

**MORTON TOWNSHIP
PLANNING COMMISSION MINUTES
REGULAR MEETING – August 18, 2021**



Call to Order at 6:30 P.M. by Chairman- Dennis Morawa

Pledge of Allegiance by all

Members Present: Dennis Morawa, Jeff Ratledge, Steve Brandt, Larry Lenon, Lisa Thompson, Steve Stratton

Members Absent: None

Others Present: Vicky Esch- Recording Secretary

List of Public present: Wanda Ratledge, Brian & GERALYN Monfils, Myle Turpen, Douglas Hoople

Approval of Minutes from July 21, 2021, Regular Meeting

Motion by: Steve Brandt

To approve the July 21, 2021, Regular Meeting minutes as presented.

2nd by: Larry Lenon

Vote: 5 Ayes 0 Nays 0 Absent Motion Carried

Open Public Hearing

New Business

Chairman, Dennis Morawa, read the proposed changes /additions to the Morton Township Zoning Ordinance that the commission will recommend to the Morton Township Board of Trustees for approval. An opportunity for comments was given for each.

Section 5.14 Storage Buildings: Addition of #6; renumber current #6 to #7 (text attached)

No comments from the commission members or the public.

Section 5.15 Height & Placement Minimum: Additional text to #4.A.2 (text attached)

No comments from the commission members or the public.

Section 7.3 Signs: Additional text to #4.H. (text attached)

No comments from the commission members.

Public Comments:

Mr. Hoople expressed concern that a lot of people that have signage on their vehicles/trailers, it is their work vehicle.

Steve Brandt explained that the ordinance addresses those vehicles/trailers where the primary function is of a sign not a work vehicle.

Fireworks Ordinance: (ordinance attached)

No comments from the commission members or public.

Close Public Hearing

There was no further discussion by the commission members.

Motion by: Steve Brandt **2nd by:** Lisa Thompson

Motion to recommend to the Morton Township Board of Trustees to approve the proposed changes to the Morton Township Zoning Ordinance in **Section 5.14** Storage Buildings. The addition of **#6**, (pumphouses) as presented & renumber current #6 to #7.

Roll Call Vote:

Dennis Morawa - Aye; Jeff Ratledge - Aye; Steve Brandt - Aye; Larry Lenon – Aye; Lisa Thompson - Aye

Vote: 5 Ayes 0 Nays 0 Absent Motion Carried

Motion by: Steve Brandt **2nd by:** Larry Lenon

Motion to recommend to the Morton Township Board of Trustees to approve the proposed changes to the Morton Township Zoning Ordinance in **Section 5.15** Height and Placement Minimum. Additional text to **#4.A.2**, as presented.

Roll Call Vote:

Lisa Thompson - Aye; Larry Lenon - Aye; Steve Brandt - Aye; Dennis Morawa – Aye; Jeff Ratledge - Aye
Vote: 5 Ayes 0 Nays 0 Absent Motion Carried

Motion by: Steve Brandt **2nd by:** Lisa Thompson

Motion to recommend to the Morton Township Board of Trustees to approve the proposed changes to the Morton Township Zoning Ordinance in **Section 7.3** Signs. Additional text to **#4.H**, as presented.

Roll Call Vote:

Jeff Ratledge - Aye; Larry Lenon - Aye; Lisa Thompson - Aye; Steve Brandt – Aye; Dennis Morawa - Aye
Vote: 5 Ayes 0 Nays 0 Absent Motion Carried

Motion by: Steve Brandt **2nd by:** Lisa Thompson

Motion to recommend to the Morton Township Board of Trustees to approve the Fireworks Ordinance as presented.

Roll Call Vote:

Steve Brandt - Aye; Larry Lenon - Aye; Dennis Morawa - Aye; Lisa Thompson – Aye; Jeff Ratledge - Aye
Vote: 5 Ayes 0 Nays 0 Absent Motion Carried

Old Business - None

Comments by citizens in attendance:

Geralyn & Brian Monfils expressed concern about falling trees as a result of storms. Asked if it would be possible for the township to adopt an ordinance to address it.

Reports – Building Department (Dennis Morawa)

- Dollar General contacted township in reference to what is allowed of temporary signage for an upcoming sale.
- Cory Zandstra has been hired as the new building & zoning official. He will officially begin on September 1.

Reports – Board of Trustees (Jeff Ratledge)

- Public Hearing for the Tri Lakes Gypsy Moth Special Assessment was held on August 17, 2021.
- School Section Lake – still collecting signatures.
- Last Saturday, August 14, was the first day to use the new recycling barn.
- Township clean-up day was held on August 14. Participation was about ½ of what it was the year before. Township Board is going to review at their next meeting in September.
- Complaints regarding the flag signs being used at CL and at the ice-cream shop in Mecosta. Need to look at how ordinance covers those signs.
- Village of Mecosta is pursuing the possibility of allowing the sale of marijuana within the village limits. The township has opted out.

Correspondence:

- Received notice that the Village of Mecosta is beginning the process of updating their Master Plan.
- Rezoning Property Application received – public hearing will be scheduled for September meeting.
- Email correspondence from Dollar General regarding temporary signage during a sale.

Adjourn Regular Meeting

Motion by: Jeff Ratledge

To Adjourn regular meeting

2nd by: Lisa Thompson

Vote: 5 Ayes 0 Nays 0 Absent Motion Carried

Meeting adjourned 7:35 P.M.

Respectfully Submitted:

Vicky Esch

Vicky Esch, Recording Secretary

(addition)

SECTION 5.14 STORAGE BUILDINGS

6. Pumphouses are allowed only for that purpose. The pumphouse may be less than 50 feet to the waterfront and shall be located on the owner's property. Pumphouses shall be as small as possible to cover the pump and use colors or materials that blend with the environment. The maximum dimensions are 3 feet high at the highest point, 3 feet wide and 3 feet deep. Approval to cross any green space or community property shall be obtained from the governing body before a zoning permit is issued.

(addition)

SECTION 5.15 HEIGHT & PLACEMENT MINIMUM

4. A.
 2. Each side yard setback may be reduced to 10% of lot width, to a minimum of 6'.
A side yard setback of less than 6 feet will not be allowed on any nonconforming lot.

(addition)

SECTION 7.3 SIGNS

4. Sign Prohibitions
 - H. Any vehicle (including trailers) which has the primary function of acting as a sign, shall not be permitted. *This does not apply to any vehicle, trailer, or other similar items that are parked or stored within a designated (dba) commercial storage facility.*

(new ordinance)

**TOWNSHIP OF MORTON
COUNTY OF MECOSTA, STATE OF MICHIGAN**

ORDINANCE NO.

ADOPTED:

EFFECTIVE:

AN ORDINANCE REGULATING THE DISCHARGE OF CONSUMER FIREWORKS IN THE TOWNSHIP.

MORTON TOWNSHIP ORDAINS:

Section 1. Definitions.

The following words and terms in this Ordinance are defined as follows:

(a) "Act 256" means the Michigan Fireworks Safety Act, Act 256 of 2011, as amended.

(b) "Consumer fireworks means that term as defined in Act 256.

(c) "Display fireworks" means that term as defined in Act 256.

(d) "Person" means that term as defined in Act 256.

(e) "Permitted times and day" mean the following days and times during which the displays of consumer fireworks may not be regulated by local ordinance according to Act 256, as amended by Public Act 635 of 2018, MCL:

(1) From 11:00 am on December 31 until 1:00 am on January 1.

(2) Between the hours of 11:00 am and 11:45 pm on the Saturday and the Sunday preceding Memorial Day.

(3) Between the hours of 11:00 am and 11:45 pm on June 29 through July 4, inclusive.

(4) Between the hours of 11:00 am and 11:45 pm on July 5, IF July 5 falls on a Friday or Saturday.

(5) Between the hours of 11:00 am and 11:45 pm on the Saturday or Sunday immediately preceding Labor Day.

Section 2. Prohibition.

(a) No person shall ignite, discharge, or use consumer fireworks within the township at any time **EXCEPT** during the Permitted Time and Days defined in Section 1 (e) above.

(b) Consumer fireworks **SHALL NOT BE USED** if a burn ban is effect, as provided by the State Fire Prevention Code, Public Act 207 of 1941.

(c) No person shall endanger the life, health, or safety of any other person by displaying or discharging of any fireworks.

(d) On land, no person shall, at any time, ignite, discharge, use or display, any fireworks upon or within 15 feet of another person's property, or such greater distance as may be required by State law without such property owner's permission. If offshore, no person shall, at any time, ignite, discharge, use or display, any fireworks within 15 feet of the shoreline at the high-water mark of another person's property, without such property owner's permission.

(e) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person, without that person's or organization's express permission to use the consumer fireworks on those premises. No person shall ignite, discharge, or use consumer fireworks on Township property.

Section 3. Penalties.

(a) Notwithstanding the penalties otherwise provided in this Ordinance, in accordance with the mandatory penalties imposed by MCL 28.457(3), a violation of subsection 2(a) shall be a civil infraction subject to a civil fine of \$1000 for each violation, and no other fine or sanction. \$500 of the fine collected shall be remitted to the Township as the law enforcement agency responsible for enforcing the ordinance. If State law is amended to remove this mandatory penalty, then a violation of subsection 2(a) shall be subject to the penalties provided in Section3(b) of this ordinance.

(b) Except as provided in 3(a) above, a violation of this ordinance is a municipal civil infraction for which the fine shall be One Hundred Dollars (\$100.00) for the first offense and Two Hundred Fifty Dollars (\$250.00) for the second and subsequent offenses, and as an additional monetary penalty for a first or subsequent offense, all expenses, direct and indirect, to which the Township has been put in connection with the municipal civil infraction, up to the entry of finding of responsibility. For these purposes, "subsequent offense" means a separate violation of this Ordinance, committed by the same responsible party, occurring within 12 months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility, or is adjudicated to be responsible.

Section 4. Enforcement.

The following persons may issue a municipal civil infraction for violation of this Ordinance:

- (1) A law enforcement officer of the Mecosta County Sheriff's Department.
- (2) Michigan State Police

Section 5. Severability.

The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by a court of competent jurisdiction, the remaining of this Ordinance shall remain in full force and effect.

Section 6. Publication and Effective Date.

Upon approval, this Ordinance shall be published in the Pioneer Newspaper by the Morton Township Clerk and shall take effect 30 days following such publication.

The foregoing ordinance was offered by Board Member _____ and supported by Board Member _____.

UPON ROLL CALL VOTE:

The following voted Yea:

The following voted Nay:

The following were absent:

The Chair declared the ordinance adopted on _____.

Summary published:

CERTIFICATE

I, Stephanie McNeal, 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 _____ (insert date), 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 upon publication of the summary of Ordinance # _____, (insert date).

Stephanie McNeal, Morton Township Clerk