systems that are mounted on the roof of a building shall not project more than five (5) feet above the highest point of the roof and, in any circumstances, shall not exceed the maximum building height limitation for the zoning district in which it is located, and shall not project beyond the eaves of the roof.

b. Weight: Solar energy systems mounted on the roof of a building shall be only of such weight as can safely be supported by the roof. Proof thereof, in the form of certification by a professional engineer or other qualified person, shall be submitted to the Township Zoning Administrator prior to installation.

c. Attachment: Solar energy systems that are roof-mounted, wall-mounted or are otherwise attached to a building or structure shall be permanently and safely attached to the building or structure. Proof of the safety and reliability of the means of such attachment shall be submitted to the Zoning Administrator prior to installation.

d. Wall-Mounted SES: Solar energy systems that are wall-mounted shall not exceed the height of the building wall to which they are attached.

e. Installation and Maintenance: Solar energy systems shall be installed, maintained and used only in accordance with the manufacturer's directions. Upon
request, a copy of such directions shall be submitted to the Township Zoning Administrator prior to installation.

f. Visual Impact: The solar energy system shall not have a significant adverse visual impact on the natural features or neighborhood character of the surrounding area and shall be located to minimize glare on adjacent properties and roadways. Solar energy systems that are visible from the street must be either composed of building-integrated components (such as solar shingles) that are not readily evident, or be designed and mounted to match the shape, proportions, and slope of the roof.

g. Compliance with Additional Codes: Solar energy systems, and the installation and use thereof, shall comply with the Township/State construction code, the electrical code, and other applicable Township and State codes. Installation of a solar energy system shall not commence until all necessary permits have been issued.

F. Solar Access

The Township makes no assurance of solar access other than the provisions of this Section. The applicant may provide evidence of covenants, easements or similar documentation for abutting property owners providing access to solar energy for the operation of a solar energy system.

ARTICLE 8 NONCONFORMING USES

SECTION 8.0 INTENT

Nonconforming uses and structures are those which do not conform to a provision or requirement of this ordinance but were lawfully established prior to the time of its applicability. Nothing in this ordinance shall prevent a non conforming use, structure or lot from being sold, transferred, or conveyed, so long as the action will not increase the degree of nonconformity or change the use or structure to another non-conforming use or structure.

SECTION 8.1 ALTERATIONS, SUBSTITUTION OR EXPANSION OF NONCONFORMING USES

1. No nonconforming use may be substituted, changed or altered, except when such substitution, change or alteration makes the nonconforming use more compatible to the uses permitted in the district in which it is located, according to the criteria set forth in Article 5.

2. A nonconforming building may not be reconstructed or structurally altered during its life to an extent in aggregate cost of 50 percent of the value as determined by the Township Assessor unless said building is changed to a conforming use.

SECTION 8.2 BUILDING DAMAGE

Any nonconforming structure damaged by fire or other causes to the extent of less than 50% of the True Cash Value, immediately prior to damage, as determined by the Township Assessor, shall be repaired, rebuilt or removed within twelve months of the date such damage occurs.

Any non-conforming structure damaged by fire or other causes over 50% shall be removed or rebuilt, within 12 months of the date such damage occurs, as stated in Article 5 and in conformity with the provisions of this ordinance.

SECTION 8.3 DISCONTINUANCE OF USE

Whenever a nonconforming use has been discontinued for a period of one year, such use shall not thereby be reestablished and future use shall be in conformity with the provisions of this ordinance.

SECTION 8.4 COMPLETION OF NONCONFORMING BUILDINGS AND STRUCTURES

Nothing in this ordinance shall require any change in construction or intended use of a building, structure, or plat, the construction of which shall have been diligently prosecuted within thirty days after the passage of this ordinance, and the construction of which shall have been completed within twelve months after said date.

SECTION 8.5 NONCONFORMING LOTS

In any district in which single-family residences or mobile homes are permitted, a single-family residence or mobile home and customary accessory buildings may be erected on any lot-of-record so

long as the use was lawfully established prior to enactment of this ordinance, and the action does not increase the degree of nonconformity or change the use.

All such buildings must meet all applicable health department standards and district setback requirements.

If a parcel contains more than one nonconforming lot, which is contiguous and would make one or more conforming lots, then only one structure would be permitted per conforming parcel.

The spirit of this provision is to limit density in areas of historically small lots, to provide for proper isolation for wells, septic systems, drainage and similar public health considerations.

SECTION 8.6 NONCONFORMING MOBILE HOMES IN DISTRICT R1

1. Owner occupied nonconforming mobile homes may be replaced when destroyed or damaged by fire, wind or similar catastrophic event. When loss is caused by water or flood damage, the mobile home may be replaced provided the Zoning Board of Appeals finds that such location is above the recorded high water mark.

2. Within six months of occurrence or vacancy:
   A. Owner occupied nonconforming mobile homes may be replaced upon the Ordinance Control Managers authorization in a manner to improve the structure to comply with Public Act 230 or HUD mobile home construction codes, as from time to time amended, provided the unit is continued in the same ownership.

   B. No nonconforming mobile home shall be replaced on a site if the parcel has been voluntarily vacated.

3. No nonconforming mobile home shall be replaced, if replacement occurs as part of, or action in the transfer of ownership or occupancy of the lot or parcel.

SECTION 8.7 NONCONFORMING AGRICULTURAL OPERATIONS

Nonconforming agricultural operations shall be permitted in Districts R-1, R-2, R-3, and C1 which are unplatted (in accordance with the Subdivision Control Act, Act 288 of 1967, as amended).

These agricultural uses are exempt from the provisions of Article 8, except any agricultural operation which has been abandoned or discontinued for a period of 18 months or longer shall not be permitted unless specifically authorized by the Planning Commission, which shall find that the agricultural operation shall not detract or diminish the value of the land, buildings or structures in the district or surrounding properties.

ARTICLE 9 TEMPORARY USES AND STRUCTURES

SECTION 9.0 TEMPORARY STRUCTURES - RESIDENCE DURING CONSTRUCTION

A temporary structure which is less than the minimum building size or a nonconforming mobile home may be authorized by the Ordinance Control Manager for temporary residence for the applicant during the period when a structure conforming to the provisions of this ordinance, is in the process of erection and completion on the same lot, subject to the following provisions:

1. The use of the structure and premises shall not adversely affect surrounding properties.

2. The use of such temporary structures shall be limited to twelve months, beginning with the date of issuance of the permit. The permit may be subject for renewal provided significant progress is made on the construction of the permanent structure.

3. The use shall comply with all applicable sanitary codes and building restrictions.

4. There shall be a provision of evidence of continuing construction of the permitted structure.

SECTION 9.1 TEMPORARY DWELLINGS - RECREATIONAL VEHICLES

Temporary dwellings (recreational vehicles) shall be subject, when permitted to the following provisions:

1. Permits shall not be required for:
   A. Vehicles, travel trailers, etc. which are stored as uninhabited accessory uses on any lot or parcel, provided that an active principal use is present and that it is stored in the rear or side yard, no closer than three feet from the property line.

   B. Motor driven homes, vans, busses and similar vehicles, which are not normally towed (i.e., these vehicles must be able to travel under their own power) when used for periods of under 30 days provided they are not hooked up to septic systems, private water supplies and/or public electrical service.

   C. Visitor camping in any district where the temporary dwelling is located on a lot or parcel of land which has an active principal permitted residence when used for periods of under 30 days, provided that the total number of units on a lot or parcel does not exceed the District's density limits.

   D. One recreational trailer containing less than four hundred eighty square feet and not falling under the provisions of Subsection 3, which follows, may be temporarily located and occupied for recreational purposes on a lot in Districts R-1, R-2, R-3, A-1, or A-2 only, provided that:

      1. The recreational trailer is not rented or leased to the public by the property owner.
      2. There are no violations of health or sanitary codes.
      3. The recreational trailer is not permanently connected to utilities or sewer/septic systems.

E. One recreational trailer for the purpose of housing the owner of a lot or parcel or his personal guest or visitor may be permitted on a temporary basis in Districts R-1, R-2, R-3, A-1, and A-2 only.

The recreational trailer may be parked and used for recreational purposes, as stipulated herein, up to thirty consecutive days without a permit. In the event an owner desires to exceed the thirty consecutive day limit, a permit shall be required as stated in Subsection 2 which follows.

2. Permits shall be required for:
   A. Recreational units which qualify under item d., above, may be issued a recreational permit for periods over thirty days; said permit shall be valid for a maximum of one year. The Ordinance Control Manager may deny the renewal of any permit and require removal of a trailer permitted to deteriorate to the point where it is no longer conducive to the public health, safety and general welfare as defined below:

      1. All buildings or structures that are or hereafter shall become unsafe, unsanitary, or deficient in adequate exit way facilities, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which by reason of illegal or improper use, occupancy or maintenance, shall be deemed unsafe buildings or structures.

      2. A vacant building, unguarded and open at door or window, shall be deemed a fire hazard and unsafe within the meaning of this ordinance.

      3. Additions to recreational travel trailers having less than 480 square feet are expressly prohibited.

3. Issuance Standards - A permit for a proposed temporary recreational unit shall be issued by the Ordinance Control Manager to the property owner only if each of the following standards is met by the proposed use:

   A. The proposed use is clearly of a temporary nature.

   B. The proposed unit will be occupied for a continual period of longer than 30 days and not exceed a total of one hundred and twenty (120) days within any calendar year and the property owner signs a statement in agreement to that effect.

   C. The temporary use shall not endanger the public health, safety, or welfare of the Township, adjacent residents or the inhabitants of the structures of the temporary use.

   D. Structures of temporary uses shall be provided with a safe, sanitary and effective system for water supply and disposal of wastes and show approval from the County Health Department.

   E. The proposed use will not cause traffic congestion.

   F. The placement of a recreational unit shall conform to all the general rules and regulations of this Ordinance, including in particular, setback, lot size, road frontage, and density requirements.

ARTICLE 10 DEFINITIONS

SECTION 10.0 GENERAL

When not inconsistent with the context, words used in the present tenses include the future tense, words used in singular number include the plural number, and words used in the plural number includes the singular number.

The word "shall" is always mandatory and not merely directive. Terms not herein defined shall have the meanings customarily assigned to them.

SECTION 10.1 SPECIFIC TERMS

The following terms shall have the following meanings when used within the ordinance:

ACCESSORY BUILDING
Shall mean a building or a portion of a building subordinate to and on the same lot as a main building and occupied by or devoted exclusively to an accessory use, including, but not limited to, a private garage.

ACCESSORY USE
A use of a building, lot or portion thereof, which is customarily incidental and subordinate to the principal use of the main building or lot.

AIRPORT
Means any area of land or water designed and set aside for the landing and taking off of aircraft and utilized or to be utilized in the interest of the public for such purposes, and is licensed by the Michigan Aeronautics Commission.

ALTERATION
Means any change, addition or modification of use or type of occupancy; any change in the structural members of the building such as walls, partitions, beams, girders or any change considered reconstruction.

AUTO BODY AND PAINT SHOP
Means a place that does major mechanical and body work, straightening of body parts, painting and storage of non-operating automobiles.

BASEMENT
A portion of a building which is partly below and partly above grade, when the distance from the actual grade to the finished surface of the floor above is less than six feet for more than 50% of the total perimeter. A basement shall not be counted as a story and shall not be used in computing minimum floor area.

In the case of EARTH BERMED home this shall not apply.

BED AND BREAKFAST
Means a single family residential structure that meets all of the following criteria:

A. Has 10 or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper, 1 or more which are available for rent to transient tenants.

B. Serves meals at no extra cost to its transient tenants.

C. Has a smoke detector in proper working order in each sleeping room and a fire extinguisher in proper working order on each floor. (MCL 125.1504b)

BOARDING OR ROOMING HOUSE
Means a dwelling in which lodging or meals, or both are furnished to three or more guests for compensation.

BUILDING
Means any structure either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal, or property of any kind, including tents or vehicles situated on private property and used for purposes of a building.

CAMPGROUND
Means a parcel or tract of land under the control of a person or organization in which sites are offered for the use of the public or members of an organization, either free or for a fee, for temporary living quarters.

CARPORT
Means a shelter for one or more vehicles which is not fully enclosed by walls and one or more doors.

CAR WASH
Means a lot and/or building where motor vehicles are washed or waxed, either by the Patron or by others, using equipment specially designed for the purpose.

CHURCH
Means a building wherein persons regularly assemble for religious worship, which is used only for such purpose and those accessory activities as are customarily associated therewith.

CLINIC
Means a place where Medical and/or Dental care is furnished to persons on an outpatient basis by two or more Doctors and/or Dentists.

COMMUNITY ANTENNA TELEVISION SYSTEM (Cable Television)
Means any utility, providing television signals to individual subscribers for a fee, utilizing a common receiving antenna(s) and any type of distribution system.

CONFORMANCE
Compatible, same as, consistent with.

DWELLING
Means any house, building, structure or portion thereof which is constructed to the current (Michigan) State Construction Code as amended and the Michigan Property Maintenance Code or standards for mobile home construction as contained in the U.S. Department of Housing and Urban Development Regulations (HUD) as amended, and is occupied in whole, or in part, as a home, residence, living or sleeping place for one or more persons, either permanently or as transients.

In no case shall a travel trailer or recreational vehicle, automobile chassis, tent or portable building be considered a dwelling. In case of mixed occupancy, where a building is occupied in part as a dwelling unit, the part so occupied shall be deemed a dwelling unit for the purpose of this ordinance and shall comply with the provisions thereof relative to dwellings.

A. Single-family dwelling
   A dwelling designed or used for residential occupancy for one family.

B. Two-family dwelling or duplex
   A dwelling designed or used for residential occupancy of two families only.

C. Multifamily (or multiple) dwelling
A building or portion thereof used or designed as a residence for three or more families living independently of each other and independently doing their own cooking in said building. This definition includes three-family houses, four-family houses and apartment houses, but does not include trailer camps, mobile home parks or hotels.

EASEMENT
Means a right given by the owner of land to another party for specific limited use of that land.

ESSENTIAL SERVICES
Means the erection, construction, alteration or maintenance by Public Utilities, Township Departments, or Commissions of underground or overhead gas, electrical, steam or water transmissions or distribution systems, collections, communications, supply or disposal systems including poles, wires, mains, drains, sewers, pipe, conduit, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, telephone exchange and/or repeater buildings, electric substations and substation buildings, gas regulator stations, and regulatory buildings, buildings for public protection, and other similar equipment and accessories in connection therewith, but not including any buildings except those expressly referred to herein reasonably necessary for the furnishing of adequate service by such Public Utilities, Township Departments, Commissions, or for the public health or safety or general welfare.

FAMILY
Means an individual or a group of two or more persons living together as a single housekeeping unit and in a long term family like environment.

FAMILY DAY CARE CENTER
A private home in which 1, but fewer than 7 minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Family Day Care home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.

A. Family Day Care Centers shall have no restriction on floor area use.

FARM
Real property used for agriculture or horticultural purposes comprised of at least 40 contiguous acres which may include other noncontiguous acreage, all of which is owned and operated by a sole proprietorship, partnership or corporation and including all necessary farm buildings, structures and machinery.

A. A tract of land may be considered a farm if it is between 10 and 40 acres, provided it is primarily devoted to an agricultural use and has produced a gross annual income from agriculture of $200.00 or more, per year, per acre of cleared and tillable land.

FLOOD PLAIN
Means all areas adjoining a lake, stream, river, a creek, or a channel which is subject to inundation at the highest known flood water level, as determined by slope, surface soil and/or vegetation.

FLOOR AREA
Means total gross area on all floors as measured to the outside surfaces of exterior walls, excluding basements, crawl spaces, garages, carports, breezeways, attics, open porches, balconies and terraces.

FOSTER CARE HOME
Means a facility which houses more than five residents in a controlled and cared for environment and licensed under Public Act 287 of 1972, as amended.

GARAGE
Means a fully enclosed building for the storage of motor vehicles, not including buildings in which fuel is sold, or repair, or other service performed.

GASOLINE SERVICE STATION
Means any land, building or structure used for the sale of motor vehicle fuels, oils, or accessories, or doing automotive repairs.

GRANDFATHERED ACTIVITY
Means any activity or use which legally existed at the time of this ordinance's effective date and which may be exempted from certain provisions of this ordinance.
(See Non-Conforming Lots, Uses or Structures).

GRAVEL PIT
Means any parcel of land or part thereof used for the purpose of extracting stone, sand, gravel, or topsoil for sale as a commercial operation.

GREENBELT
An area designated in a plat, master deed, restrictive covenant, or regulation in which development is restricted and no structure can be placed, other than a boat dock if expressly permitted.

GROUND COVERAGE
Means that portion of lot area included within the outside lines of the exterior walls of all buildings, patios, and breezeways.

GROUP DAY CARE HOME
Means a private home in which 7, but fewer than 12 minor children are received for care and supervision for periods of less than 24 hour a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Group Day Care Home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year.

GROUP FAMILY HOMES
One to six residents living together as a single housekeeping unit in a long-term family-like environment.

GROUP HOMES
Seven to fifteen residents living together as a single housekeeping unit in a long-term family-like environment.

HOME OCCUPATION - COTTAGE INDUSTRIES
Means a business run out of a home.

HOTEL
Means a structure designed, used, or offered for temporary residential occupancy, including tourist homes, resorts, and motels, but not including hospitals and nursing homes.

KENNEL
Means any activity involving the permanent or temporary keeping or treatment of 4 or more adult animals as a business other than ordinary agricultural operation.

LANDSCAPING
Anything constructed to retain or shape the earth, includes decorative walkways and trellises.

LAUNDROMAT
Means a place where patrons wash, dry or dry clean clothing and/or other fabrics in machines operated by the patron.

LOT
Means a parcel of land separated from other parcels by legal descriptions, deed or subdivision plat. Contiguous lots may or may not be considered as a lot of record.

LOT AREA
Means the total horizontal area of land within the boundary of a lot excluding any part under water, and shall not include that part of the lot in use or to be used as a dedicated public street, or a perpetually recorded private street or easement (ingress or egress only).

LOT LINE
Means a line marking a boundary of a lot.

FRONT LOT Line - a front lot line, in the case of a lot abutting upon any public road or street means the line separating such lot from such road or street right-of-way.

REAR LOT Line - a rear lot line is ordinarily that lot line which is opposite and most distant from the Front Line of the lot. In the case of an irregular, triangular, or gore-shaped lot for the purpose of determining depth or rear yard, a rear lot line shall be considered to be a line ten (10) feet in length entirely within the lot, parallel to and at the maximum distance from the Front Lot Line of the lot. In cases where none of these definitions are applicable, the Ordinance Control Manager or his Agent shall designate the rear lot line.

SIDE LOT Line - a side lot line is any lot not a Front Lot Line or a Rear Lot Line. A side lot line separating a lot from another lot or lots is an interior side lot line.

LOT LINE DEPTH
Means the average distance between the Front and Rear lot line, measured in the general direction of its side lot lines.

LOT WIDTH
Means the average width measured at right angles to its depth.

MINI-STORAGE BUILDINGS
Structures with rental units for storage, excluding any hazardous, flammable or toxic waste items. The building must comply with all pertinent building and fire codes.

MOBILE HOMES
Means a one family dwelling unit, built upon or having a frame or chassis, and designed to be moved from one site to another, to be used with or without a permanent foundation and constructed to the American National Standard Institute's or Department of Housing and Urban Development's code for mobile or manufactured homes.

MOBILE HOME PARK
Means any parcel or tract of land licensed by the State of Michigan as a mobile home park, together with any building, structure, enclosure, street, equipment or facility used, or intended for use, accessory and incidental to such trailer coaches.

MOBILE HOME SITE OR SPACE
Means a portion of a mobile home park set aside and clearly marked and designated for occupancy and accommodation of an individual mobile home or trailer coach.

MOTORIZED VEHICLE
Means any automobile, truck, van, motorcycle, all terrain vehicle, tractor, golf cart, or other vehicle that is propelled by a motor and designed to be operated on a public road or private land.

NON-CONFORMING LOTS, USES, OR STRUCTURES
Means a building, lot, or structure, or the use of a building or structure, or land lawfully existing at the time this ordinance became effective, but which does not conform with the present use regulations of the district in which it is located.

NUISANCE
Means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

NURSING HOME OR CONVALESCENT HOME
Means a structure designed or used for residential occupancy and providing limited medical or nursing care on the premises for occupants, but not including a hospital or mental health center.

PARKING AREA
Means an area used for the parking of motor vehicles for a fee or as an accommodation for clients, customers, residents, employees or general public.

PERSON
Means a human being or legal entity such as a corporation, partnership or association.

PLANNED UNIT DEVELOPMENT (PUD)
A special land use of a tract of land at least 10 acres in size for which greater flexibility is provided to the Planning Commission to allow a beneficial mix of compatible land use and the relaxation of zoning regulations on setbacks, lot sizes, parking, landscaping, and density according to procedures and standards in Section 5.18 of the Morton Township Zoning Ordinance.

PRIVATE
Means belonging to or concerning an individual person or company; not open to the public; not made generally known.

PUBLIC RECREATIONAL AREAS
Facilities or area open to the general public for outdoor recreational activities such as ball fields, tennis courts, miniature golf courses, swimming pools, driving ranges, and archery ranges, but EXCLUDING activities such as off-road vehicle courses, trap and skeet shooting, and race tracks.

RECREATIONAL VEHICLE OR TRAVEL TRAILER
Means a licensed vehicular, portable structure built on a chassis and designed to be used for temporary occupancy for travel, recreational, or vacation use, including self-propelled motor homes, pickup campers, fifth wheel vehicles, travel trailers, and tent trailers; except any vehicle or unit which is 40' or greater in length, which shall be considered a mobile home.

REZONE
Means changing the specific use for a singled out tract of land to allow its highest and best use.

ROADSIDE STAND
Means a temporary or permanent building or structure operated for the purpose of selling produce of which 100% is raised or grown on the same premises by the proprietor of the stand or his family, its use shall not make into a commercial district, land which should otherwise be an agricultural or residential district, nor shall its use be deemed a commercial activity.

SANITARY LANDFILL
Means the use of rubbish, commercial waste, garbage, with the exception of toxic waste for the purpose of filling land, either naturally low, or low as the result of excavating.

SCREENED FROM VIEW
Means a barrier which is designed to obscure structures, uses, or activities from visual observation when viewed from any off lot location.

SETBACK
Means the minimum horizontal distance a building or structure any portion thereof, is required to be located from the boundaries of the lot upon which the same is located.

SIGN
Means any announcement, declaration, illustration or insignia used to advertise or promote the interests of any person, product or project when the same is placed, painted or displayed out of doors in view of the general public.

SPECIAL LAND USES
Any requested use not specifically specified in the permitted principal uses may be issued a permit in accordance to Section 5.19 General Regulations.

STORAGE BUILDING for PERSONAL USE
A structure used for storage of the property owners' or current occupants' personal property, but cannot be used for living quarters or commercial purposes.

STORY
Any portion of a building having its finished floor surface entirely above grade. A basement shall be considered a story when the distance from the grade to the finished surface of the floor above the basement is more than 6 feet for more than 50% of the total perimeter.

STRUCTURE
"Structure" means that which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner but excluding sidewalks, driveways, docks, and stairways to the water. Structure shall be construed as though followed by the word "or part or parts of the structure and all equipment in the structure", unless the context clearly indicates otherwise.

SWIMMING POOL
Any structure that is capable of containing water over 24 inches (610 mm) in depth and which is used, or intended to be used, for swimming or recreational bathing. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

ALL OTHER WORDS NOT DEFINED HEREIN SHALL HAVE THE MEANING AS STATED IN THE MERRIAM-WEBSTER DICTIONARY ONLINE VERSION (www.merriam-webster.com) OR HARDCOVER; OR THE MICHIGAN STATE CONSTRUCTION CODE.

ARTICLE 11 PLANNING COMMISSION

SECTION 11.0 INTENT

A. Name: Morton Township Planning Commission* (Resolution changes 08/13/2008)

B. Area of Jurisdiction: Morton Township outside the boundaries of the Village of Mecosta.

C. Address: Morton Township Hall, 290 W. Main St., Mecosta, MI 49332.
(Mail in care of P.O. Box 2)

D. Authority: Created to have a Planning Commission by a resolution of the Morton Township Board of Commissioners on August 13, 2008, under Act 168 P.A.1959 as amended (MCL.125.321., *et seq.*) and effective on October 13, 2008, after being published in the paper for sixty (60) days with no response against it.

E. Purpose: To promote and coordinate township zoning and planning through development and administration of a Zoning Ordinance and Master Plan.

SECTION 11.1 MEMBERSHIP

A. Number of Members: Five appointed members, representative of major interests as they exist in the township. One member of the Township Board shall be appointed to the Planning Commission.

The Township Board will appoint one alternate member that will only sit on the board in an advisory position and have no vote.

B. Term of Office: Appointed members shall serve a three-year term with one-third of the terms expiring each year.

C. Compensation: Appointed members and alternates shall be compensated for attendance at meetings, mileage, and shall be reimbursed for costs of conferences approved in advance by the Township Board.

A schedule of such compensation shall be set and maintained by the Township Board of Trustees.

D. Ordinance Control Manager: The Ordinance Control Manager shall serve as an exofficio member of the Planning Commission but shall have no vote.

The Ordinance Control Manager shall attend all regular meetings, special meetings, and public hearings as requested by the Planning Commission Chairperson.

SECTION 11.2 OFFICERS

A. Officers: The officers of the Planning Commission shall include a Chairperson, Vice-Chair, and Secretary from its members.

B. Election: Election of Officers shall be held at the first regular meeting of the year.

C. Duties of Officers:
   1. The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission.

   2. The Vice Chairperson shall preside in the absence of the Chairperson.

   3. The Secretary shall distribute the minutes and act as the recording secretary in the Recording Secretary's absence.

D. Recording Secretary
   1. The Recording Secretary, employed by the Morton Township Board of Trustees, shall keep minutes of all meetings, attendance records, record documents, handle correspondence, and perform such other duties as the Planning Commission may determine.

SECTION 11.3 MEETINGS

A. Regular Meetings: Shall be held monthly, at 7:00 p.m. at the Morton Township Hall, or at other designated locations in Morton Township, dates to be set at the first meeting of the year. Changes to the set dates may be made at any regular or special meeting throughout the year by a majority vote of the Planning Commission.

   Cancellation of such meetings shall be determined by the Chairperson, and notice shall be given to members by the Ordinance Control Manager at least 48 hours prior to the scheduled time of the meeting. In case of cancellations due to weather or other emergencies, the Ordinance Control Manager will notify all members.

B. Special Meetings: Shall be called by the Chairperson or any three members.
   All members shall be notified by the Ordinance Control Manager not less than 48 hours before the meeting. Notice of the meeting shall state the time, place, and purpose of the meeting.

C. All meetings and records shall be open to the public.

D. Quorum:
   1. A majority of the total number of members of the membership shall be necessary for the adoption of or amendment to the Zoning Ordinance or Master Plan.

   2. Whenever a quorum is not present at a regular or special meeting, those present may act as a study group on matters at issue and report the same at a subsequent meeting at which a quorum is present.

E. Order of Business
   1. Agenda
      a. Roll call
      b. Reading and approval of minutes
      c. Old business
      d. New business

e. Remarks from citizens in attendance
f. Reports
g. Correspondence
h. Adjournment

2. Procedural matters not included in the By-Laws shall be governed by Robert's Rules of Order.

3. All motions shall be restated by the Chairperson before a vote is taken.
The name of the maker and the seconder of a motion shall be recorded.

4. Voting shall be by voice and recorded by Yeas and Nays.
Roll Call votes shall be recorded:
a. upon request by members of the Planning Commission or
b. for all questions involving an amendment to the Zoning Ordinance or Master Plan.

SECTION 11.4 ATTENDANCE

Failure to attend three consecutive regular meetings without due cause shall require the Secretary to prepare a memorandum, requesting that the member resign.

The letter of resignation and/or memorandum shall be sent to the Township Board of Trustees with a request to fill the vacancy.

SECTION 11.5 HEARINGS

Before the amendment of the Master Plan public hearings shall be held in accordance with Public Act 33 of 2008, as amended.

Before the amendment of the Zoning Ordinance, public hearings shall be held in accordance with the provisions in the Zoning Ordinance and with Public Act 33 of 2008, as amended.

SECTION 11.6 AMENDMENTS

These rules may be amended, following a 15 day study period, at any regular or special meeting by a two-thirds vote of the members present.

Any amendment must be presented to the Planning Commission in writing.

Approved by the Morton Township Board at a regular meeting.

***-** On August 13, 2008, the Morton Township Board of Trustees passed a resolution to establish a Planning Commission with zoning authority. Resolution R-08813 – A Resolution to Establish a Planning Commission with Zoning Authority. This Resolution in its entirety is at the end of the Zoning Ordinance.

*- On May 19, 2009, the Morton Township Board of Trustees passed an ordinance to confirm the establishment of a Planning Commission with Zoning Authority under the Michigan Planning Enabling Act, Public Act 33 of 2008. Ordinance #40 – An Ordinance to Confirm the Establishment of a Planning Commission with Zoning Authority.

ARTICLE 12 ZONING BOARD OF APPEALS

SECTION 12.0 ZONING BOARD OF APPEALS - ORGANIZATION

1. There is hereby established a Zoning Board of Appeals as provided for in Act 183, Public Act of 1943, as amended, and appointed by the Morton Township Board, which shall have all of the powers and duties provided by State law and no others except as specifically set forth in this or any other ordinance of Morton Township. It may make any rules of procedure, consistent with law, which may be necessary or convenient for carrying out its functions. Copies of such rules shall be made available to the public by the Ordinance Control Manager.

2. The Zoning Board of Appeals shall consist of at least three (3) members and two (2) alternates as follows:
   A. One member shall be a member of the planning commission.

   B. Other members shall be selected and appointed by the Township Board from among the electors residing in the unincorporated area of the Township.

   C. One may be a member of the Township Board.

3. The term of each member shall be three (3) years and until a successor has been appointed and qualified, which successor must be appointed not more than one (1) month after the expiration of the preceding term.

   Staggered terms shall be effective for the first two (2) appointed members serving for two (2) years and the remaining for three (3) years.

4. No elected official shall serve as chairperson.

5. Members may be removed by the Township Board for non-performance of duty or misconduct in office, based on written charges and after a public hearing.

6. Where member conflicts of interest exist, such member shall disqualify himself from voting. Failure to do so constitutes misconduct in office.

7. The Zoning Board of Appeals shall hold hearings not less often than once in the first quarter of the year to elect officers and review any administrative functions.

   Meetings other than the first quarter shall be scheduled by the Ordinance Control Manager no later than 35 days after receipt of the Zoning Board of Appeals application.

   However, the board must meet at least once per calendar year.

SECTION 12.1 ZONING BOARD OF APPEALS - DUTIES

1. The Zoning Board of Appeals shall act upon all questions as they may arise in the administration of the Zoning Ordinance, including the interpretation of the zoning maps (see Section 13.9).

   It shall hear and decide appeals from and review any order, requirements, decisions or determination made by the Ordinance Control Manager pursuant to the provisions of this ordinance. It shall also hear and decide all matters referred to it or upon which it is required to pass under the provisions of this ordinance.

   The concurring vote of the majority of the members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Ordinance Control Manager or to decide in favor of the applicant any matter upon which they are required to pass under this ordinance or to affect any variation of this ordinance.

2. The Zoning Board of Appeals shall conduct all meetings in public.

   Formal hearings of any appeal must be set within a reasonable time and conducted as a public hearing with due notice given to all parties affected.

   Specific requirements of the local ordinance must also be adhered to. See Section 13.0.2 for specific requirements for public hearings.

3. No local body, including the Township Board, can override a decision of the Zoning Board of Appeals.

SECTION 12.2 VARIANCE

1. The Zoning Board of Appeals shall have the authority to grant a variance where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of the Zoning Ordinance. In deciding a request for a variance, the Zoning Board of Appeals may vary or modify any of its rules or provisions so that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

   There are two (2) types of variances:

   A. Use Variance:
      The Use Variance is a modification of the literal provisions of the Zoning Ordinance which is authorized by the Zoning Board of Appeals when strict enforcement of the ordinance would cause “unnecessary hardship” for the property owner due to circumstances unique to the property. A Use Variance permits a use of land that is otherwise not allowed in that district, i.e. commercial use in a residential district.

   B. Non-Use Variance:
      This is known as a “Dimensional Variance”. It is a modification of the literal provisions of the Zoning Ordinance which is authorized by the Zoning Board of Appeals when strict enforcement of the ordinance would cause “practical difficulties” for the property owner due to circumstances unique to the property. Unique features could include an odd shape of the property, small size of the property, or the location of natural features, such as trees, rock formations, streams or wetlands.

2. To grant a use variance, the Zoning Board of Appeals must find on the basis of substantial evidence before it that the applicant has shown unnecessary hardship because

   A. The property cannot reasonably be used in a manner consistent with existing zoning, and

   B. The landowner's situation is due to unique circumstances peculiar to the property rather than general conditions of the neighborhood, and

   C. The use authorized by the variances will not alter the essential character of the neighborhood, and

   D. The hardship is not the result of the applicant's own actions.

3. To grant a non-use variance, the Zoning Board of Appeals must find on the basis of substantial evidence before it that the applicant will suffer practical difficulties in meeting all of the provisions of the ordinance.

   In determining whether or not to grant a non-use variance, the Zoning Board of Appeals the following circumstances must exist:

   A. Whether compliance with the regulations would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity with such restrictions unnecessarily burdensome, and

   B. Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that requested would give substantial relief to the owner and be more consistent with justice to other property owners, and

   C. Whether the plight of the owner is due to unique circumstances, and

   D. Whether the problem is self-created, and

   E. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety secured and substantial justice done. (Section 604(7), MCL 125.3604 (7))

4. The Zoning Board of Appeals can impose conditions on any variance it grants.

5. All variances shall be recorded with the Township Clerk's office.

6. No variance granted by the Zoning Board of Appeals shall remain valid if the use or structure it authorizes is not substantially commenced within one (1) year of the variance being granted.

ARTICLE 13 ADMINISTRATION

SECTION 13.0 ADMINISTRATIVE STANDARDS AND PROCEDURES

1. Whenever, in the course of administration and enforcement of this ordinance, it is necessary or desirable to make an administrative decision, then, unless other standards are provided in the ordinance, the decision shall be made so that the result will not be contrary to the spirit and purpose of this ordinance or injurious to the surrounding neighborhood.

2. Where a public hearing is required in the administration of this ordinance, the Zoning Board of Appeals and the Planning Commission:

   A. Shall base their decision upon facts presented at the public hearing.

   B. For Special Land Use Permits and Zoning Board of Appeals hearings, shall publish notice of the public hearing in a township newspaper of general circulation, such notice to be given not less than five nor more than 15 days prior to the public hearing, and also notify by mail or personal service all property owners to whom real property is assessed within 300 feet of the boundary of the property in question, and to all occupants of structures within 300 feet.

      If a structure contains more than one dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses or organizations, one occupant of each unit or spatial area shall receive notice.

      In the case of a single structure containing more than four dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance of the structure.

   C. For amendments, shall publish two notices in a newspaper of general circulation in the township, one at least twenty (20) but not more than thirty (30) days before the hearing and the second not more than eight (8) days before the hearing.

      Said notice shall also go to utilities registered to receive the notice, to railroads within the zone affected and if the amendment is a rezoning, to owners of the property proposed for rezoning, at least twenty (20) days before the hearing.

   D. Shall, when necessary, notify proper officials of any adjacent local unit of government when property in question borders on that unit of government.

   E. Shall set forth in all notifications, the time, place, and nature of the request, the geographic area included in the zoning proposal, where and when written comments will be received, and where and when the zoning ordinance and proposals or applications there under may be examined.

   F. Shall permit interested parties at the hearing to present and rebut information either supporting or opposing the zoning action under consideration.

   G. Shall prepare a comprehensive summary record of the hearing, including an exact record of motions, votes, and other official action.

H. Shall set forth in writing and in detail any recommended denial, approval, conditional approval, or order and the facts supporting such decision, to the township board, within 60 days after the public hearing.

I. Shall comply with all other requirements under the law.

J. Shall have all administrative actions recorded with the Morton Township Clerk.

3. Wherever a discretionary decision is authorized in this ordinance, such as but not limited to, the issuance of Special Land Use Permits, conditions (including, but not limited to greater setbacks, parking, screening, drainage, access control and other similar requirements) may be imposed provided they are:
   A. Designed to protect natural resources, the health, safety and welfare, and the social and economic well-being of those who will use the land or activity under consideration, residents and landowners immediately adjacent to the proposed use or activity, and the community as a whole.

   B. Related to the valid exercise of the police power, and the purposes which are affected by the proposed use or activity.

   C. Necessary to meet the intent and purpose of the zoning ordinance for the land use or activity under consideration, and are necessary to insure Compliance with those standards.

   D. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action, and shall remain unchanged except upon the mutual consent of the approving authority and the landowner. A record of any changed condition shall also be maintained.

4. All administrative guides or rules developed to assist the Zoning Board of Appeals or the Planning Commission in the administration of the ordinance shall be filed with the Morton Township Clerk and be open to public inspection.

SECTION 13.1 ORDINANCE AMENDMENTS

The Township Board is authorized and empowered to cause this ordinance to be amended, supplemented or changed, pursuant to the authority and according to the procedure set forth in Act 184 of the Michigan Public Acts of 1943, as amended.

Proposals for amendments may be initiated by the Township Board, the Planning Commission, or by petition of one or more owners of property in Morton Township affected by such proposed amendments. The procedure for amending this ordinance shall be as follows:

1. Each petition shall be submitted to the Ordinance Control Manager, accompanied by the proper fee, and then referred to the Planning Commission, for their review at a public hearing, which is held in conformance with Section 13.0.2 of this ordinance.

2. Following the public hearing, the Planning Commission shall transmit their recommendation and a summary of the comments received at the public hearing to the Township Board.

The Planning Commission shall grant a hearing on the proposed amendment to any property owner who has filed a written request for same prior to the regular meeting at which the proposed amendment is to be considered.

Newspaper notice of a public hearing by the Township Board shall be given as provided by law.

3. No petition for an amendment, which has been disapproved by the Township Board, shall be resubmitted for a period of one year from the date of disapproval, except as may be permitted by the Township Board after learning of new and significant facts or conditions which might result in favorable action upon resubmittal. Resubmittal shall follow the same procedure as outlined in this section.

4. Following the adoption of an amendment by the Township Board, one notice of adoption shall be published in a newspaper of general circulation in the township within 15 days after approval.

   The notice of adoption shall include the following information:

   A. A summary of the regulator effect of the amendment including the geographic area affected, or a summary of the text of the amendment.

   B. The effective date of the amendment; and

   C. The place and time where a copy of the ordinance may be purchased or inspected.

SECTION 13.2 FINANCIAL SECURITY (PERFORMANCE GUARANTEE)

1. Whenever, in the course of administration and enforcement of this ordinance, it is necessary or desirable to assure compliance with the provisions of this ordinance and protect the public health, safety, and general welfare, the Morton Township Board may require an applicant to provide financial security in one or a combination of the following arrangements:

   A. Performance Bond - A performance bond or surety bond issued by an acceptable bonding company authorized to do business in the State of Michigan.

   B. Escrow Fund - A cash deposit or by certified check.

   C. Irrevocable letter of credit. An irrevocable letter of credit, issued by a bank authorized to do business in the State of Michigan.

2. Such guarantee shall be deposited with the Township Treasurer at the time of the issuance of the special use permit.

   In fixing the amount of such performance guarantee, the Morton Township Board shall limit it to reasonable improvements required to meet the standards of this ordinance and to protect the natural resources or the health, safety and welfare of the residents of the township and future users or inhabitants of the proposed project or project area including, but not limited to roadways, lighting, utilities, sidewalks, screening and drainage.

The term "improvements" does not include the entire project which is the subject of zoning approval nor to improvements for which a performance guarantee has been deposited pursuant to Act No. 288 of 1967, as amended.

The Morton Township Board and the project developer shall establish an agreeable procedure for the rebate of any cash deposits required under this section, in reasonable proportion to the ratio of the work completed on the required improvements as work progresses.

Said agreement shall be written as an element of the conditions surrounding the approval.

SECTION 13.3 FEES

Persons requesting a special meeting of the Township Planning Commission, any appeals board, or request for rezoning, variance, amendment or Special Use Permit, shall first pay a fee as set by the Township Board of Trustees.

SECTION 13.4 THE ORDINANCE CONTROL MANAGER

The office of Ordinance Control Manager is hereby established.

The Ordinance Control Manager shall be appointed by the Morton Township Board and shall serve at their pleasure, and shall receive such compensation as the Township Board may, from time to time, determine.

The Ordinance Control Manager may serve in other capacities with Morton Township so long as such positions are not in conflict, one with the other, who shall administer the provisions of this ordinance and shall have all administrative powers in connection therewith which are not specifically assigned to some other officer or body.

The Ordinance Control Manager shall have no power to vary or waive Ordinance requirements. In no case shall the Ordinance Control Manager proceed until the proper application and fee has been submitted.

SECTION 13.5 ZONING COMPLIANCE PERMITS

1. Hereafter, no land use shall be commenced or changed and no structure shall be erected, enlarged or demolished until the owner of record, or their authorized agent, has obtained a Zoning Compliance Permit from the Ordinance Control Manager.

2. The Ordinance Control Manager shall issue such permit upon the furnishing in writing, over the signature of the applicant, of such information as may be necessary to establish that the proposed use, structure, or addition is in full compliance with all provisions of this ordinance, and payment of a permit fee.

3. No Zoning Compliance Permit shall be issued where it appears that any land areas required to conform to any provision of this ordinance is also required as part of any adjoining property to keep the development or user thereof in conformity with this ordinance, or to keep it from

becoming more nonconforming, if such land area was, at any time subsequent to the commencement of development or use of such adjoining property, in common ownership with such adjoining property.

4. A Zoning Compliance Permit based on any materially false statement in the application or supporting documents is absolutely void ab inito and shall be revoked by the Ordinance Control Manager after notice to the applicant and an opportunity to be heard. Any Zoning Compliance Permit issued as a result of any application or supporting documents which contain any false statement of fact is void and such permit shall be revoked by the Ordinance Control Manager after notice to the applicant and an opportunity to be heard. No zoning compliance permits shall remain valid if the use or structure it authorizes is not substantially commenced within one (1) year of the date the permit is issued.

SECTION 13.6 CERTIFICATE OF OCCUPANCY/USE

1. No permanent Certificate of Occupancy/Use shall be issued under any building code applicable in Morton Township until all requirements of this ordinance have been met.

2. A temporary certificate may be issued for a maximum of one (1) year under circumstances where expressly permitted by this ordinance.

3. Certificates of Occupancy/Use to be issued by the Building Inspector.

SECTION 13.7 SPECIAL ZONING ORDERS, BOOK AND MAP

The Ordinance Control Manager shall keep in his office a book, to be known as the Special Zoning Orders Book, in which he shall list, with a brief description,

all variances,
special land use permits,
authorizations for planned unit developments,
designations of nonconformance,
and any termination of any of them.

Each entry shall be assigned a number which shall correspond when possible to the Township Property Assessment Roll Number.

The Ordinance Control Manager shall also keep a map, to be known as The Zoning Orders Map, on which he shall record the numbers in the Zoning Orders Book to indicate the locations affected by the items in the book.

The Zoning Orders Book and Map shall be open to public inspection.

SECTION 13.8 VIOLATIONS AND PENALTIES

A. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than $50.00 nor more than $500.00 for the first offense and not less than $100.00 nor more than $2,500.00 for subsequent offenses, at the discretion of the Court, and such fine shall be in addition

to all other costs, attorney fees, damages, expenses, and other remedies as provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person for the same property within twelve (12) months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible, provided, however, that offenses committed on subsequent days within a period of one week following the issuance of a citation for a first offense shall all be considered separate first offenses.

B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also institute an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.

C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.

D. Any use of land that is commenced or conducted, any activity, or any building, item or structure that is erected, moved, used, placed, reconstructed, razed, extended, enlarged, altered, maintained, or changed, in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se.

E. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.

F. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this Ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

SECTION 13.9 ZONING MAPS

The location and boundaries of the zoning districts established by this ordinance are set forth on the zoning maps of the Township of Morton which accompany this ordinance and which maps, with all notations, references, and other information shown thereon, is incorporated herein and is as much a part of the ordinance as if fully described and set forth herein.

Where, due to the scale, lack of detail or illegibility of the zoning map in Section 13.9, there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary as shown thereon, the Ordinance Control Manager shall make an interpretation of said map upon request of any person.

Any person aggrieved by any such interpretation may appeal such interpretation to the Zoning Board of Appeals.

The Ordinance Control Manager, and the Zoning Board of Appeals, in interpreting the zoning map or deciding any appeal, shall apply the following standards:

1. Zoning district boundary lines are intended to follow lot lines, or be parallel or perpendicular thereto, or along the center lines of alleys, street, rights-of-way or water courses, unless such boundary lines are fixed by dimensions shown on the zoning map.

2. Where zoning districts' boundary lines are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundary lines.

3. Where a zoning district boundary line divides a lot, the location of any such zoning district boundary line, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.

4. If, after the application of the foregoing rules, uncertainty still exists as to the exact location of a zoning district boundary line, the boundary line shall be determined in a reasonable manner, considering the history and uses of property and the history or zoning ordinances and amendments in the Township of Morton as well as all other relevant facts.

MAP OF MORTON TOWNSHIP
T.14 N., R. 8 W.
MECOSTA COUNTY, MICHIGAN

ARTICLE 14 SEVERABILITY, ENACTMENT, CERTIFICATION

SECTION 14.0 SEVERABILITY

This ordinance and the various parts, sections, subsections, and clauses thereof, are hereby declared to be severable. If any part sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby.

If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid as applied to a particular property, building, or other structure, it is hereby provided that the application of such portion of the ordinance to other property, buildings, or structures shall not be affected thereby.

Whenever any condition or limitation is included in an order authorizing a planned unit development or any special use permit, variance, grading permit, zoning compliance permit, certificate of occupancy, site plan approval, or designation of Class A non-conformance, it shall be conclusively presumed that the authorizing officer or body considered such condition of limitation necessary to carry out the spirit and purpose of this ordinance or the requirement of some provision thereof, and to protect the public health, safety, and welfare, and that the officer or board would not have granted the authorization to which the conditions or limitation pertains except in the belief that the condition or limitation was lawful.

SECTION 14.1 ORDINANCE ENACTMENT & EFFECTIVE DATE

1. This ordinance shall take immediate effect.

2. All ordinances, resolutions or orders or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

3. Notice of this ordinance shall be published as required by law in a newspaper of general circulation within the boundaries of the township, and qualified under state law to publish legal notices, promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signatures of the Township Supervisor and Clerk.

SECTION 14.2 CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of the Morton Township Zoning Ordinance, Ordinance No. 87-2, duly adopted by the Township Board of the Township of Morton, County of Mecosta, State of Michigan, at a meeting held on September 1, 1987 and that said meeting was conducted and public notice of said meetings was given pursuant to and in full compliance of the Open Meetings Act, being Act 267, Public Acts of Michigan 1976, as amended, and that the minutes of said meeting were kept and will be or have been available as required by said Act.

I further certify that member R. Peacock moved adoption of said ordinance and that member M. Evert supported said motion.

I further certify that the following members voted for adoption of said ordinance: Sheehan, Blandford, Becker, Peacock & Evert and that the following members voted against adoption of said ordinance: none.

I further certify that said ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and Clerk.

Nancy Sheehan
Morton Township Supervisor

Margaret Blandford
Morton Township Clerk

MINUTES OF MEETING 7-14-92
Johnson moved to approve the amendments to the Zoning Ordinance recommended by Zoning Comm. Proposed amendments to be in effect the date of publication of a summary. 2nd by Edwards. 4 Ayes, 0 Nays, 1 Absent. Carried.

Notice ran in the Pioneer East, Monday, August 3, 1992
Amended Zoning Ord.. in effect the date 8-3-92

Lewis L. Johnson

Lewis L. Johnson - Morton Township Clerk

AMENDMENTS, ORDINANCES, RESOLUTIONS

ORDINANCE NO. 35

ADOPTING SECTION 601 AND AMENDING SECTION 713.1
OF THE MORTON TOWNSHIP ZONING ORDINANCE

PUBLISHED THE BIG RAPIDS *PIONEER* - PAGE 5B - JANUARY 12, 2001

Section 1. Section 601 is added to the Morton Township Zoning Ordinance and reads as follows:

Water wells, water well equipment enclosures not larger than 150 square feet in area, water pipelines, water pipeline equipment vaults not higher than 2 feet above grade level and not larger than 50 square feet in area, and water monitoring wells are permitted uses in all zoning districts, subject to setback and building code regulations.

Section 2. Section 713.1 of the Morton Township Zoning Ordinance is amended so that it reads as follows:

Regulations - Except as otherwise specifically provided in this ordinance, all structures shall comply with the following size, height, and setback requirements, except - sidewalks, fences, driveways, stairways to the water and docks, water pipelines and equipment vaults.

RESOLUTION 01814

AMENDING THE FOLLOWING DEFINITIONS IN THE
MORTON TOWNSHIP ZONING ORDINANCE

PUBLISHED IN THE BIG RAPIDS *PIONEER* - AUGUST 17, 2001

(These amendment changes are made to bring the Morton Township Zoning Ordinance into compliance with MCL 125.286.g of the Township Rural Zoning Act and Act No. 116 of the Public Acts of 1973, as amended, pertaining to the regulation of Child Day Care Organizations, State of Michigan, Department of Social Services.)

AMENDMENT # 1 - AMENDING THE DEFINITION OF FAMILY DAY CARE HOME

"Family Day Care Home means a private home in which 1, but fewer than 7 minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family Day Care Home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year."

AMENDMENT #2 - ADD THE TERM "GROUP DAY CARE HOME" TO THE SPECIFIC TERMS

"Group Day Care Home means a private home in which 6, but fewer than 12 minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group Day Care Home includes a home that gives care to an unrelated minor child for more than 4 weeks during a calendar year."

MORTON TOWNSHIP RESOLUTION
MECOSTA COUNTY MICHIGAN
(Regular Law Township)
A RESOLUTION TO CREATE A SEPARATE ZONING BOARD

R-051108

WHEREAS, the Morton Township Board of Trustees, County of Mecosta, State of Michigan, in conformity with 168 Public Act 159 resolved on February 5, 1974 to create the Morton Township Planning Commission which has evolved over the years into a Planning and Zoning Commission.

WHEREAS, the Morton Township Zoning Board is hereby created, consisting of five (5) members to be appointed by the Morton Township Board of Trustees, three (3) of which will be for terms of two (2) years each and two (2) which shall be appointed for terms of four (4) years each. Successors shall be appointed for terms of four (4) years. Elected officers of the Morton Township Board of Trustees and employees of Morton Township are not eligible to serve on the Morton Township Zoning Board.

WHEREAS, the Morton Township Board of Trustees desire to split the Planning and Zoning Commission and for a separate stand-alone Morton Township Zoning Board. The Zoning Board will have the by-laws that are currently in place.

WHEREAS, the Morton Township Zoning Board shall hold a minimum of two (2) regular meetings annually, and as many as may be required to handle the business assigned to the Zoning Board. The Morton Township Zoning Board shall elect from its appointed members, a chairperson, secretary, and other officers or committees the Zoning Board considers necessary. Members of the Morton Township Zoning Board may receive such compensation as determined and appropriated annually in advance by the Morton Township Board of Trustees.

WHEREAS, the Morton Township Zoning Board shall adopt and file recommendations with the Morton Township Board of Trustees as to

A. The establishment or amendment of zoning districts;

B. The text of the Zoning Ordinance and amendments or supplements to the Zoning Ordinance;

C. Amendments to the zoning map;

D. The administration and enforcement of the Zoning Ordinance;

E. Special or conditional land uses, site plans, Planned Unit Developments (PUD), and any other project or development requiring zoning approval by the Morton Township Board of Trustees;

F. Those matters specified in the Morton Township Zoning Ordinance as requiring review by the the Morton Township Zoning Board;

G. Any other subject relating to Morton Township Zoning referred to the Zoning Board by the Morton Township Board of Trustees.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Morton Township Board of Trustees, moves to adopt the forming of a separate five (5) member Zoning Board.

The foregoing resolution offered by Trustee Board Member, Lewis Johnson and support by Trustee Board Member, Mark Kuzma.

Upon Roll Call Vote, the following voted *"Aye":* *James Scott, Lewis Johnson, Douglas Behrend, Mark Kuzma*
the following voted *"Nay":* *William Guy* Absent: None

The Supervisor declared the motion passed and the Resolution R-051108 duly adopted November 8, 2005. Effective December 31, 2005.

CERTIFICATE

I, Lewis L. Johnson, the duly and acting Clerk of Morton Township, hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a meeting of the Morton Township Board of Trustees held at the Morton Township Hall on November 8, 2005, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 PA 267; that a quorum of the Board of Trustees was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meeting Act.

Effective December 31, 2005.

Lewis L. Johnson, Morton Township Clerk

MORTON TOWNSHIP RESOLUTION
MECOSTA COUNTY MICHIGAN
(Regular Law Township)
A RESOLUTION TO RENAME
THE MORTON TOWNSHIP PLANNING AND ZONING COMMISSION
THE MORTON TOWNSHIP PLANNING COMMISSION

R-051108-A

WHEREAS, the Morton Township Board of Trustees, County of Mecosta, State of Michigan, in conformity with 168 Public Act 159 resolved on February 5, 1974 to create the Morton Township Planning Commission which has evolved over the years into a Planning and Zoning Commission.

WHEREAS, the Morton Township Planning and Zoning Commission is renamed the Morton Township Planning Commission, which shall be a township planning commission as defined in MCL 125.321.

WHEREAS, the Morton Township Planning Commission shall have the power to make, adopt, extend, add to or otherwise amend the Morton Township Master Plan.

WHEREAS, the Morton Township Planning Commission shall consist of five (5) members, who shall be representative of major interests as they exist in the Township, such as agriculture, recreation, education, public health, government, commerce, transportation and industry. All members shall be qualified electors and property owners of Morton Township. One member of the Morton Township Board of Trustees shall be a member of the Morton Township Planning Commission. All members of the Morton Township Planning Commission shall be appointed by the Township Supervisor, with the approval of the Morton Township Board of Trustees. Members may be removed by the Morton Township Supervisor, after a hearing, with the approval of the Township Board of Trustees. The terms for each member shall be three (3) years. A sucessor shall be appointed not more than one (1) month after the term of the preceding Commission member has expired. All vacancies for unexpired terms shall be filled for the remainder of such term.

WHEREAS, Members of the Morton Township Planning Commission may be compensated for their services as provided and appropriated by the Morton Township Board of Trustees. The Planning Commission shall prepare a detailed budget and submit it to the Morton Township Board of Trustees for approval or disapproval.

WHEREAS, Members of the Morton Township Planning Commission shall elect a chairperson, vice-chairperson, and secretary from its members, and shall create and fill other offices or committees it considers advisable. The term of each officer shall be one (1) year. The Morton Township Planning Commission may appoint advisory committees outside of its membership.

WHEREAS, the Morton Township Planning Commission shall hold at least four (4) regular meetings per year, which shall be held in compliance with the Open Meetings Act.

WHEREAS, the Morton Township Board of Trustees, upon recommendation of the Morton Township Planning Commission, may employ a Planner, Planning Director, or other planning personnel, contract for the services or studies of planners or other technicians and pay or authorize the payment of expenses within the funds budgeted and provided for planning purposes.

WHEREAS, the Morton Township Planning Commission shall adopt rules for the transaction of its business and shall keep a public record of its resolutions, transactions, findings, and determinations. It shall make an annual written report to the Morton Township Board of Trustees concerning its operations and the status of planning activities, including recommendations regarding actions by the Morton Township Board of Trustees related to planning and development.

WHEREAS, the Morton Township Planning Commission shall make, approve, and update a Master Plan as a guide for the development of unincorporated portions of the Township. The Morton Township Master Plan shall be a "basic plan" or "plan" as defined in MCL 125.321 for the Township Planning Act. As a basis for the plan, the Morton Township Planning Commission may:

(a) Make inquiries, investigations and surveys of all of the resources of the Township;

(b) Assemble and analyze data and formulate plans for the proper conservation and use of all resources, including a determination of the extent of probable future needs for the most advantageous designation of lands having various use potentials and for services, facilities and utilities required to equip those lands;

(c) Meet with other governmental planning commissions to deliberate;

(d) Make use of expert advice and information which may be furnished by appropriate federal, state, county, and municipal officials, departments, and agencies having information, maps, and data pertinent to Township Planning. State, regional, county and municipal officials, departments, and agencies shall make available public information for the use of Township Planning Commissions and may furnish such other technical assistance and advice as they may have for planning purposes;

(e) In addition to the Master Plan provided above, by a majority vote of the members, the Morton Township Planning Commission may adopt a plan for a geographic area less than the entire unincorporated area of the Township if, because of the unique physical characteristics of that area, more intensive planning is necessary for the purposes set forth above.

The Morton Township Master Plan shall:
Address land use issues and may project twenty (20) years or more into the future. The plan shall include maps, plats, charts and descriptive, explanatory and other related matter and shall show the Planning Commission's recommendations for the physical development of the unincorporated area of the Township.

The Plan shall include those of the following subjects which reasonably can be considered as pertinent to the future development of the Township:

(a) Provide a land use plan and program, in part consisting of a classification and allocation of land for agriculture, residences, commerce, industry, recreation, ways and ground, public buildings, schools, soil conservation, forests, wood lots, open space, wildlife refuges, and other uses and purposes;

(b) Describe the general location, character and extent of streets, roads, highways, railroads, airports, bicycle paths, pedestrian ways, bridges, waterways, and water front developments, flood prevention works, drainage, sanitary sewers and water supply systems, works for preventing pollution, and works for maintaining water levels, and public utilities and structures;

(c) Provide recommendations as to the general character, extent, and layout for redevelopment or rehabilitation of blighted areas, and the removal, relocation, widening, narrowing, vacating, abandonment, or changes or use or extension of ways, grounds, open spaces, building, utilities, or other facilities;

(d) Make recommendations for implementing any of its proposals.

Once the Planning Commission has adopted the Morton Township Master Plan, no street, square, park, or other public way, ground or open space, or public building or structure, shall be constructed or authorized in the Township of Morton in the Planned Section and District, until the location, character and extent there of shall have been submitted to and approved by the Morton Township Planning Commission.

The Morton Township Board of Trustees shall refer plats or other matters relating to land development to the Planning Commission before final action thereon by the Morton Township Board of Trustees and may request the Planning Commission to recommend regulations governing the subdivision of the land. The recommendations may provide for the procedures of submittal, including recommendations for submitting a preliminary subdivision design, the standards of design and the physical improvements that may be required.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Morton Township Board of Trustees, moves to rename the Morton Township Planning and Zoning Commission, the Morton Township Planning Commission.

The foregoing resolution offered by Trustee Board Member, Mark Kuzma and support by Trustee Board Member, Douglas Behrend.

Upon Roll Call Vote, the following voted *"Aye":* *James Scott, Lewis Johnson, Douglas Behrend, Mark Kuzma*
the following voted *"Nay":* *William Guy*
Absent: None

The Supervisor declared the motion passed and the Resolution R-051108 duly adopted November 8, 2005. Effective December 31, 2005.

CERTIFICATE

I, Lewis L. Johnson, the duly and acting Clerk of Morton Township, hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a meeting of the Morton Township Board of Trustees held at the Morton Township Hall on November 8, 2005, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 PA 267; that a quorum of the Board of Trustees was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meeting Act.

Effective December 31, 2005

Lewis L. Johnson, Morton Township Clerk

MORTON TOWNSHIP RESOLUTION
MECOSTA COUNTY, MICHIGAN
Resolution to Establish a Planning Commission with Zoning Authority
(Regular Law Township)

R-08813

WHEREAS, the township board of Morton Township, Mecosta County, Michigan wishes to proceed under the terms and provisions of the Township Planning Act, Public Act 168 of 1959, as amended (MCL.125.321.,*et seq*.) and create a planning commission for the township,

NOW, THEREFORE, BE IT RESOLVED:

1. **Establishment:** The township board hereby creates a township planning commission consisting of five (5) members. The planning commission is formed under the authority of and subject to the powers, duties, and limitations provided in the Township Planning Act, Public Act 168 of 1959, as amended (MCL.125.321., *et seq*.), and further subject to the terms and conditions of this resolution and any amendments to it.

2. **Appointments and Terms:** The first members of the planning commission shall be appointed no sooner than 60 days following the publication of this resolution. The township supervisor, with the approval of the township board, shall appoint all planning commission members. When the planning commission is first established, the first members will be appointed to staggered terms, so one-third shall serve for one year, one-third for two years, and one-third for three years. After that, all planning commission members shall serve for terms of three years each, with one-third of the terms expiring each year. Successors shall be appointed not more than one month after the term of the preceding commission member has expired. Vacancies shall be filled for the remainder of the term.

3. **Members:** Planning commission members shall be registered voters of the township who are representative of major interests as they exist in the township, such as agriculture, recreation, education, public health, government, commerce, transportation, and industry. One member of the township board shall be appointed to the planning commission.

4. **Compensation:** The planning commission members may be compensated for their services as provided by township board resolution.

5. **Officers and Meetings:** The planning commission shall elect a chair, vice-chair, and secretary from its members, and may create and fill other offices or committees as it deems advisable. It may appoint advisory committees outside of its membership. The terms of all officers shall be one year. The planning commission shall meet at least four times each year, and any additional times as it determines necessary to accomplish its functions.

6. **Authority to Make Master Plan:** Under the authority of the Township Planning Act, Public Act 168 of 1959, as amended (MCL.125.321., *et seq*.), the planning commission shall make a master plan as a guide for the development of those portions of the township outside of any incorporated village. The Morton Township Board of Trustees shall have final approval of the master plan and any subsequent amendments.

7. **Recommending Authority:** The planning commission shall make recommendations concerning new plats and other land development matters referred to it by the township board. All final decisions of said planning commission, to elect its own officers and adopt its own rules of procedure, shall be subject to the approval of the township board before they can take effect.

8. **Amendments to Authorizing Statute:** Any amendments made to the Township Planning Act, Public Act 168 of 1959, as currently amended (MCL.125.321., *et seq*.), shall hereby be declared to automatically control the activities and function of the planning commission.

9. **Zoning Powers:** All powers, duties, and responsibilities provided by the *Michigan Zoning Enabling Act, Public Act 110 of 2006, (*MCL.125.3101., *et seq.)* for zoning boards are hereby transferred to the planning commission as of the effective date of this resolution, unless the zoning board is nearing the completion of its zoning plans, in which case the transfer of functions shall be postponed until the zoning plans or completed or for a period of one year, whichever occurs first. Any existing zoning ordinance shall remain in full force and effect until otherwise amended, altered or repealed by the township board.

10. **Effective Date:** This resolution shall take effect 60 days following its publication in a newspaper of general circulation in the township, unless a legal referendum petition is filed as provided by the Township Planning Act, Public Act 168 of 1959, as amended (MCL.125.321., *et seq*.), and then when the establishment of a planning commission has been approved by a majority of the electors voting at a subsequent regular or special election. The township board reserves the right to amend or repeal this resolution at any time hereafter by a majority vote of the membership of the township board.

11. **Submissions and Publication:** The township clerk shall, within 10 days after this resolution is adopted, transmit copies of the resolution to the secretary of state for the State of Michigan, and to the county planning commission or regional planning commission exercising planning jurisdiction within the township. The clerk shall also, within 30 days after this resolution is adopted, publish it in a newspaper of general circulation in the township. The clerk shall prepare and sign a certificate of these submissions and publication.

The foregoing resolution offered by Trustee Board Member, Lewis Johnson and support by Trustee Board Member, Douglas Behrend.

ROLL CALL VOTE
The following voted "Aye": James Scott, Lewis Johnson, Douglas Behrend, William Guy, and Mark Kuzma
The following voted "Nay": None
Absent: None

The Supervisor declared the motion passed and Resolution (R-08813) Adopted, August 13, 2008. Effective October 20, 2008.

CERTIFICATE

I, Lewis L. Johnson, the duly and acting Clerk of Morton Township, hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a meeting of the Morton Township Board held at the Morton Township Hall on August 13, 2008. That said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act. Adopted August 13, 2008.

Lewis L. Johnson, Morton Township Clerk

MORTON TOWNSHIP RESOLUTION
MECOSTA COUNTY, MICHIGAN
Resolution to accept the zoning responsibilities of the Village of Mecosta (Regular Law Township)

R- 14129

WHEREAS, The township board of Morton Township, Mecosta County, and the Village of Mecosta, Mecosta County, wish to enter an agreement establishing Morton Township as the administrator and enforcement of zoning powers for the Village of Mecosta constituents.

WHEREAS, The Village of Mecosta and Morton Township find that it would benefit and serve the constituents of both local governmental units to cooperate on planning and zoning issues, and to consolidate planning and zoning functions through one unit of government, Morton Township.

WHEREAS, The jurisdictional area shall include the corporate limits of the Village of Mecosta and all of the unincorporated portions of Morton Township, which are in Mecosta County, Michigan.

WHEREAS, The Village of Mecosta shall delegate jurisdiction of its zoning authority to Morton Township and shall by ordinance adopt the Morton Township Zoning Ordinance as its governing ordinance and abide by all the ordinances and terms within.

WHEREAS, The Village of Mecosta will retain Zoning Board of Appeals authority over its governmental unit.

WHEREAS, The Morton Township Planning Commission will have as one of its members, a resident of the Village of Mecosta.

NOW, THEREFORE, BE IT RESOLVED:
The township board of Morton Township and the Village of Mecosta shall enter into an agreement delegating jurisdiction of the zoning authority for the Village of Mecosta to Morton Township.

That the Morton Township Board of Trustees voted at their regular meeting of April 8, 2014, to approve the recommendation of the Planning Commission and Village of Mecosta to provide zoning for the village.

This resolution shall take effect immediately following the approval of this resolution by both governing bodies and authorization by the Mecosta Village Council and the Morton Township Board, the Village President and Township Supervisor as the officers authorized to sign.

Steve Bishop, President
Village of Mecosta

Dick Wheeler, Supervisor
Morton Township

The foregoing resolution offered by Trustee Board Member, M. Wolfe and support by Trustee Board Member Y. Bellingar.

Upon Roll Call Vote:
The following voted "Aye": 5
*The following voted "Nay"***:** *0*
*The following were Absent***:** *0*

The Supervisor declared the motion passed and Resolution (R-14129) Adopted, December 9, 2014.
Effective December 9, 2014.

CERTIFICATE
I hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a meeting of the Morton Township Board held at the Morton Township Hall on December 9, 2014, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meeting Act.
Effective December 9, 2014.

Yulanda K. Bellingar - Township Clerk

ORDINANCE NO. 40
MORTON TOWNSHIP, MECOSTA COUNTY, MICHIGAN
AN ORDINANCE TO CONFIRM THE ESTABLISHMENT OF A PLANNING COMMISSION WITH ZONING AUTHORITY

Preamble
An ordinance to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Morton Township Planning Commission; provide for the composition of that planning commission; provide for the powers, duties and limitations of that planning commission; and repeal any ordinance or parts of ordinances or resolutions in conflict with this ordinance.

THE TOWNSHIP OF MORTON, MECOSTA COUNTY, MICHIGAN, ORDAINS:

Section 1: Scope, Purpose and Intent
This ordinance is adopted pursuant to the authority granted the township board under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq., to establish a planning commission with the powers, duties and limitations provided by those Acts and subject to the terms and conditions of this ordinance and any future amendments to this ordinance.

The purpose of this ordinance is to provide that the Morton Township Board shall hereby confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Morton Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., to establish the appointments, terms, and membership of the planning commission; to identify the officers and the minimum number of meetings per year of the planning commission; and to prescribe the authority, powers and duties of the planning commission.

Section 2: Establishment
The township board hereby confirms the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Morton Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq. The Morton Township Planning Commission shall have five members and one alternate member. Members of the Morton Township Planning Commission as of the effective date of this Ordinance shall, except for an ex officio member whose remaining term on the planning commission shall be limited to his or her term on the township board, continue to serve for the remainder of their existing terms so long as they continue to meet all of the eligibility requirements for planning commission membership set forth within the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq.

Section 3: Appointments and Terms
The township supervisor, with the approval of the township board by a majority vote of the members elected and serving, shall appoint all planning commission members, including the ex officio member.

The planning commission members, other than an ex officio member, shall serve for terms of 3 years each.

A planning commission member shall hold office until his or her successor is appointed. Vacancies shall be filled for the unexpired term in the same manner as the original appointment.

Planning commission members shall be qualified electors of the township, except that one planning commission member may be an individual who is not a qualified elector of the township. The membership of the planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the township, in accordance with the major interests as they exist in the township, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the township to the extent practicable.

One member of the township board shall be appointed to the planning commission as an ex officio member.

An ex officio member has full voting rights. An ex officio member's term on the planning commission shall expire with his or her term on the township board.

No other elected officer or employee of the township is eligible to be a member of the planning commission.

Section 4: Removal
The township board may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

Section 5: Conflict of Interest
Before casting a vote on a matter on which a planning commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. Failure of a member to disclose a potential conflict of interest as required by this ordinance constitutes malfeasance in office.

For the purposes of this section, conflict of interest is defined as, and a planning commission member shall declare a conflict of interest and abstain from participating in planning commission deliberations and voting on a request, when:

(a) An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as;

An individual's father, mother, son, daughter, brother, sister, and spouse and a relative of any degree residing in the same household as that individual.

(b) The planning commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;

(c) The planning commission member owns or has a financial interest in neighboring property;

(d) There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the planning commission.

Section 6: Compensation
The planning commission members may be compensated for their services as provided by township board resolution. The planning commission may adopt bylaws relative to compensation and expenses of its members for travel when engaged in the performance of activities authorized by the township board, including, but not limited to, attendance at conferences, workshops, educational and training programs and meetings.

Section 7: Officers and Committees
The planning commission shall elect a chairperson, vice chairperson, and a secretary from its members, and may create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each office shall be 1 year, with opportunity for reelection as specified in the planning commission bylaws.

The planning commission may also appoint advisory committees whose members are not members of the planning commission.

Section 8: Bylaws, Meetings and Records
The planning commission shall adopt bylaws for the transaction of business.

The planning commission shall hold at least 12 regular meetings each year unless cancelled by the chairman in coordination with the Ordinance Control Manager and Township Supervisor, and shall by resolution determine the time and place of the meetings.

Unless otherwise provided in the planning commission's bylaws, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws otherwise provide, the secretary shall send written notice of a special meeting to planning commission members at least 48 hours before the meeting.

The business that the planning commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261, et seq.

The planning commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Section 9: Annual Report
The planning commission shall make an annual written report to the township board concerning its operations and the status of the planning activities, including recommendations regarding actions by the township board related to planning and development.

Section 10: Authority to Make Master Plan
Under the authority of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and other applicable planning statutes, the planning commission shall make a master plan as a guide for development within the township's planning jurisdiction.

Final authority to approve a master plan or any amendments thereto shall rest with the planning commission unless the township board passes a resolution asserting the right to approve or reject the master plan.

Unless rescinded by the township, any plan adopted or amended under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., need not be readopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq.

Section 11: Zoning Powers
The township board hereby confirms the transfer of all powers, duties, and responsibilities provided for zoning boards or zoning commissions by the former Township Zoning Act, Public Act 184 of 1943, MCL 125.271, et seq.; the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq.; or other applicable zoning statutes to the Morton Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq.

Any existing zoning ordinance shall remain in full force and effect except as otherwise amended or repealed by the township board.

Section 12: Capital Improvements Program
To further the desirable future development of the Township under the master plan, the Township Board, after the master plan is adopted, shall prepare or cause to be prepared by the Township Supervisor or by a designated nonelected administrative official, a capital improvements program of public structures and improvements, showing those structures and improvements in general order of their priority, for the following 6-year period. The prepared capital improvements program, if prepared by someone other than the Township Board, shall be subject to final approval by the Township Board. The planning commission is hereby exempted from preparing a capital improvements plan.

Section 13: Subdivision and Land Division Recommendations
The planning commission may recommend to the township board provisions of an ordinance or rules governing the subdivision of land. Before recommending such an ordinance or rule, the planning commission shall hold a public hearing on the proposed ordinance or rule. The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the township.

The planning commission shall review and make recommendation on a proposed plat before action thereon by the township board under the Land Division Act, Public Act 288 of 1967, MCL 560.101, et seq. Before making its recommendation, the planning commission shall hold a public hearing on the proposed plat. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the township. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

Section 14: Severability
The provisions of this ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the ordinance, which shall continue in full force and effect.

Section 15: Repeal
All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. The resolution or ordinance establishing the Morton Township Planning Commission under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., is hereby repealed.

Section 16: Effective Date
This ordinance shall take effect on the date of its publication.

The foregoing ordinance offered by Board Member J. Quinlan & supported by Board Member M. Kuzma.

UPON A ROLL CALL VOTE:
The following Board Members voted "Aye": James Quinlan, Yulanda Bellingar, Douglas Behrend, Mark Kuzma and John Burkle.
The following Board Members voted "Nay": None

The Supervisor James Quinlan declared Ordinance number forty (#40) Adopted.

Date Adopted: May 19, 2009
Date Published: May 28, 2009
Date Effective: May 28, 2009

CERTIFICATE

I, Yulanda K. Bellingar, the duly and acting Clerk of Morton Township, hereby certify that the foregoing constitutes a true and complete copy of an Ordinance adopted at a meeting of the Morton Township Board held at the Morton Township Hall on May 19, 2009, that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and
voted in favor of said Ordinance; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meeting Act.
Published May 28, 2009.
Effective May 28, 2009.

_____
Yulanda Bellingar
Morton Township Clerk

DATE SCHEDULE OF AMENDMENTS/RESOLUTIONS/CORRECTIONS

June 6, 1978 _____ ADOPTION by MORTON TOWNSHIP BOARD

July 1, 1996 _____ Amended to include PUD as a Special Land Use

July 8, 1997 _____ Amend ARTICLE II, Section 201, SPECIFIC TERMS
Mobile Homes - Remove wording "American National Standard Institute"

July 8, 1997 _____ Amended ARTICLE III, SECTION 301, a, 3
To include the wordage "and chain like fences"

September 9, 1997 _____ Amend ARTICLE VII, Section 713.3
September 9, 1997 _____ and ARTICLE X, Section 10051
Regarding Setbacks on non-conforming lots in Zoning Districts R-1, R-2 & R-3

December 12, 2000 _____ Amendment 300 - Article 8 - To be under Article III - Section 301A
Regarding Maximum Length of a Dock on a Public Lake -
Adopted by Morton Township Board of Trustees - Public Hearing 12/05/2000
Approved 12/12/2000
Effective 01/12/2001

January 12, 2001 _____ Ordinance No. 35 - Adopting Section 601
To include water wells, their equipment & enclosures as exemptions

January 12, 2001 _____ Ordinance No. 35 - Amending Section 713.1
Amending the wording to include water wells in the placement regulations

January 12, 2001 _____ Ordinance No. 35 - ARTICLE XII - Adoption & Publication

August 14, 2001 _____ Resolution 011814 amending and adding definitions
Amendment # 1 - Amending the definition of "Family Day Care Home"
Amendment #2 - Include the definition of "Group Day Care Home"

April 9, 2002 _____ Amend Definition of Special Land Use Permit
Article II, Section 201 - Definitions - Specific Terms
Article IV, Section 400 - Application of this Ordinance
Article VII, Section 701, Paragraph 3 - DISTRICT R-1
Section 702, Paragraph 3 - DISTRICT R-2
Section 703, Paragraph 3 - DISTRICT R-3
Section 704, Paragraph 3 - DISTRICT R-4
Section 705, Paragraph 4 - DISTRICT C-1
Section 706, Paragraph 4 - DISTRICT C-2
Section 707, Paragraph 4 - DISTRICT C-3
Section 708, Paragraph 4 - INDUSTRIAL DISTRICT 1
Section 709, Paragraph 3 - AGRICULTURAL DISTRICT A-1
Section 710, Paragraph 3 - AGRICULTURAL DISTRICT A-2

June 25, 2002 _____ Sign Ordinance - Section 302 A
Effective Date - June 25, 2002
Approved by Planning & Zoning Commission - June 10, 2002
Adopted by Township Board of Trustees - June 11, 2002
Sent to Mecosta County Zoning Commission - May 23, 2002
Summary published in Big Rapids *Pioneer* on - June 17, 2002
Ordinance 28, Signs & Billboards - Repealed - June 11, 2002

August 27, 2002 _____ Wireless Communication Facilities - Section 716
Approved by Planning & Zoning Commission - July 18, 2002

Adopted by Township Board of Trustees - August 13, 2002
Sent to Mecosta County Zoning Commission - August 19, 2002
Summary published in Big Rapids *Pioneer* on August 19, 2002

February 11, 2004 _____ SECTION 1502 PROPOSED AMENDMENT - VARIANCE
Approved by Planning & Zoning Commission - December 18, 2003
Adopted by Township Board of Trustees - January 13, 2004
Sent to Mecosta County Zoning Commission - January 15, 2004
Summary published in Big Rapids *Pioneer* on January 20, 2004

August 11, 2004 _____ SECTION 804 PLANNED UNIT DEVELOPMENT - UPDATED
Approved by Planning & Zoning Commission - May 20, 2004
Adopted by Township Board of Trustees - July 13, 2004
Sent to Mecosta County Zoning Commission - July 15, 2004
Summary published in Big Rapids *Pioneer* on July 20, 2004

August 11, 2004 _____ SECTION 805 PUD DESIGN STANDARDS & GENERAL REGULATIONS
Approved by Planning & Zoning Commission - May 20, 2004
Adopted by Township Board of Trustees - July 13, 2004
Sent to Mecosta County Zoning Commission - July 15, 2004
Summary published in Big Rapids *Pioneer* on July 20, 2004

November 12, 2004 _____ SECTION 705.5 - Outdoor storage areas shall have a 6' high fence

November 12, 2004 _____ SECTION 806.1 - Required Planting Screens

January 08, 2005 _____ SECTION 1502 PROPOSED AMENDMENT - VARIANCE
(2nd Amendment to include definitions)
Approved by Planning & Zoning Commission - November 18, 2004
Adopted by Township Board of Trustees - December 14, 2004
Sent to Mecosta County Zoning Commission - December 16, 2004
Summary published in Big Rapids *Pioneer* on December 17, 2004

March 29, 2005 _____ SECTION 715 Building Standards and Facilities
Added new article 715.7 - Renumbered 7 - 9 as 8 - 10
Approved by Planning & Zoning Commission - February 17, 2005
Adopted by Township Board of Trustees - March 8, 2005
Sent to Mecosta County Zoning Commission - March 10, 2005
Summary published in Big Rapids *Pioneer* on March 14, 2005

September 13, 2005 _____ Made the following changes regarding Personal Storage Buildings in Residential Districts.

1. Under Article II - Definitions, Section 201-Specific
   Add the definitions of a storage building for personal use and a mini-storage building.
2. Under Section 701, Districts R-1, R-2 and R-3
   Add a provision that will allow the construction of a storage building for personal use on vacant property, in these districts with described guidelines.
3. Under Section 706, District C-2,
   Remove "race tracks" as a permitted principal use.
4. Under Section 707, District C-3,
   Add "race tracks" as a permitted principal use
   Remove "gas stations" and "restaurants" as permitted principal use (Allowed in C-1).

Approved by Planning & Zoning Commission - August 18, 2005
Approved by Township Board of Trustees - September 13, 2005
Summary published in Big Rapids *Pioneer* on September 27, 2005

November 8, 2005 _____ Resolution R051108
A Resolution to Create a separate Zoning Board

Resolution adopted by Morton Township Board of Trustees ---------- November 8, 2005
Effective Date ---------- December 31, 2005

November 8, 2005 _____ Resolution R051108A
A Resolution to rename the Morton Township Planning and Zoning Commission the Morton Township Planning Commission
Resolution adopted by Morton Township Board of Trustees ---------- November 8, 2005
Effective Date ---------- December 31, 2005

November 17, 2005 _____ Article XIII - Anti-Funneling Development
Ordinance Approved by the Planning & Zoning Commission ---------- November 17, 2005
Ordinance Adopted by Morton Township Board of Trustees ---------- December 7, 2005
Ordinance Summary published in Big Rapids Pioneer ---------- December 19, 2005
Ordinance Effective ---------- December 19, 2005

November 17, 2005 _____ Article VII - Section 700A - Conditional Rezoning
Ordinance Approved by the Planning & Zoning Commission ---------- November 17, 2005
Ordinance Adopted by Morton Township Board of Trustees ---------- December 7, 2005
Ordinance Summary published in Big Rapids Pioneer ---------- December 19, 2005
Ordinance Effective ---------- December 19, 2005

April 20, 2006 _____ Article VII - Section 701.2 Principal Uses for District R-1.
Ordinance Approved by the Zoning Board ---------- April 20, 2006
Ordinance Adopted by the Morton Township Board of Trustees ---------- May 9, 2006
Ordinance Change published in Big Rapids Pioneer ---------- May 15, 2006
Ordinance Effective ---------- May 15, 2006

March 15, 2007 _____ Amended Article III – Section 301A Docks
Add #1 – Number of Docks Permitted; renumber Maximum Length of a Dock to #2
Approved by the Zoning Board ---------- March 15, 2007
Adopted by the Morton Township Board of Trustees – Public Hearing --------- April 11, 2007
Sent to Mecosta County Zoning Commission ---------- April 23, 2007
Summary published in the Big Rapids Pioneer ---------- April 20, 2007
Effective Date ---------- May 21, 2007

March 15, 2007 _____ Article III – Section 303 Outdoor Solid Fuel Heating Devices
Ordinance Approved by the Zoning Board ---------- March 15, 2007
Ordinance Adopted by the Morton Township Board of Trustees ---------- April 11, 2007
Sent to Mecosta County Zoning Commission ---------- April 23, 2007
Summary published in the Big Rapids Pioneer ---------- April 20, 2007
Effective Date ---------- May 21, 2007

March 15, 2007 _____ Article III – Section 302A Signs - The following changes were made:

1. Under Section 302A – 1.C. Scope
   Added a #1. to first paragraph, renumbered (1-6) to (A-F); added #2.
2. Under #2. Definitions
   Amended definition of *"Billboard or Off-Premise Advertising Sign"* as just a definition for "Billboard"; remove "or Off-Premise Advertising Sign"; added following to definition "and exceeds thirty-two (32) square feet of each sign face."
   Added definition for "Off-Premises Advertising Sign"
3. Under #3. General Sign Provisions
   Amended "I"; changed from "set back less than ten (10) feet to "set back less than thirty (30) feet"; added to end of sentence ",except in commercial districts".
4. Under #4. Sign Prohibitions
   Removed "G" and renumbered (H-J) to (G-I).
5. Under #12. Commercial Districts "A"
   Added #4.
6. Under #13. C-1 Commercial District – removed "A" and renumbered (B-D) to (A-C).

7. Under #14. C-2 Commercial District, B. Freestanding Signs
   Amended #3., changed "twenty-five (25) feet from any property line" to "thirty (30) feet from the public right-of-way"
   Amended #4., removed "from the grade", added "measured from the road grade level at the point of the road grade closest to the sign structure."
8. Under #15. C-3 Commercial District, B. Freestanding Signs
   Amended #3., changed from "twelve (12) feet from any property line" to "thirty (30) feet away from any public right-of-way."
   Amended #4., changed "Signs" to "The sign"; removed "from the grade" and added "measured from the road grade level at the point of the road grade closest to the sign structure."
9. Under #16. I-I Industrial Districts, D. Freestanding Signs
   Amended #3., changed "twenty-five (25) feet from any property line" to "thirty (30) feet from the road right-of-way."
   Amended #4., changed "not exceed ten (ten) feet in height" to "be no higher than ten (10) feet measured from the road grade level at the point of the road grade closet to the sign structure."
10. Under #18, Billboards and Off-Premises Advertising Signs, Requirements, B.
    Amended #1., removed "are not appropriate in the various" and replaced with "are not permitted in the"; removed (2-6, 11).
    Added #2., renumbered (7-9) to (3-5); amended #3. - #5., removed the wording "billboards or"
    Renumbered #10. as #6; amended by removing the word "billboards" and replaced with "off-premises signs"
11. Under #18, Billboards and Off-Premises Advertising Signs, Requirements,
    Removed "C"; amended "D" and renumbered as "C"; removed the wording "billboard or" from the first sentence and changed "fifty (50) feet from the front yard property line and fifty (50) feet" to read as "thirty (30) feet from the public right-of-way or front yard property line and thirty (30) feet"; changed "farthest protruding potion of the billboard or off-premises advertising sign to the closed point of the property line." to read as " point on the sign nearest to the lot line of the off-premises advertising sign."; changed "natural grade level on the ground surface under the billboard or off-premises advertising sign structure, and be no higher than thirty (30) feet." to read as "road grade level at the point of the road grade level closest to the off-premises advertising sign up to the highest part of the off-premises advertising sign structure, and be no higher than twenty-five (25) feet."
    Amended "E" and renumbered as "D"; removed the words "billboard or" from the first sentence; removed the word "billboards" in the second sentence and replaced with "off-premises signs"; removed the last sentence "A new billboard or off-premises advertising sign may be closer than one thousand (1,000) feet to a billboard that was lawfully erected prior to the effective date of this ordinance if the prior billboard sign face(s) have less than one hundred fifty (150) square feet of area."
    Amended "F" and renumbered as "E"; removed the word "billboard" and the last part of the sentence which read "and shall not have more than two (2) sign faces.
    Removed "G"; moved "H" to under "F" as (1).
    Amended "I" and renumbered as "F"; removed the words "Billboards and"
    Under "F"; renumbered #1. as #2., and removed the words "Billboards and" Renumbered (2-4) as (3-5).
    Renumbered "J" as "G"; under "G" removed "a billboard or" and added "an"
    Removed "K" & "I"; added "H" and "I"; removed "M. Billboards or" and renumbered as "J"
    Renumbered "N" as "K" and amended "K".
12. Added #20. Section A. Validity and Severability. and Section B. Repealer Clause.
13. Removed statement "Ordinance No. 28, SIGNS and BILLBOARDS, IS REPEALED.

Approved by the Zoning Board ----------	March 15, 2007
Adopted by the Morton Township Board of Trustees – Public Hearing ---------	April 11, 2007
Sent to Mecosta County Zoning Commission ----------	April 23, 2007
Summary published in the Big Rapids Pioneer ----------	April 20, 2007
Effective Date ----------	May 21, 2007

October 10, 2007 _____ Article II – Definitions, Dwelling
Amend definition of Dwelling, first paragraph only.

Approved by the Zoning Board – Public Hearing ---------- September 18, 2007
Adopted by the Morton Township Board of Trustees ---------- October 10, 2007
Summary published in the Big Rapids Pioneer ---------- December 11, 2007
Effective Date ---------- December 11, 2007

November 14, 2007 _____ Article VII – Establishment of Districts, Section 702 District 2
Amended to allow storage buildings 120 feet or less.
Approved by the Zoning Board ---------- October 18, 2007
Adopted by the Morton Township Board of Trustees ---------- November 14, 2007
Summary published in the Big Rapids Pioneer ---------- December 11, 2007
Effective Date ---------- December 11, 2007

November 14, 2007 _____ Article VII – Establishment of Districts, Section 703 District 3
Amended to allow storage buildings 120 feet or less.
Approved by the Zoning Board ---------- October 18, 2007
Adopted by the Morton Township Board of Trustees ---------- November 14, 2007
Summary published in the Big Rapids Pioneer ---------- December 11, 2007
Effective Date ---------- December 11, 2007

August 13, 2008 _____ Resolution to Establish a Planning Commission with Zoning Authority
Adopted by the Morton Township Board of Trustees ---------- August 13, 2008
Published in the Big Rapids Pioneer ---------- August 20, 2008
Effective Date ---------- October 20, 2008
(all reference to Zoning Board in Zoning Ordinance changed to Planning Commission)

August 21, 2008 _____ Article VII – Establishment of Districts, Section 705 District C-1
Amend #2 by removing "and gasoline service stations".
Approved by the Planning Commission – Public Hearing ---------- August 21, 2008
Adopted by the Morton Township Board of Trustees ---------- December 10, 2008
Summary published in the Big Rapids Pioneer ---------- December 18, 2008
Effective Date ---------- December 10, 2008

August 21, 2008 _____ Article VII – Establishment of Districts, Section 706 District C-2
Amend #2 by adding gasoline service stations and removing offices.
Approved by the Planning Commission – Public Hearing ---------- August 21, 2008
Adopted by the Morton Township Board of Trustees ---------- December 10, 2008
Summary published in the Big Rapids Pioneer ---------- December 18, 2008
Effective Date ---------- December 10, 2008

October 16, 2008 _____ Article III – Section 804, Planned Unit Development (PUD)
Amended application requirements in #3 & #7
Approved by the Planning Commission – Public Hearing ---------- October 16, 2008
Adopted by the Morton Township Board of Trustees ---------- November 12, 2008
Summary in the Big Rapids Pioneer ---------- November 21, 2008
Effective Date ---------- November 12, 2008

October 16, 2008 _____ Article II – Definitions, Planned Unit Development (PUD)
Addition of definition of a Planned Unit Development (PUD)
Approve d by the Planning Commission – Public Hearing---------- October 16, 2008
Adopted by the Morton Township Board of Trustees ---------- December 10, 2008
Summary published in the Big Rapids Pioneer ---------- December 18, 2008
Effective Date ---------- December 10, 2008

December 18, 2008 _____ Article VII – Off-Street Parking Requirements
Ordinance revision for requirements
Approved by the Planning Commission – Public Hearing---------- December 18, 2008
Adopted by the Morton Township Board of Trustees ---------- January 20, 2009
Summary published in the Big Rapids Pioneer ---------- February 3, 2009

Effective Date ---------- January 20, 2009

May 21, 2009 _____ Section I – VII Planning Commission By-Laws
Revisions to Membership, Officers, Meetings.
Approved by the Planning Commission – Public Hearing---------- May 21, 2009
Adopted by the Morton Township Board of Trustees ---------- June 16, 2009
Summary published in the Big Rapids Pioneer ---------- June 30, 2009
Effective Date ---------- June 16, 2009

May 21, 2009_____ Ordinance Index
Index Restructure
Approved by the Planning Commission – Public Hearing---------- May 21, 2009
Adopted by the Morton Township Board of Trustees ---------- June 16, 2009
Summary published in the Big Rapids Pioneer ---------- June 30, 2009
Effective Date ---------- June 16, 2009

August 20, 2009_____ Article XV – Administration, Section 1500
Amended meeting requirements in #7
Approved by the Planning Commission – Public Hearing---------- August 20, 2009
Adopted by the Morton Township Board of Trustees ---------- September 8, 2009
Summary published in the Big Rapids Pioneer ---------- September 15, 2009
Effective Date ---------- September 8, 2009

August 20, 2009_____ Section 713 – Height and Placement Minimum
Revisions to #3 and #7, addition of setback diagrams
Approved by the Planning Commission – Public Hearing---------- August 20, 2009
Adopted by the Morton Township Board of Trustees ---------- September 8, 2009
Summary published in the Big Rapids Pioneer ---------- September 15, 2009
Effective Date ---------- September 8, 2009

December 8, 2009_____ Preamble
Revision to Preamble
Approved by the Planning Commission – Public Hearing---------- November 18, 2009
Adopted by the Morton Township Board of Trustees ---------- December 8, 2009
Summary published in the Big Rapids Pioneer ---------- December 17, 2009
Effective Date ---------- December 8, 2009

December 8, 2009_____ Section 7.3 Signs
Definitions: addition of Animated & Electronic Signs
Revisions (added charts) to #9, #11, Added #12 – Electronic Signs
Approved by the Planning Commission – Public Hearing---------- November 18, 2009
Adopted by the Morton Township Board of Trustees ---------- December 8, 2009
Summary published in the Big Rapids Pioneer ---------- December 17, 2009
Effective Date ---------- December 8, 2009

December 8, 2009_____ Section 10.1 Specific Terms
Addition of definition of Greenbelt, deleted definition of Junk or Salvage Yard
Approved by the Planning Commission – Public Hearing---------- November 18, 2009
Adopted by the Morton Township Board of Trustees ---------- December 8, 2009
Summary published in the Big Rapids Pioneer ---------- December 17, 2009
Effective Date ---------- December 8, 2009

December 8, 2009_____ Section 5.15 Building Standards and Facilities
Deleted #6 & #7, Non-operating or Unlicensed motor vehicles
Approved by the Planning Commission – Public Hearing---------- November 18, 2009
Adopted by the Morton Township Board of Trustees ---------- December 8, 2009
Summary published in the Big Rapids Pioneer ---------- December 17, 2009
Effective Date ---------- December 8, 2009

May 11, 2010_____ Subsection #3, Section 5.2, 5.3, & 5.4 Districts R-1, R-2 & R-3
Revision to requirements for storage sheds.
Approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

May 11, 2010_____ Section 5.14 Height and Placement Minimum Setbacks
#3. Revisions to setback requirements (C-1 – C3, I, A-1, A-2) & road setback diagrams
#4, #6. Text corrections & revisions to waterfront setback diagrams.
Approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

May 11, 2010_____ Sections 5.17.1, 7.6, 9.1, & 13.9 (Text corrections)
Approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

May 11, 2010_____ Section 10.1 Specific Terms
Definition revisions: Alteration, Essential Services, Group Homes, Structure, Swimming Pools
Approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

May 11, 2010_____ Section 11.2 Officers
Revision to text – election of officers.
Approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

May 11, 2010_____ Section 11.3 Meetings
Revision to text – when meetings are held.
Approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

May 11, 2010_____ Section 13.8 Violations and Penalties
Delete current text and replaced with text for municipal civil infractions.
Approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

May 11, 2010_____ Section 7.9 Wind Generated Electrical Systems Ordinance
Ordinance approved by the Planning Commission – Public Hearing---------- April 21, 2010
Adopted by the Morton Township Board of Trustees ---------- May 11, 2010
Summary published in the Big Rapids Pioneer ---------- May 19, 2010
Effective Date ---------- May 11, 2010

July 13, 2010_____ Subsection #3, Section 5.2, 5.3, & 5.4 Districts R-1, R-2 & R-3
Delete subsection #3, of Section 5.2, 5.3, & 5.4

Approved by the Planning Commission – Public Hearing---------- June 16, 2010
Adopted by the Morton Township Board of Trustees ---------- July 13, 2010
Summary published in the Big Rapids Pioneer ---------- August 6, 2010
Effective Date ---------- July 13, 2010

July 13, 2010_____ Section 5.14 Storage Buildings
Addition of Section 5.14, (renumber Sections 5.14 – 5.18 to 5.15 – 5.19)
Approved by the Planning Commission – Public Hearing---------- June 16, 2010
Adopted by the Morton Township Board of Trustees ---------- July 13, 2010
Summary published in the Big Rapids Pioneer ---------- August 6, 2010
Effective Date ---------- July 13, 2010

August 10, 2010_____ Section 5.15 Height and Placement Minimum
Added text to #4A , Subsection #3
Approved by the Planning Commission – Public Hearing---------- July 21, 2010
Adopted by the Morton Township Board of Trustees ---------- August 10, 2010
Summary published in the Big Rapids Pioneer ---------- August 24, 2010
Effective Date ---------- August 10, 2010

August 10, 2010_____ Section 5.11 Agricultural District II (A2)
Revision to text and renumbering of #3.
Approved by the Planning Commission – Public Hearing---------- July 21, 2010
Adopted by the Morton Township Board of Trustees ---------- August 10, 2010
Summary published in the Big Rapids Pioneer ---------- August 24, 2010
Effective Date ---------- August 10, 2010

October 12, 2010____ Section 7.3 Signs
Revision/additions to text in #4D, #9, & #11.
Approved by the Planning Commission – Public Hearing---------- September 15, 2010
Adopted by the Morton Township Board of Trustees ---------- October 12, 2010
Summary published in the Big Rapids Pioneer ---------- October 29, 2010
Effective Date ---------- October 12, 2010

December 14, 2010_____ Section 5.19 (J) Special Land Use
Revision to text in (right to appeal to ZBA).
Approved by the Planning Commission – Public Hearing---------- November 17, 2010
Adopted by the Morton Township Board of Trustees ---------- December 14, 2010
Summary published in the Big Rapids Pioneer ---------- December 30, 2010
Effective Date ---------- December 14, 2010

July 12, 2011_____ Section 5.19.1 (4) Procedure
Addition to text in first sentence (has not *substantially*).
Approved by the Planning Commission – Public Hearing---------- June 15, 2011
Adopted by the Morton Township Board of Trustees ---------- July 12, 2011
Summary published in the Big Rapids Pioneer ---------- July 22, 2011
Effective Date ---------- July 12, 2011

July 12, 2011_____ Section 6.3 Review Procedure
Addition of #4 (time limit added for Class B Site Plan).
Approved by the Planning Commission – Public Hearing---------- June 15, 2011
Adopted by the Morton Township Board of Trustees ---------- July 12, 2011
Summary published in the Big Rapids Pioneer ---------- July 22, 2011
Effective Date ---------- July 12, 2011

July 12, 2011_____ Section 12.2 Variance
Addition of #6 (time limit added for variance).
Approved by the Planning Commission – Public Hearing---------- June 15, 2011
Adopted by the Morton Township Board of Trustees ---------- July 12, 2011

Summary published in the Big Rapids Pioneer ---------- July 22, 2011
Effective Date ---------- July 12, 2011

July 12, 2011_____ Section 13.5.4
Revision to text to include time limits for zoning permits.
Approved by the Planning Commission – Public Hearing---------- June 15, 2011
Adopted by the Morton Township Board of Trustees ---------- July 12, 2011
Summary published in the Big Rapids Pioneer ---------- July 22, 2011
Effective Date ---------- July 12, 2011

November 8, 2011_____ Section 7.1 Fences
Addition of #4 & #5, deleted chart.
Approved by the Planning Commission – Public Hearing---------- October 19, 2011
Adopted by the Morton Township Board of Trustees ---------- November 8, 2011
Summary published in the Big Rapids Pioneer ---------- November 17, 2011
Effective Date ---------- November 8, 2011

November 8, 2011_____ Section 12.0 Zoning Board of Appeals
Addition of two alternates to ZBA.
Approved by the Planning Commission – Public Hearing---------- October 19, 2011
Adopted by the Morton Township Board of Trustees ---------- November 8, 2011
Summary published in the Big Rapids Pioneer ---------- November 17, 2011
Effective Date ---------- November 8, 2011

December 13, 2011_____ Section 12.2 Variance
Revision to text in #3 and #3E.
Approved by the Planning Commission – Public Hearing---------- November 16, 2011
Adopted by the Morton Township Board of Trustees ---------- December 13, 2011
Summary published in the Big Rapids Pioneer ---------- December 21, 2011
Effective Date ---------- December 13, 2011

June 12, 2012_____ Section 7.1 Fences
Addition of definition of "Decorative Privacy Fence; Revision to text in #2.
Approved by the Planning Commission – Public Hearing---------- May 16, 2012
Adopted by the Morton Township Board of Trustees ---------- June 12, 2012
Summary published in the Big Rapids Pioneer ---------- June 20, 2012
Effective Date ---------- June 12, 2012

June 12, 2012_____ Section 7.3 Signs
#9 Exempt Signs – deletion of: ~~"Regulations regarding temporary on and off premises signs shall expire one year from date of adoption (October 12, 2010), unless re-adopted~~ by the Morton Township Board."
Approved by the Planning Commission – Public Hearing---------- May 16, 2012
Adopted by the Morton Township Board of Trustees ---------- June 12, 2012
Summary published in the Big Rapids Pioneer ---------- June 20, 2012
Effective Date ---------- June 12, 2012

June 12, 2012_____ Section 7.3 Signs
#14H deleted ~~"Any existing non-conforming billboard or off-premises advertising sign or structure shall be removed no later than five (5) years from the effective date of Section 7.3 Signs."~~ Renumbered I-K.
Approved by the Planning Commission – Public Hearing---------- May 16, 2012
Adopted by the Morton Township Board of Trustees ---------- June 12, 2012
Summary published in the Big Rapids Pioneer ---------- June 20, 2012
Effective Date ---------- June 12, 2012

September 18, 2012_____ Section 7.3 Signs
#10 Political Signs: Delete paragraph #1 and #5, and renumber remaining. Add new paragraph #5.

Approved by the Planning Commission – Public Hearing---------- August 15, 2012
Adopted by the Morton Township Board of Trustees ---------- September 18, 2012
Summary published in the Big Rapids Pioneer ---------- September 26, 2012
Effective Date ---------- September 18, 2012

May 14, 2013_____ Section 5.15 Setbacks
Paragraph #3, revision to text.
Approved by the Planning Commission – Public Hearing---------- April 17, 2013
Adopted by the Morton Township Board of Trustees ---------- May 14, 2013
Summary published in the Big Rapids Pioneer ---------- May 22, 2013
Effective Date ---------- May 14, 2013

July 8, 2014____ Section 5.15 Waterfront Setbacks
Paragraph #6, revision to text, removed two diagrams.
Approved by the Planning Commission – Public Hearing---------- June 18, 2014
Adopted by the Morton Township Board of Trustees ---------- July 8, 2014
Summary published in the Big Rapids Pioneer ---------- July 18, 2014
Effective Date ---------- July 8, 2014

July 8, 2014____ Section 5.19.1 Procedure
Paragraph #4, revision to text.
Approved by the Planning Commission – Public Hearing---------- June 18, 2014
Adopted by the Morton Township Board of Trustees ---------- July 8, 2014
Summary published in the Big Rapids Pioneer ---------- July 18, 2014
Effective Date ---------- July 8, 2014

July 8, 2014____ Section 10.1 Specific Terms
Bed & Breakfast definition revised.
Approved by the Planning Commission – Public Hearing---------- June 18, 2014
Adopted by the Morton Township Board of Trustees ---------- July 8, 2014
Summary published in the Big Rapids Pioneer ---------- July 18, 2014
Effective Date ---------- July 8, 2014

December 9, 2014_____ Resolution R-14129
A resolution to accept the zoning responsibilities of the Village of Mecosta
Planning Commission recommends MTBT to approve ---------- March 19, 2014
Recommendation approved by the Morton Township Board of Trustees--------- April 8, 2014
Resolution approved by the Morton Township Board of Trustees ---------- December 9, 2014
Effective Date ---------- December 9, 2014
Summary published in the Big Rapids Pioneer ---------- December 23, 2014

April 14, 2015_____ Section 7.3 Signs
#3. Added "L" consideration for sign size increase. Asterisk added to chart to reflect.
Planning Commission recommends MTBT to approve ---------- March 18, 2015
Recommendation approved by the Morton Township Board of Trustees--------- April 14, 2015
Effective Date ---------- April 14, 2015
Summary published in the Big Rapids Pioneer ---------- April 27, 2015

September 8, 2015_____ Section 5.8 District C-3
Added #6: include all uses in C-1, & C-2 within Morton Twp Business Park.
Planning Commission recommends MTBT to approve ---------- August 19, 2015
Recommendation approved by the Morton Township Board of Trustees--------- September 8, 2015
Effective Date ---------- September 8, 2015
Summary published in the Big Rapids Pioneer ---------- September 18, 2015

October 21, 2015____ Section 5.13 Campgrounds

Revisions to #11 Mini Cabin: to allow a maximum of 500 sq. ft living area. Deleted "D" ~~Mini Cabins shall be occupied on a temporary basis, which shall be defined as a period not to exceed 14 days by any one individual, group or family.~~

Planning Commission recommends MTBT to approve ---------- October 21, 2015
Recommendation approved by the Morton Township Board of Trustees--------- November 10, 2015
Effective Date ---------- November 10, 2015
Summary published in the Big Rapids Pioneer ---------- November 24, 2015

October 21, 2015____ Section 5.16 Building Standards and Facilities

Revised text in #4. Deleted "A" and "B". Pool requirements.

Planning Commission recommends MTBT to approve ---------- October 21, 2015
Recommendation approved by the Morton Township Board of Trustees--------- November 10, 2015
Effective Date ---------- November 10, 2015
Summary published in the Big Rapids Pioneer ---------- November 24, 2015

October 21, 2015____ Section 5.15 Height and Placement Minimum

Removed ~~(Except front and rear setbacks shall not be reduced to conform with neighboring detached Accessory buildings or structures).~~

Planning Commission recommends MTBT to approve ---------- October 21, 2015
Recommendation approved by the Morton Township Board of Trustees--------- November 10, 2015
Effective Date ---------- November 10, 2015
Summary published in the Big Rapids Pioneer ---------- November 24, 2015

June 13, 2017___ Section 5.11 Agricultural District II (A2)

Revised text in 2.(F) to clarify that a Home Occupation Permit is required per the requirements of Section 7.0.

Planning Commission recommends MTBT to approve at Public Hearing------- May 17, 2017
Recommendation approved by the Morton Township Board of Trustees--------- June 13, 2017
Effective Date ---------- June 13, 2017
Summary published in the Big Rapids Pioneer ---------- June 27, 2017

June 13, 2017___ Section 7.0 Home Occupations

Revised and added text to clarify what districts Home Occupation permits are required in and the conditions to be met in each district.

Planning Commission recommends MTBT to approve at Public Hearing------- May 17, 2017
Recommendation approved by the Morton Township Board of Trustees--------- June 13, 2017
Effective Date ---------- June 13, 2017
Summary published in the Big Rapids Pioneer ---------- June 27, 2017

June 13, 2017___ Section 10.1 Specific Terms

Revised definition for Home Occupation and deleted definition for Primitive Cabin.

Planning Commission recommends MTBT to approve at Public Hearing------- May 17, 2017
Recommendation approved by the Morton Township Board of Trustees--------- June 13, 2017
Effective Date ---------- June 13, 2017
Summary published in the Big Rapids Pioneer ---------- June 27, 2017

June 13, 2017___ Section 5.16 Building Standards and Facilities

Deleted #3. Primitive Cabins.

Planning Commission recommends MTBT to approve at Public Hearing------- May 17, 2017
Recommendation approved by the Morton Township Board of Trustees--------- June 13, 2017
Effective Date ---------- June 13, 2017
Summary published in the Big Rapids Pioneer ---------- June 27, 2017

June 13, 2017___ Section 11.1 Membership

Revision to text in "A" to clarify that the alternate member will only sit on the board in an advisory position and have no vote.

Planning Commission recommends MTBT to approve at Public Hearing------- May 17, 2017
Recommendation approved by the Morton Township Board of Trustees--------- June 13, 2017
Effective Date ---------- June 13, 2017
Summary published in the Big Rapids Pioneer ---------- June 27, 2017

July 10, 2018___ Section 5.14 Storage Buildings

Added #5: Storage buildings (sheds less than 200 sq. ft. not requiring a building permit) may use the side yard setback requirement for the rear yard requirement.

Planning Commission recommends MTBT to approve at Public Hearing------- June 20, 2018
Recommendation approved by the Morton Township Board of Trustees--------- July 10, 2018
Effective Date ---------- July 10, 2018
Summary published in the Big Rapids Pioneer ---------- July , 2018

July 10, 2018___ Section 5.15 Height and Placement Minimum

Added to #3; Note B: Sheds less than 200 sq. ft. (see Section 5.14 (5) Storage Buildings)

Planning Commission recommends MTBT to approve at Public Hearing------- June 20, 2018
Recommendation approved by the Morton Township Board of Trustees--------- July 10, 2018
Effective Date ---------- July 10, 2018
Summary published in the Big Rapids Pioneer ---------- July , 2018

July 10, 2018___ Section 7.3 Signs

Added definition for "Tourist-Oriented Directional Signs; Added text to 9. Exempt Signs under Government Signs for Tourist-Oriented Directional Signs.

Planning Commission recommends MTBT to approve at Public Hearing------- June 20, 2018
Recommendation approved by the Morton Township Board of Trustees--------- July 10, 2018
Effective Date ---------- July 10, 2018
Summary published in the Big Rapids Pioneer ---------- July , 2018

July 10, 2018___ Section 7.10 Solar Energy Systems

Added Section 7.10

Planning Commission recommends MTBT to approve at Public Hearing------- June 20, 2018
Recommendation approved by the Morton Township Board of Trustees--------- July 10, 2018
Effective Date ---------- July 10, 2018
Summary published in the Big Rapids Pioneer ---------- July , 2018