

**TYRONE TOWNSHIP
REGULAR BOARD MEETING AGENDA
NOVEMBER 5, 2019 - 7:00 P.M.
(810) 629-8631**

CALL TO ORDER – PLEDGE OF ALLEGIANCE – 7:00 P.M.

ROLL CALL

APPROVAL OF AGENDA – OR CHANGES

APPROVAL OF CONSENT AGENDA

Regular Board Meeting Minutes – October 1, 2019
Treasurer’s Report, September 2019
Clerk’s Warrants and Bills

COMMUNICATIONS

1. Shoemaker Service snow removal price for new location.
2. Fire Service Report

PUBLIC REMARKS

UNFINISHED BUSINESS

NEW BUSINESS

1. Zoning Ordinance Amendment-Outdoor Advertising and Sign Regulations.
2. Zoning Ordinance Amendment-Home Occupations.
3. Zoning Ordinance Amendment-Noise Regulations.
4. Zoning Ordinance Amendment-Permitted Expansion or Extension of Nonconforming Structures.
5. Zoning Ordinance Amendment-Stables and Animals.
6. Tax bill printing quote.
7. Resolution to authorize negotiating for summer tax collection with schools.
8. Purchase of video equipment.
9. Office holiday schedule.
10. Aerial Imagery Partnership.
11. Polling location changes for Precincts 1 and 4.

MISCELLANEOUS BUSINESS

1. Notice of moving dates.

PUBLIC REMARKS

ADJOURNMENT

* * * * *

Supervisor Mike Cunningham Clerk Marcella Husted

Please note: The Public Remarks section appears twice on the agenda - once after Communications and once before Adjournment. Anyone wishing to address the Township Board may do so at these times. The Tyrone Township Board of Trustees has established a policy limiting the time a person may address the Township Board at a regular or at a special meeting during the Public Remarks section of the agenda to three minutes. The Board reserves the right to place an issue under the New Business section of the agenda if additional discussion is warranted or to respond later either verbally or in writing through an appropriately appointed Township Official. - Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk at (810) 629-8631 at least seven days prior to the meeting.

CONSENT AGENDA

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – OCTOBER 1, 2019**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on October 1, 2019 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Mike Cunningham, Treasurer Jennifer Eden, Clerk Marcella Husted, Trustees Chuck Schultz, Soren Pedersen, Kurt Schulze and David Walker.

APPROVAL OF AGENDA – OR CHANGES

Trustee Schulze moved to approve the agenda as amended. (Treasurer Eden seconded.) The motion carried; all ayes.

Moved New Business #1 Fire run write-offs to New Business #5

Moved New Business #5 Closed session to discuss a real estate transaction to New Business #1.

Added New Business #6 New phone system purchase.

Added New Business #7 Change order for bathroom flooring for the new building.

Added New Business #8 Four additional change order requests for the new building.

Added New Business #9 Hire an appraiser for the Center Road building.

APPROVAL OF CONSENT AGENDA

Regular Board Meeting Minutes – September 3, 2019

Treasurer's Report

Clerk's Warrants and Bills

Trustee Walker moved to approve the consent agenda as presented. (Trustee Schultz seconded.) The motion carried; all ayes.

COMMUNICATIONS

1. Fire Service Report, September 23, 2019

Trustee Walker moved to receive and place on file Communications 1 as presented. (Treasurer Eden seconded.) The motion carried

PUBLIC REMARKS

None.

UNFINISHED BUSINESS

None.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – OCTOBER 1, 2019 – PAGE 2**

NEW BUSINESS

1. Closed session to discuss a real estate transaction.

RESOLUTION #191001
TYRONE TOWNSHIP, LIVINGSTON COUNTY

CLOSED SESSION

Trustee Walker resolved to convene in closed session to discuss attorney communication and a real estate transaction. (Trustee Schultz seconded.)

Roll call: Cunningham, yes; Eden, yes; Schultz, yes; Husted, yes; Walker, yes, Pedersen, yes and Schulze yes.

The board convened in closed session at 7:04 p.m.

* * * * * Closed Session Minutes * * * * *

The board reconvened in open session at 7:23 p.m.

2. Moving company quotes.

Quotes were received from Two Men and a Truck and Corrigan Moving Systems to move the contents in the Center Road building to the new building on Runyan Lake Road. Trustee Schultz moved to accept the quote from Corrigan Moving Systems. (Trustee Pedersen seconded.) The motion carried; all ayes.

3. Employee sick/personal leave accrual.

Trustee Walker moved to approve the request to increase employee sick/personal leave accrual from 3 days a year to 8 days a year with the conditions that no more than 32 hours of accrued leave can be carried forward to the next fiscal year; no payout upon separation; and supervisor approval is required. (Trustee Schultz seconded.) The motion carried; all ayes.

4. Township fee schedule.

Trustee Walker moved to accept the updated Township fee schedule as amended. (Treasurer Eden seconded.) The motion carried; all ayes.

5. Fire run write-offs.

Trustee Walker moved to approve fire run write-offs totaling \$1,819. (Trustee Schultz seconded.) The motion carried; all ayes.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – OCTOBER 1, 2019 – PAGE 3**

6. New phone system purchase.

Trustee Schulze moved to authorize the Township to enter into a contract for a new phone system at the new building on Runyan Lake Road. (Trustee Walker seconded.) The motion carried; all ayes.

7. Change order requesting bathroom flooring at the new building.

Trustee Walker moved to approve a change order to replace bathroom flooring totaling \$318 in the new building due to a leak. (Trustee Schultz seconded.) The motion carried; all ayes.

8. Four additional change orders for work being performed at the new building.

Trustee Walker moved to approve 4 additional changes for renovations at the new building as presented. (Trustee Schultz seconded.) The motion carried; all ayes. The changes are as follows:

1. New knee wall, door hardware & diffuser vents totaling \$2,960.
2. Lobby window frames totaling \$1,350.
3. Wainscot at knee wall in multimedia room totaling \$1,511.
4. Patch nail pops and corner beads totaling \$1,309.

9. Hire an appraiser for the Center Road building.

Trustee Schulze moved to approve the request to hire an appraiser for the Center Road building. (Trustee Walker seconded.) The motion carried; all ayes.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

Phil Westmoreland from Spicer Group provided the board with a progress report on the construction at the new building. The parking lot renovations are almost done and the building is all roughed in, some light fixtures have been changed and some of the painting has been done.

ADJOURNMENT

Trustee Walker moved to adjourn. (Trustee Pedersen seconded.) The motion carried; all ayes. The meeting adjourned at 8:20 p.m.

10/10/2019

TYRONE TOWNSHIP TREASURER'S REPORT

JMM

Period ending SEPTEMBER, 2019

TOWNSHIP FUNDS	Interest Ckg	INVESTMENTS ICS	Int Rate	MICHIGAN CLASS	Int Rate Monthly AVG.	FLG PEG CD matures 8/12/20	Int rate	Grand Totals Each Fund
General 101	\$1,718,379.09	\$ 432,280.21	2.22%					\$ 2,150,659.30
Tech Fund 141	\$66,426.85	\$ 5,000.00	2.22%					\$71,426.85
Building & Site 145	\$11,105.14	\$ 447,500.00	2.22%					\$458,605.14
Parks/Recreation 208	\$5,934.23		0.40%					\$5,934.23
Liquor Control 212	\$0.00		0.40%					\$0.00
Road 245	\$38,091.97	\$ 309,224.80	2.22%	\$258,895.25	2.06%			\$ 606,212.02
Revolving 246	\$130,842.77	\$ 97,500.00	0.40%	\$190,186.50	2.06%			\$ 418,529.27
Right of Way 260	\$17,423.09		0.40%					\$17,423.09
Peg 274	\$131,642.33					\$ 189,984.90	2.08%	\$321,627.23
Lk Tyrone Grant 281	\$0.00		0.40%					\$0.00
Special Assessments								
Jayne Hill Lts 218	\$2,772.33		0.40%					\$2,772.33
Walnut Shores Lts 219	\$713.81		0.40%					\$713.81
Shannon Glen Rubbish 225	\$3,631.19							\$3,631.19
Jayne Hill Rubbish Removal 226	\$18,686.90		0.40%					\$18,686.90
Apple Orchard Rubbish Removal 227	\$1,879.34							\$1,879.34
Silver Lake Rubbish Removal 228	\$8,942.38							\$8,942.38
Parkin Lane Snow 231	\$16,932.64		0.40%					\$16,932.64
Great Oaks Dr 232	\$6,275.97		0.40%					\$6,275.97
Laural Springs Rubbish removal 333	\$0.00							\$0.00
Account Totals	\$2,179,680.03	\$ 1,291,505.01		\$449,081.75		\$ 189,984.90		\$ 4,110,251.69
Health Flex Spending 101		The State Bank						Health Flex Total
FSA Account (\$10K Loan to Open)		\$ 8,715.48	0.00%					\$ 8,715.48
								\$ 8,715.48
Public Safety- 205								
Public Safety 205 - State Bank checking		\$ 338,803.74	0.40%					\$ 338,803.74
Public Safety 205- State Bank Savings		\$ 6,398.07						\$ 6,398.07
Public Safety 205 - Level One Bank		\$ 204,117.79	0.40%					\$ 204,117.79
Public Safety ICS- 205 State Bank		\$ 764,620.24	2.22%					\$ 764,620.24
								\$ 1,313,939.84
TYRONE TOWNSHIP SEWER 2003- 392								
Debt Service 392 Flagstar Bank		\$ 584,864.11	0.6%					\$ 584,864.11
Flagstar CDARS 2003 (matures 10/25/2019)(9361)		\$ 528,664.99	2.00%					\$ 528,664.99
Flagstar CD 2003 (matures 3/31/2020)(3879)		\$ 1,000,000.00	2.55%					\$ 1,000,000.00
Flagstar CDARS 2003 Fund Martures 6/18/20)(1875)		\$ 458,975.22	2.00%					\$ 458,975.22
								\$ 2,572,504.32
Road Improvements-								
Parkin Lane Rd 2010 (396)		\$ 18,445.42	0.70%					\$ 18,445.42
Lake Shannon 2018 (399)		\$ 256,644.15	0.70%					\$ 256,644.15
Laurel springs (400)		\$ 189,160.45	0.70%					\$ 189,160.45
Irish Hills (401)		\$ 212,011.18						\$ 212,011.18
CIBC- Parkin Lane CD(matures 5/12/20)		\$ 125,088.01	2.50%					\$ 125,088.01
								\$ 801,349.21
SEWER O&M CHECKING ACCT- 590								
Sewer Operation and Maintenance CK (5710)		\$ 190,393.28	0.70%					\$ 190,393.28
Sewer Operation and Maintenance SV (4865)		\$ 81,932.26	1.39%					\$ 81,932.26
CIBC- O&M CD(matures 5/8/20)(6337)		\$ 159,186.25	2.50%					\$ 159,186.25
O&M CDARS (matures 8/12/2021)(4312)		\$ 139,564.57	1.65%					\$ 139,564.57
O&M CDARS (matures 8/13/2020)(4710)		\$ 138,874.68	2.50%					\$ 138,874.68
								\$ 709,951.04
TRUST & AGENCY- 701								
Township Trust and Agency 701 Savings		\$ 1,511.09	0.18%					\$ 1,511.09
Township Trust and Agency 701 Checking		\$ 5,789.89	0.00%					\$ 5,789.89
								\$ 7,300.98
								\$ 5,413,760.87
Total Township Monies								\$ 9,524,012.56

Check Date	Bank	Check	Vendor Name	Description	Amount
Bank 001 STATE BANK COMMON ACCOUNT					
09/26/2019	001	22021	MCKENNA ASSOCIATES, INC.	TOWNSHIP PLANNER	335.75
09/26/2019	001	22022	PRINTING SYSTEMS, INC.	ELECTION ENVELOPES/ AV BALLOTS	453.65
09/26/2019	001	22023	SPICER GROUP	NEW TOWNSHIP HALL	6,126.50
09/26/2019	001	22024	VOYA INSTITUTIONAL TRUST COMPANY	SEPTEMBER EMPLOYEE CONTRIBUTION	1,195.00
09/26/2019	001	22025	WASTE MANAGEMENT	TOWNSHIP HALL GARBAGE 10.01.19 TO 12.31.	146.93
10/03/2019	001	22026	CHASE CARD SERVICE	POSTAGE, TRAINING CAPITAL OUTLAY	523.35
10/03/2019	001	22027	CHLORIDE SOLUTIONS LLC	DUST CONTROL	11,761.64
				DUST CONTROL	2,759.26
					<u>14,520.90</u>
10/03/2019	001	22028	CONSUMERS ENERGY	8420 RUNYAN LAKE 8.27.19 TO 9.25.19	304.28
				TOWNSHIP HALL 8.26.19 TO 9.24.19	270.52
					<u>574.80</u>
10/03/2019	001	22029	I.T. RIGHT, INC.	ANNUAL WEB HOSTING 11.1.19 TO 10.31.20	500.00
10/03/2019	001	22030	LIVINGSTON COUNTY TREASURER	TAX CHARGEBACKS BOARD OF REVIEW	1,113.50
				DOG LICEN 1957-1979 SOLD IN SEPTEMBER 20	453.50
					<u>1,567.00</u>
10/03/2019	001	22031	REPUBLIC SERVICES#237	JAYNE HILL GARBAGE OCTOBER 2019	1,588.73
				SHANNON GLENN GARBAGE OCTOBER 2019	354.51
				SILVER LAKE GARBAGE OCTOBER 2019	1,149.20
					<u>3,092.44</u>
10/03/2019	001	22032	RITTER'S CLEANING SERVICE	OFFICE CLEANING SEPTEMBER 2019	660.00
10/09/2019	001	22033	AT&T MOBILITY	SUPERVISOR CELL 9.28.19 TO 10.27.19	78.85
10/09/2019	001	22034	CHARTER BUSINESS COMMUNICATIONS	TWP HALL PHONE 7 INTERNET OCTOBER 2019	329.91
10/09/2019	001	22035	DESIGN COMFORT COMPANY, INC	DRINKING FOUNTAIN REPAIRS	150.00
10/09/2019	001	22036	I.T. RIGHT, INC.	6 NEW COMPUTERS	6,174.00
10/09/2019	001	22037	RICOH USA, INC.	COPIER LEASE 9.28.19 TO 10.27.19	124.21
10/09/2019	001	22038	RICOH USA, INC.	2224 B&W 1034 COLOR COPIES	72.22
10/09/2019	001	22039	SORENSEN GROSS COMPANY	TYRONE TOWNSHIP BUILDING RENOV PAYMENT #	98,502.74
10/09/2019	001	22040	STAPLES ADVANTAGE	OFFICE SUPPLIES (ASSESSING, CLERK, GENER	217.91
10/09/2019	001	22041	VIEW NEWSPAPER GROUP	ZBA, PUBLIC NOTICES	415.81
10/09/2019	001	22042	VOYA INSTITUTIONAL TRUST COMPANY	OCTOBER 2019 EMPLOYEE CONTRIBUTIONS	160.00
10/16/2019	001	22043	CONSUMERS ENERGY	STREET LIGHTS 9.1.19 TO 9.30.19	130.34
				STREET LIGHTS 9.1.19 TO 9.30.19	53.68
					<u>184.02</u>
10/16/2019	001	22044	FENTON PRINTING	TAX PAPER	87.51
10/16/2019	001	22045	LCMCA	CLERKS ASSOCIATION CHRISTMAS LUNCHEON	60.00
10/24/2019	001	22046	AMERIGUARD SELF MINI STORAGE	STORAGE UNIT- NOV. 2019	80.00
10/24/2019	001	22047	BLUE CROSS BLUE SHIELD OF MICHIGAN	HEALTH INSURANCE NOV. 2019	5,901.42
10/24/2019	001	22048	HARRIS & LITERSKI ATTORNEYS AT	LEGAL- BOARD, ORDINANCE ENFORCMENT	1,019.70
10/24/2019	001	22049	MCKENNA ASSOCIATES, INC.	TWP PLANNER SERVICES	613.75
10/24/2019	001	22050	SPICER GROUP	NEW BUILDING RENOVATIONS	9,319.25
10/24/2019	001	22051	TAMARA DICKINSON	REFUND OF HALL RENTAL DEPOSIT	75.00
10/24/2019	001	22052	VOYA INSTITUTIONAL TRUST COMPANY	EMPLOYEE CONTRIBUTIONS OCT. 2019	1,195.00
10/30/2019	001	22053	BRIAN COLES	HALL RENTAL REFUND	75.00
10/30/2019	001	22054	MARNA BUNTING-SMITH	REFUND OF HALL RENTAL FEES	150.00
10/30/2019	001	22055	CHASE CARD SERVICE	POSTAGE, CONF, ZONING, DESKS	3,686.08

Check Date	Bank	Check	Vendor Name	Description	Amount
10/30/2019	001	22056	LIVINGSTON COUNTY TREASURERS' ASSOC	LCTA CHRISTMAS LUNCHEON - TAMMY, JOANNE	81.00
10/30/2019	001	22057	REPUBLIC SERVICES#237	SHANNON GLEN GARBAGE NOV 2019 JAYNE HILL GARBAGE NOV 2019 SILVER LAKE GARBAGE NOV 2019	354.51 1,588.73 1,149.20
					3,092.44

001 TOTALS:

Total of 37 Checks:	161,542.14
Less 0 Void Checks:	0.00
Total of 37 Disbursements:	161,542.14

Bank 022 STATE BANK - PUBLIC SAFETY checking

09/26/2019	022	1156	HARTLAND AREA FIRE DEPARTMENT	1 FIRE RUN 8.16.19 TO 8.31.19	1,419.00
10/03/2019	022	1157	TRANSUNION RISK DATA SOLUTIONS	PEOPLE SEARCH SEPTEMBER 2019	50.00
10/09/2019	022	1158	CHARTER TOWNSHIP OF FENTON	24 FIRE RUNS JULY 2019 TO SEPTEMBER 2019	34,056.00
10/09/2019	022	1159	HARTLAND AREA FIRE DEPARTMENT	6 FIRE RUNS 9.1.19 TO 9.15.19	8,514.00
10/16/2019	022	1160	LIVINGSTON COUNTY SHERIFF'S DEPT	SHERIFF SERVICES JULY 2019 - SEPTEMBER 2	34,459.33
10/24/2019	022	1161	CITY OF FENTON	7 FIRE RUNS SEPT. 2019	9,933.00
10/30/2019	022	1162	HARTLAND AREA FIRE DEPARTMENT	9 FIRE RUNS 9.16.19 TO 9.30.19	12,771.00
					101,202.33

022 TOTALS:

Total of 7 Checks:	101,202.33
Less 0 Void Checks:	0.00
Total of 7 Disbursements:	101,202.33

Bank 102 SEWER O&M CHECKING 590

10/16/2019	102	405	LIVINGSTON COUNTY DRAIN COMM.	SEWER O&M CHARGES 8.29.19 TO 9.26.19	58,698.29
					58,698.29

102 TOTALS:

Total of 1 Checks:	58,698.29
Less 0 Void Checks:	0.00
Total of 1 Disbursements:	58,698.29

Bank 108 TAX FUND FLAGSTAR

10/03/2019	108	2644	CENTURY TITLE AGENCY SERVICES	2019 Sum Tax Refund 4704-19-100-065	305.19
10/03/2019	108	2645	FENTON SCHOOLS	S2019 TAX DISBURSEMENT 9.17.19 TO 9.30.1	7,995.85
10/03/2019	108	2646	FORD JOSEPH C	2019 Sum Tax Refund 4704-20-100-004	38.07
10/03/2019	108	2647	GISD	S2019 TAX DISBURSEMENT 9.17.19 TO 9.30.1	4,960.17
10/03/2019	108	2648	HARTLAND CONSOLIDATED SCHOOLS	S2019 TAX DISBURSEMENT 9.17.19 TO 9.30.1	3,811.06
10/03/2019	108	2649	LEDUC MICHAEL & SUSAN	2019 Sum Tax Refund 4704-02-101-025	40.57
10/03/2019	108	2650	LESA	S2019 TAX DISBURSEMENT 9.17.19 TO 9.30.1	3,861.86
10/03/2019	108	2651	LINDEN COMMUNITY SCHOOLS	S2019 TAX DISBURSEMENT 9.17.19 TO 9.30.1	6,431.53
10/03/2019	108	2652	LIVINGSTON COUNTY TREASURER	S2019 TAX DISBURSEMENT 9.17.19 TO 9.30.1	74,843.76
10/16/2019	108	2653	TYRONE TOWNSHIP	MONEY OWED TO GF FOR VOIDED TAX CHECK	35.00
10/17/2019	108	2654	CONDRA JOHN & KAREN	2019 Sum Tax Refund 4704-30-101-015	18.74
10/17/2019	108	2655	FENTON SCHOOLS	S2019 TAX DISBURSEMENT 10.1.19 TO 10.15.	1,328.71
10/17/2019	108	2656	GISD	S2019 TAX DISBURSEMENT 10.1.19 TO 10.15.	1,991.51
10/17/2019	108	2657	HARTLAND CONSOLIDATED SCHOOLS	S2019 TAX DISBURSEMENT 10.1.19 TO 10.15.	139.92
10/17/2019	108	2658	LESA	S2019 TAX DISBURSEMENT 10.1.19 TO 10.15.	1,202.90

10/31/2019 10:00 AM
User: MHUSTED
DB: Tyrone

CHECK REGISTER FOR TYRONE TOWNSHIP
CHECK DATE FROM 09/25/2019 - 10/30/2019

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Check Date	Bank	Check	Vendor Name	Description	Amount
10/17/2019	108	2659	LINDEN COMMUNITY SCHOOLS	S2019 TAX DISBURSEMENT 10.1.19 TO 10.15.	2,401.57
10/17/2019	108	2660	LIVINGSTON COUNTY TREASURER	S2019 TAX DISBURSEMENT 10.1.19 TO 10.15.	25,570.62
10/17/2019	108	2661	SOBONYA PAUL & PATRICIA	2019 Sum Tax Refund 4704-31-400-008	18.90

108 TOTALS:

Total of 18 Checks:	134,995.93
Less 0 Void Checks:	0.00
Total of 18 Disbursements:	134,995.93

Bank 112 FLAGSTAR CHECKING - SA ROAD IMPROVEMENTS

09/26/2019	112	1038	SPICER GROUP	IRISH HILLS ROAD	10,236.25
10/09/2019	112	1039	HUNTINGTON NATIONAL BANK	PARKIN LANE	250.00
10/24/2019	112	1040	HARRIS & LITERSKI ATTORNEYS AT	LEGAL- HAVER TAX TRIBUNAL	54.45
10/24/2019	112	1041	LIVINGSTON COUNTY ROAD COMMISS	LAUREL SPRINGS CONSTRUCTION	158,828.51
10/24/2019	112	1042	SPICER GROUP	IRISH HILLS SAD	17,358.00

112 TOTALS:

Total of 5 Checks:	186,727.21
Less 0 Void Checks:	0.00
Total of 5 Disbursements:	186,727.21

Bank 203 TRUST & AGENCY 701 CKG

09/26/2019	203	1807	MCKENNA ASSOCIATES, INC.	ROCK CHURCH SITE PLANS	1,064.50
10/16/2019	203	1808	LIVINGSTON COUNTY 4-H COUNCIL	PLAT BOOKS SOLD JANUARY 2019 TO OCTOBER	50.00
10/16/2019	203	1809	LIVINGSTON COUNTY TREASURER	SPECIFIC MOBILE HOME TAX & SET SEPTEMBER	1,947.50
10/16/2019	203	1810	TYRONE HISTORICAL SOCIETY	HISTORICAL SOCIETY BOOKS SOLD JANUARY 20	180.00
10/16/2019	203	1811	TYRONE TOWNSHIP	SPECIFIC MOBILE HOME TAX & SET SEPTEMBER	389.72
10/24/2019	203	1812	HARRIS & LITERSKI ATTORNEYS AT	LEGAL- SANCTUARY TYRONE FOUR INC.,	74.25

203 TOTALS:

Total of 6 Checks:	3,705.97
Less 0 Void Checks:	0.00
Total of 6 Disbursements:	3,705.97

REPORT TOTALS:

Total of 74 Checks:	646,871.87
Less 0 Void Checks:	0.00
Total of 74 Disbursements:	646,871.87

COMMUNICATION #1



Snow Removal Quotation
 Phone (810) 629-8600 - Fax (810) 750-2173
 Check out our website: www.shoemakerservices.com

380 S. Fenway Dr- Fenton, MI 48430

SERVICE ADDRESS: _____

Same as billing address

Billing Address:

Tyrone Township Hall
 8420 Runyan Lake Rd
 Fenton Mi 48430

PRIMARY PHONE: _____

810-629-8631

FAX: _____

810-629-0047

SECONDARY PHONE: _____

EMAIL: _____

tmedor@tyronetownship.us

SNOW REMOVAL CONTRACT

WE PROPOSE TO FURNISH THE LABOR, MATERIAL AND EQUIPMENT TO PERFORM THE FOLLOWING SERVICES .

(PLEASE CHECK THE SERVICES YOU WISH US TO PERFORM)

(PRICE IS PER SERVICE)

_____	\$ 75.00	2"-4"	SNOWPLOWING OF PARKING LOT - COMMENTS: _____	Regular plow at 2".
CHECK	\$ 113.00	4"-8"	_____	
	\$ 150.00	8" & up	_____	
	\$ 105.00	Salt	SALT OF PARKING LOT - COMMENTS: _____	
CHECK			To be done after plowing or when less than 2" of accumulation.	
	\$ _____	2"-4"	SNOWPLOWING OF ROADWAY- COMMENTS: _____	
	\$ _____	4"-8"	_____	
	\$ _____	8" & up	_____	
	\$ _____	Salt	SALT OR CHLORIDE OF ROADWAY - COMMENTS: _____	
	\$ _____		_____	
	\$ _____	2"-4"	SNOWPLOWING OF DRIVEWAY - COMMENTS: _____	
	\$ _____	4"-8"	_____	
	\$ _____	8" & up	_____	
	\$ _____	Chloride	CHLORIDE OF DRIVEWAY- COMMENTS: _____	
	\$ 15.00	2"-4"	SNOWPLOWING/BLOWING/SHOVELING SIDEWALK(S) - COMMENTS: _____	
CHECK	\$ 23.00	4"-8"	_____	
	\$ 30.00	8" & up	_____	
	\$ Inc. W Lot	Chloride	CHLORIDE OF SIDEWALK(S) - COMMENTS: _____	
CHECK	\$ _____	2"-4"	SNOWPLOWING/BLOWING/SHOVELING PATIO/DECK(S) - COMMENTS: _____	
	\$ _____	4"-8"	_____	
	\$ _____	8" & up	_____	



LANDSCAPE IRRIGATION
LAWN MAINTENANCE
SNOWPLOWING

SNOWPLOWING CONTRACT

380 South Fenway Dr. - Fenton, Mi 48430
Phone (810) 629-8600 - Fax (810) 750-2173
www.ShoemakerServices.com

BILL TO: **Tyrone Township Hall**
10408 Center Road
Fenton, Mi 48430

SERVICE ADDRESS: **Tyrone Township Hall**
10408 Center Road
Fenton, Mi 48430

Home Ph: _____ Home Fax: _____ Cell Ph: _____

Work Ph: _____ Work Fax: _____ Pager: _____

Extension: _____ E-mail: _____

I PROPOSE TO FURNISH THE LABOR, MATERIAL AND EQUIPMENT TO PERFORM THE FOLLOWING SERVICES CHOSEN BY THE CUSTOMER
(PLEASE CHECK THE SERVICES YOU WISH US TO PERFORM)
(PRICE IS PER SERVICE)

<input checked="" type="checkbox"/>	\$ 65.00	1"-4"	SNOWPLOWING OF PARKING LOT - COMMENTS: _____
<input type="checkbox"/>	\$ 85.00	4"-8"	Plowing to start at 1" accumulation
<input type="checkbox"/>	\$ 100.00	8" & up	_____
<input checked="" type="checkbox"/>	\$ 85.00	Salt	SALT OR CHLORIDE OR PARKING LOT - COMMENTS: _____ To be done after plowing or when less than 1" accumulates
<input type="checkbox"/>	\$ N/A	2"-4"	SNOWPLOWING OF ROADWAY LOT - COMMENTS: _____
<input type="checkbox"/>	\$ N/A	4"-8"	_____
<input type="checkbox"/>	\$ N/A	8" & up	_____
<input type="checkbox"/>	\$ N/A	Salt	SALT OR CHLORIDE OR ROADWAY LOT - COMMENTS: _____
<input type="checkbox"/>	\$ N/A	Chloride	_____
<input type="checkbox"/>	\$ N/A	2"-4"	SNOWPLOWING OF DRIVEWAY - COMMENTS: _____
<input type="checkbox"/>	\$ N/A	4"-8"	_____
<input type="checkbox"/>	\$ N/A	8" & up	_____
<input type="checkbox"/>	\$ N/A	Salt	SALT OR CHLORIDE OR DRIVEWAY LOT - COMMENTS: _____
<input type="checkbox"/>	\$ N/A	Chloride	_____
<input checked="" type="checkbox"/>	\$ 30.00	2"-4"	SNOWPLOWING/BLOWING/SHOVELING SIDEWALK(S) - COMMENTS: _____
<input type="checkbox"/>	\$ 40.00	4"-8"	To be done after plowing
<input type="checkbox"/>	\$ 50.00	8" & up	_____
<input type="checkbox"/>	\$ Included	Salt	SALT OR CHLORIDE OF SIDEWALK(S) - COMMENTS: _____
<input type="checkbox"/>	\$	Chloride	To be done after plowing or when less than 1" accumulates
<input type="checkbox"/>	\$ N/A	2"-4"	SNOWPLOWING OF PATIOS OR DECKS - COMMENTS: _____
<input type="checkbox"/>	\$ N/A	4"-8"	_____
<input type="checkbox"/>	\$ N/A	8" & up	_____
<input type="checkbox"/>	\$ N/A	Salt	SALT OR CHLORIDE OF PATIOS OR DECKS - COMMENTS: _____
<input type="checkbox"/>	N/A	Chloride	_____

COMMUNICATION #2

EMERGENCY SERVICES BILLED TO TYRONE TOWNSHIP

	CITY OF FENTON		FENTON TWP		HARTLAND		MONTHLY \$ TOTALS	BILLABLE			
	# RUNS	\$1,419.00	# RUNS	\$1,419.00	# RUNS	\$1,419.00					
	# MEDICAL	\$400.00	# MEDICAL	\$400.00	# MEDICAL	\$400.00					
	#EXCEPTION	\$500.00	#EXCEPTIO	\$500.00	#EXCEPTIO	\$500.00					
Apr-19	1 Excp	8	\$10,433	4	\$5,676	5	\$7,095	\$23,204	\$0		
May-19	(3)-1 Med	14	\$19,866	5	\$7,095	7	\$9,933	\$36,894	\$3,238		
Jun-19	(1)-1 Excp	13	\$17,528	(2)	4	\$5,676	(3)	7	\$9,933	\$33,137	\$8,514
Jul-19	(2)-1 Excp	12	\$16,109	(2)-1 Med	11	\$15,609	(7)	15	\$21,285	\$53,003	\$14,590
Aug-19	(5) 1 Excp	17	\$23,204	(1)	7	\$9,933	4	\$5,676	\$38,813	\$8,514	
Sep-19	(1)	7	\$9,933	(1)	6	\$8,514	(1)	15	\$21,285	\$39,732	\$4,257
Oct-19											
Nov-19											
Dec-19											
Jan-20											
Feb-20											
Mar-20											
Excp											
MED											
YTD TOTALS		71	\$97,073	35	\$52,503	42	\$75,207	\$224,783	\$39,113		
YTD RUNS									29		
YTD Excp		4	\$2,000								
YTD MED		1	\$400	1	\$400				1		

HARTLAND OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Dec-11	11-999	\$775.00	PAYMENT PLAN
Aug-13	13-499	\$148.00	COLLECTIONS
Sep-16	16-529	\$1,391.00	COLLECTIONS
Sep-16	16-530	\$1,391.00	COLLECTIONS
Oct-16	16-581	\$1,391.00	COLLECTIONS
17-Sep	17-660	\$1,405.00	COLLECTIONS
Dec-17	17-814	\$1,405.00	COLLECTIONS
Dec-17	17-869	\$1,405.00	COLLECTIONS
Jan-18	18-056	\$1,405.00	COLLECTIONS
Mar-18	18-189	\$1,405.00	COLLECTIONS
Jun-18	18-370	\$1,419.00	COLLECTIONS
Aug-18	18-598	\$1,419.00	COLLECTIONS
Jun-19	19-366	\$1,419.00	INVOICED
Jun-19	19-376	\$1,419.00	TO COLLECTIONS
Jul-19	19-513	\$1,419.00	TO COLLECTIONS
19-Sep	19-726	\$1,419.00	INVOICED

FENTON TOWNSHIP OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Jul-17	17380	\$400.00	COLLECTIONS
Aug-18	18450	\$1,419.00	COLLECTIONS
Oct-18	18528	\$1,419.00	COLLECTIONS
Oct-18	18534	\$1,419.00	COLLECTIONS
Dec-18	18628	\$1,419.00	COLLECTIONS
Jun-19	19296	\$1,419.00	TO COLLECTIONS
Jun-19	19310	\$709.50	TO COLLECTIONS
Jun-19	19310	\$709.50	TO COLLECTIONS
Jul-19	19397	\$1,419.00	TO COLLECTIONS
Jul-19	19403	\$300.00	PAY PLAN
Aug-19	19469	\$1,419.00	INVOICED

CITY OF FENTON OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Jun-17	234	\$105.00	PAYMENT PLAN
Jul-17	306	\$760.00	PAYMENT PLAN
Feb-18	80	\$605.00	PAYMENT PLAN
May-19	163	\$1,419.00	TO COLLECTIONS
May-19	164	\$400.00	TO COLLECTIONS
Jul-19	225	\$1,419.00	INVOICED
Aug-19	272	\$1,419.00	INVOICED
Aug-19	278	\$1,419.00	INVOICED
Aug-19	299	\$1,419.00	INVOICED
Aug-19	323	\$1,419.00	INVOICED
Aug-19	327	\$1,419.00	INVOICED
Sep-19	372	\$1,419.00	INVOICED



UNIVERSAL CREDIT SERVICES
 P.O. BOX 133
 HARTLAND, MI 48353
 810-632-3450

1

INVOICE 030496
 10/01/19

* RECAP *

No. 111

TYR001 UN10
 TYRONE TOWNSHIP FIRERUNS
 ATTN:MARIAN KRAUSE
 NNEDNN 10408 CENTER ROAD
 FENTON, MI 48430

Date	Name / Ref No.	Sts	COLLECTIONS		Our Comm	Remain Princ	Net Amt Due
			Pd	You Pd Us			
					42.00		158.00-
				200.00			

Gross Collections This Cycle.....\$200.00

Total Enclosed Checks.....\$158.00



PO BOX 158
 HARTLAND, MI 48353-0158
 800-931-3711
 www.ucscollections.com

RECEIVED RECEIVED
 OCT 10 2019

Acknowledgment Report
 Placements From 9/1/2019 Thru 9/30/2019

TYR001
 TYRONE TOWNSHIP FIRERUNS
 ATTN:MARIAN KRAUSE
 10408 CENTER ROAD

FENTON, MI 48430

We acknowledge, with thanks, receipt of the following accounts upon our usual terms. Immediate collection action has commenced. Please report all direct payments promptly and all communication from the debtor to us.

Reference #	Name	Date of Service	Assigned Amount	UCS Account #	
0000163	[REDACTED]	05/28/19	\$1,419.00	0011888744	
0000164	[REDACTED]	05/26/19	\$400.00	0011888745	
Total Accounts	2	Average Age at Listing	124	Total Amount Assigned	\$1,819.00

We highly appreciate your business, and will consider it our goal to provide you with the most effective, and ethical service available.

Universal Credit Services, Inc.



NEW BUSINESS #1

October 8, 2019



Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439

Subject: Agenda Request – Zoning Ordinance Amendment: Article 27 – Outdoor Advertising and Sign Regulations

Dear Township Board Members:

During our meeting on August 13, 2019, Dave Wardin moved to recommend Township Board approval, along with review and comment by the Livingston County Planning Commission, of a zoning ordinance amendment to Article 27 – Outdoor Advertising and Sign Regulations. Richard Ericson supported the motion. The motion carried by unanimous voice vote.

The purpose of this amendment is to revise the standards and requirements for signs and outdoor advertising and to regulate signs with content neutrality. As you are aware, we have spent a great deal of time dealing with this challenging topic. We believe the proposed amendments result in better sign regulations in general while addressing the U.S. Supreme Court's decision in the 2015 docket *Reed v Gilbert* regarding content neutrality. The court did leave many questions regarding some aspects of sign regulation, but it is generally believed the court will still allow differences in sign regulations resulting from zoning districts, for example prohibiting commercial signs in residential districts appears consistent with the Court's prior decisions regarding zoning enforcement. We have not identified any court cases since that time that would conflict with our proposed regulations.

We have also included a McKenna memo authored by Brian Keesey dated March 14, 2017 which discusses our findings related to enforcement of sign violations. We encourage the Township Board to review this memo, more specifically the comments on page 2, "...we recommend a review of the infraction costs associated with civil infractions. After nearly 13 years, fines should be reviewed to ensure that they are adequate to make violating an Ordinance an undesirable offense. The other factor that should be evaluated is the timeframe of 30 days to rectify a compliance issue. For signage, this duration is too long to aide in effective enforcement. More realistically, signage violations should be rectified in less than seven (7) days, but that number may be difficult to defend if challenged. 14 days may be a more palatable timeframe."

The Livingston County Planning Commission recommended approval during their September 18, 2019, meeting (reference Z-39-19). The Planning Commission recommends the Township Board adopt this zoning ordinance amendment in response to the U.S. Supreme Court decision so that our regulations are reasonably compliant with that decision.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel

Chairman

Tyrone Township Planning Commission

10408 Center Road Fenton, MI 48430-9439 (810) 629-8631

Mark Meisel, Chairman Kurt Schulze, Vice Chair David Wardin, Secretary Richard Erickson Perry Green Dan Stickel Bill Wood

To: Planning Commission
Tyrone Township, Michigan

From: Brian Keeseey, Senior Planner

Date: March 14, 2017

Subject: **Signage Violations**

During our deliberations on signage, we have discussed the concept of strict penalties for enforcing the sign ordinance, specifically for those that are temporary and off-premises.

For signs in the public right-of-way, which are not permitted in any capacity without permission from Livingston County, signs may be pulled to ensure the safety of motorists and bikers utilizing the roads. In violating the sign ordinance, an illegal sign-installer is subject to the terms of violation outlined in the Township Zoning Ordinance. Violations of the Zoning Ordinance are detailed in Section 30.13, and read as follows (underline added for emphasis):

Violations

- A. Reporting Violations.** Any and all buildings or land use activities considered possible violations of this ordinance observed by or communicated to a township official or employee shall be reported to the Zoning Administrator.
- B. Inspection.** The Zoning Administrator shall inspect each alleged violation he/she observes or is aware of and shall order correction, in writing, of all conditions found to be in violation of this ordinance.
- C. Correction.** All violations shall be corrected within a period of thirty (30) days after the order to correct is issued, or in such longer period of time, not to exceed three (3) months, as the Zoning Administrator shall determine necessary and appropriate. A violation not corrected within this period shall be reported to the Township Attorney, who is authorized to and shall initiate procedures to eliminate such violation.
- D. Civil Infractions.** Any person, firm or corporation who violates any provision of this Zoning Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine, costs or other sanctions for each infraction as set forth in the Tyrone Township Civil Infractions Ordinance. All fines shall be paid to the Tyrone Township Municipal Ordinance Violations Bureau. Repeat offenses shall be subject to increased fines, plus any other costs and other sanctions, for each infraction, as set forth in the Tyrone Township Civil Infractions Ordinance. “Repeat offenses” means a second (or any subsequent) municipal civil infraction violation of the same requirement or provisions of this Zoning Ordinance (i) committed by a person within a period specified in the Tyrone Township Civil Infractions Ordinance and (II) for which the person admits responsibility or is determined to be responsible.

In enforcing the Zoning Ordinance, the Zoning Administrator is tied to the procedures outlined in the Township’s regulatory Ordinance for Civil Infractions. This allows an Enforcement Officer the power to issue notices of an infraction, the first of which requires allowing 30 days to correct the action. After the 30-day period, there is no time specified for subsequent notices. See below.

The Township has adopted a schedule for violations, most recently updated in 2004, and it reads as follows. In addition to the fines listed, violators are subject to the costs of enforcement, including removal costs:

CIVIL INFRACTION NOTICE		CIVIL INFRACTION CITATION	
Notification Number	Fine	Notification Number	Fine
1 st Notice	None	1 st Notice	\$100
2 nd Notice	\$50	2 nd Notice	\$200
3 rd Notice	\$100	3 rd Notice	\$350
4 th Notice	\$200	4 th Notice and thereafter	\$500
5 th Notice	\$350		
6 th Notice and thereafter	\$500		

Based on the ordinances in place today, the Enforcement Officer could clean up a sign, issue a notice of civil infraction, and after 30 days, issue a separate notice of infraction for each sign installed over the next three (3) years, with fines and costs of labor charged for each removal.

The method above appears adequate for the repeated installation of small numbers of signs, but it does not facilitate penalties in instances where many illegal signs are installed at one time. However, there is an additional provision which states that the violator must pay the costs of all expenses, direct and indirect, that the Township incurs in connection with the violation. The Township Attorney should clarify whether this provision language is enforceable on the first notice; if it is not, we recommend an amendment to the Ordinance to make this so.

Concurrently, we recommend a review of the infraction costs associated with civil infractions. After nearly 13 years, fines should be reviewed to ensure that they are adequate to make violating an Ordinance an undesirable offense. The other factor that should be evaluated is the timeframe of 30 days to rectify a compliance issue. For signage, this duration is too long to aide in effective enforcement. More realistically, signage violations should be rectified in less than seven (7) days, but that number may be difficult to defend if challenged. 14 days may be a more palatable timeframe.

Separate from the overarching Zoning Ordinance violations, consideration should be given to further defining violations of the sign ordinance. For example, under the “Administration and Appeals of the Sign Ordinance Standards,” subsection of Article 27, we propose the following language for discussion:

“Violations to the sign ordinance shall be enforced through the provisions provided in Section 30.13 of the Zoning Ordinance and the Civil Infractions Ordinance, Ordinance 39B, as amended.

In the event that an illegal sign creates potentially hazardous conditions, including, but not limited to, unpermitted placement in a road right-of-way, immediate action shall be taken by the Zoning Administrator, other Township officials, staff, designees, or capable contractors to remove illegal signs. All costs incurred in removing illegal signs, such as contractor fees, labor value of Township employees, and material costs, shall be logged and compiled; minimum removal cost per sign is \$100 to cover mobilization, time, and materials. Costs shall be charged to the violator in accordance with the Township’s Civil Infractions Ordinance.”

This language will define the costs that the Township intends to charge to the violator, and utilizes the existing civil infraction process to recoup any financial expenditures that the Township has to make to create a safe environment.

We look forward to discussing this process with you. If you have any questions in the meantime, please let me know.

Respectfully Submitted,
McKenna Associates



Brian Keeseey
Senior Planner



Livingston County Department of Planning

MEMORANDUM

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

TO: Livingston County Planning Commission and the Tyrone Township Board of Trustees

FROM: Scott Barb, Principal Planner

DATE: September 11, 2019

SUBJECT: Z-39-19. Amendments to Zoning Ordinance: Article 27 Outdoor Advertising and Sign Regulations.

The Tyrone Township Planning Commission is proposing to amend the Township Zoning Ordinance by modifying several sections of Article 27 regarding signage in the Township. The purpose of the amendments are to update the sign ordinance for compatibility after the 2015 *Reed v Gilbert* decision that established content neutrality for signage and to clarify existing sign regulations. Staff has reviewed the proposed changes for accuracy and compatibility with the Township Zoning Ordinance and offers the following summary for your review. Staff comments are written in *italic and underlined* while additions to the Ordinance are written in **red**.

Article 27, Section 27.00 Purpose and Intent

The following subsections will be amended:

A.8. Public Right. Protect the public right to **display and** receive messages, especially non-commercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.

A.11. Portable **and Temporary** Signs. Restrict the use of portable ~~commercial signs for use only to announce a grand opening or a specific public noncommercial event~~ **and temporary** signs in recognition of the significant negative impact on traffic safety and aesthetics caused by a proliferation or more frequent use of such signs.

A.12. **Messages**. In consideration of this Article, Tyrone Township recognizes the Supreme Court's ruling in 2015 in *Reed v. Town of Gilbert, Arizona*, in which the majority opinion found that content-based sign regulations would not survive the strict scrutiny standard because the regulation was not narrowly tailored to a governmental interest. Further, the Township recognizes the Supreme Court's ruling from 1981 in *Metromedia, Inc. v. City of San Diego*, in which the majority opinion concluded that a government could distinguish between commercial and non-commercial speech when regulating signs. Finally, Tyrone Township recognizes the opinion of the Supreme Court in *Hudson Gas & Electric Corp. v. Public Service Commission* in 1980, which held that the Constitution provides lesser protections for commercial speech than to other constitutionally guaranteed forms of expression.

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

●
(517) 546-7555
Fax (517) 552-2347

●
Web Site
www.livgov.com

Based on the opinions of the above-mentioned U.S. Supreme Court rulings, it is Tyrone Township's intent to provide regulations which are free from content-based restrictions to the extent feasible while still maintaining the character and sensibilities as outlined in the Master Plan. It is further the intent of Tyrone Township to provide regulations which distinguish between commercial and non-commercial speech **only** when necessary. Finally, it is the intent of the Township to permit all forms of non-commercial speech wherever any sign is permitted by this Ordinance, as long as the message is not lewd or injurious to the community or its citizens.

New sections will be created within Article 27 for the following:

Severability

This Article and the various sections, subsections, paragraphs, and clauses herein are hereby declared severable. If any section, subsection, paragraph, sentence, phrase, clause, term, or word of this chapter is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected by the judgement.

Substitution

Any lawful commercial sign permitted under the provisions of this Ordinance may contain a noncommercial message.

Article 27, Section 27.01 Definitions

Definitions for the following signs will be removed from the ordinance: accessory signs, business center, business sign, community or development identification sign, noncommercial sign, real estate development sign, and temporary grand opening sign.

Staff comments: Signage for these uses are covered under other sections within the ordinance.

Article 27, Section 27.01 Definitions

The following sign definitions will be amended or created:

Animated Sign: A sign that has any visible moving part, either constantly or at intervals; flashing, sparkling, intermittent, or osculating lights; visible mechanical movement of any description; or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance to depict action, create an image of a living creature or person, or create a special effect or scene.

Awning Sign: A permanent sign painted or screen-printed on the exterior surface of an awning.

Banner Sign: A temporary sign on fabric, plastic or other non-rigid material without an enclosing structural framework that is attached flat to a wall or temporarily to a permanent sign face.

Billboard: A type of **freestanding** sign, generally characterized by immense size and located near high-traffic roads.

Bulletin Board Sign: A wall or freestanding sign, no larger than 6 sq. ft. in area that provides area for manually changeable messages.

Canopy Sign: A permanent sign that is displayed on a non-rigid fabric marquee or awning type structure which is attached to the building by supporting framework.

Changeable Copy Sign: A permanent sign or portion of a permanent sign on which the copy or symbols change either automatically through electrical, electronic, or manual means.

Construction Sign: A type of temporary sign.

Directional Sign: A type of regulatory sign.

Festoon: A temporary string of ribbons, tinsel, small flags, pinwheels, lights, or similar.

Flag: A sign on paper, cloth, fabric or other flexible material that is attached to a permanent pole or attached flat to a wall.

Freestanding Sign: A sign which is attached to the ground and which stands free, unattached to any building or structure.

Electronic Message Center Sign: A sign, or part of a sign, that changes content by a method other than physically removing and replacing the sign or its components. EMCs often incorporate rotating panels, LED light arrays, or other similar methods or technologies that permit a sign face to display different content through electronic input.

Historical Marker: A sign, plaque, or similar marker that describes a locally-, state-, or nationally-recognized site or structure, including a centennial farm.

Inflatable Sign: Any air-filled or gas-filled object tethered to a fixed location and used as a means of directing attention.

Monument Sign: A freestanding sign which has a solid supporting base equal to or greater than the width of the sign face constructed of a decorative and durable material, and which shall have no separation between the sign face and base. The supporting base shall have a minimum 24 inch vertical height.

Mural: A wall sign painted or drawn on the exterior surface of a structure.

Nameplate Sign: A small wall sign identifying the name of the occupant and/or street address.

Off-Premise Sign: A sign which identifies a use or occupant or advertises products and services not available on the site or parcel on which the sign is located.

On-Premise Sign: A sign identifying a business, owner, occupant, service or product sold or produced on the same site or parcel.

Outline Light Sign: A sign consisting of illuminated tubing, strings of lights, or lights displayed in sequence, intended to display, enframe, denote, or enhance a message.

Pole Sign: A freestanding sign supported on the ground by a pole or posts, and not attached to any building or other structure.

Political Sign: A type of temporary sign.

Portable Sign: A sign designed to be moved from place to place, whether or not it is permanently attached to the ground or structure. This includes hot-air and gas filled balloons, sandwich boards, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, flags and searchlights.

Projecting Sign: A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than eighteen inches beyond such building or wall.

Real Estate Sign: A temporary sign advertising a property or structures availability for sale, lease, or rent.

Regulatory Sign: Signs erected in compliance with Michigan Manual of Uniform Traffic Control Devices Manual and other signs erected to ensure public health, safety, and welfare. Regulatory signs include signs erected for compliance with the Michigan Barrier-Free Design Code and the Americans with Disabilities Act.

Roof Sign: A sign mounted on the roof of a building, lying either flat against the roof or upright at an angle to the roof pitch. For purposes of this section, any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type, shall be considered as a roof. A vertical plane or fascia which is attached to and located below the angled plane of a sloped roof and which is less than 6 inches in height shall be considered part of the roof.

Sandwich Board Sign: A portable temporary sign that is freestanding and not permanently anchored or secured to either a building, structure or the ground. Often referred to as "sidewalk signs", sandwich board signs include but are not limited to so called "A" frame, "T" shaped, or inverted "T" shaped stands.

Sign: A display, message, illustration, depiction, or symbol affixed to, painted on, erected, or presented on a building or other interior or exterior surface which is designed to direct or attract attention to a message from persons outside of a property's boundaries. For purposes of this article, the term "sign" does not include signs that, by virtue of their size or location, are not likely to attract the attention of those outside the property's boundaries.

Shared Sign: A sign used by a grouped use or uses.

Street Sign: A type of regulatory sign.

Temporary Sign: A banner or other sign, with or without a structural frame, designed, placed, and intended for a limited period of display, but not including accessory signs otherwise specifically defined herein.

Vehicle Sign: A sign larger than three (3) square feet attached to, printed on, painted on, pulled by, or similarly displayed on or in a vehicle or an object pushed or pulled by a vehicle.

Wall Sign: A sign placed flat on a building or extending from the building no more than eighteen inches.

Window Sign: A sign placed within the glass area of a window pane, either inside or outside of the building.

Yard Sign: A temporary sign that is freestanding and temporarily anchored or secured to the ground.

Article 27, Section 27.02 Permitted Business Signs

Section 27.02 will be deleted in its entirety. This section will be integrated into 'Signs Permitted in Commercial Districts' and 'Signs Permitted in Industrial Districts'.

Article 27, Section 27.03 Other Signs – Permit Required

Section 27.03 will be deleted in its entirety. This section will be integrated into 'Signs Permitted in Residential Districts', 'Signs Permitted in Commercial Districts', and 'Signs Permitted in Industrial Districts'.

Article 27, Section 27.04 Temporary Signs – Permit Required

This section will be mostly deleted. The only text that will remain is as follows: **Temporary signs are permitted in accordance with Table 27.1 Temporary Sign Standards.**

Staff comments: No permits will be required with any temporary sign as outlined in Table 27.1.

Article 27, Section 27.05 Other Signs – No Permit Required Signs Permitted Without Permit in All Districts

The following changes will be made to this section:

A. The following signs are permitted in any district provided that all other standards of this article are met. A land use permit from the Zoning Administrator is not required.

1. ~~Residential Identification~~ **Nameplate** Signs: (no change)
2. **Flags: Examples of flags include, but are not limited to,** decorative flags or flags with the insignia of a nation, state, community organization, college, university or corporation. The size, content, coloring or manner of illumination of said flags or pennants shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow. The length of a flag shall not exceed $\frac{1}{4}$ the length of the pole from which it is displayed.
3. ~~Warning Signs: Such as no trespassing, warning of electrical currents or animals, provided that such signs~~ **One (1) incidental sign** that does not exceed (12) square feet is permitted per parcel; if more than one (1) incidental sign is posted, each additional sign shall not exceed four (4) square feet and shall be spaced no closer than necessary to alert the public of the restriction. **Signs required by law that exceed the size restrictions identified herein are permitted when installed in a manner that complies with the legal requirement.**
4. **Regulatory, Directional and Street Signs (Public):** Erected by a public agency in compliance with Michigan Manual of Uniform Traffic Control Devices Manual and other signs erected to comply with other governmental regulations. **Regulatory signs include signs erected for compliance with the Michigan Barrier-Free Design Code and the Americans with Disabilities Act.**
5. ~~Driveway Directional Signs~~ **Regulatory, Directional, and Street Signs (Private):** No more than one (1) private regulatory or directional sign shall be permitted **within 200 feet of the road right-of-way** per approved driveway, with a maximum sign area of 3square feet per sign, and a maximum height of three (3) feet. Where more than one sign is appropriate or desired, a land use permit shall be required. ~~(Any area of a directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable business sign square footage, as specified in Table 27.1.)~~

6. Historical Marker: ~~Plaques or signs describing state or national designation as an historic site or structure and/or containing narrative, not exceeding sixteen (16) square feet in area. One (1) historical marker is permitted per site, not to exceed 16 square feet in area. Where two or more recognized structures or features exist on the same site, one (1) additional sign not to exceed 16 square feet is permitted for each structure or feature.~~

7. Integral Signs (no change).

Staff comments: The above signage will be permitted in all districts without a sign permit.

Article 27, Section 27.06 General Standards for Permitted Signs

This following changes will be made to this section:

A. The following standards shall apply to any sign allowed with or without a permit by this article.

B. **Allowable Sign Measurement.** Measurement of allowable sign area and height:

1. **Square Footage Sign Area.** The allowable area for signs shall be measured by calculating the square footage of the sign face as measured by enclosing the most protruding points or edges of a sign, including all messages, symbols and logos within a parallelogram or rectangle including any frame. Figures 19 through 23 illustrate the method to measure sign area.
2. **Sign Height.** The height of a sign located on the ground shall be measured from the lowest grade of the ground surface directly below the sign to the highest point of the sign, including the frame, posts, architectural elements, or aesthetic elements.

- a. **Height of Raised Sign.** Sign height for a sign installed on a berm or raised platform is measured from the average natural grade adjacent to the berm or platform to the highest point of the sign structure, including the frame, posts, architectural elements, or aesthetic elements.

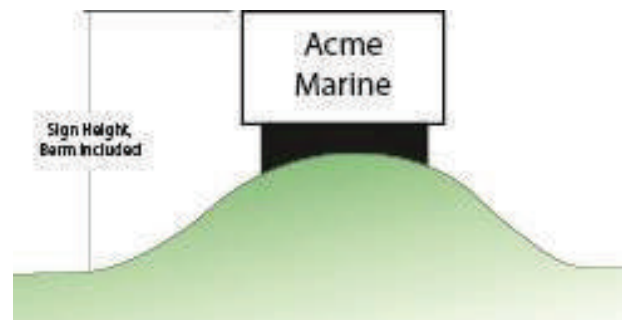


Figure X: Height of a Raised Sign

3. **Signs with Two or More Faces.** Where a sign has two or more faces, the area of only the larger face shall be considered when calculating maximum size, provided all faces are part of the same structure, back to back, the same size, contain the same message, and are separated by no more than two (2) feet.

C. **Sign Setbacks**

1. **Right-of-Way.** All signs, unless otherwise permitted, shall be set back a minimum of ten (10) feet from any public or private street right-of-way line, except residential identification signs allowed by this article which are not required to be set back from the public or private street right-of-way. The required setback distance for all signs other than residential identification signs shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the street right-of-way.
2. **Side Yard.** Side yard setbacks for signs shall be the same as that required for the main structure or building, ~~provided that all non-residential signs shall be setback at least one-hundred (100) feet from any residential district.~~
3. **Setback from Residential District.** All signs in commercial and industrial districts that require a permit as set forth in this Article shall be set back at least 100 feet from any residential district.

D. Clear Vision Zone.

1.-Sight Distance at Intersection of Public Roads.

In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of two (2) feet and six (6) feet within a triangular area measured twenty-five (25) feet back from intersection of public road rights of way.

2. Sight Distance at Intersection of Public and Private Roads.

At the intersection of a public road and a private road or driveway, the clear vision zones shall consist of triangular areas defined by the street setback line, the access easement line (or edge of driveway pavement where no easement is provided), and a line connecting two points located on these lines set back a distance of ten (10) feet from their point of intersection.

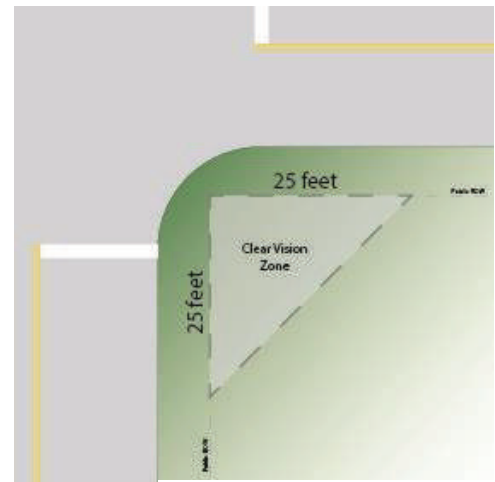


Figure X: Clear Vision Zone

3.-Additional Sight Distance Requirements. Greater clear vision areas may be required by the Michigan Department of Transportation or the Livingston County Road Commission in particular areas

4. Obstruction of Regulatory Signage. Signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic control devices or street signs.

E. Sign Materials (no change)

F. Sign Appearance. It is the intent of this Ordinance to require signs to be in harmony with the building color and architecture. ~~Established company logos are exempt from color limitations. An established company logo is one that has historically been used as a symbol representing the company.~~ For the purposes of this regulation, black and white shall be considered colors.

Lettering style shall be clean and simple to assure readability and shall be in harmony with the style of architecture of the building. No more than two (2) different fonts shall be used on each sign.

While separately owned businesses occupying a single building on a single parcel of land (such as a multi-tenant building, business center or shopping center) use individual wall signs, all such signs on the building or within the center shall be of a common style, e.g., individual freestanding letters shall be utilized with other signs composed of individual freestanding letters.

G. Illumination and Changeable Copy.

1. External illumination and shielding. Illuminated signs shall be directed or shaded such that no direct ray from the ~~light source is visible to~~ illumination shall be of such intensity or brilliance, so as to interfere with the vision of motor vehicle drivers on the adjacent streets or of adjacent property owners. ~~LED and similar digital electronic signage shall be equipped with a dimmer and programmed to respond to day and night light levels.~~ The use of colored lights which might be confused with traffic signals will not be permitted. ~~Underground wiring shall be required for all illuminated signs not attached to a building.~~

2. Internal illumination. Signs that are illuminated internally must not produce light levels measuring more than 0.5 footcandles at any residential property line or 1.0 footcandles at any nonresidential property line, measured five (5) feet above the ground.

3. Electronic Message Center (EMC) Signs. Signs with the ability to change messages by electronic means must be displayed and updated in the following manner:

- a. **Frequency.** The message of a sign with the ability to change copy shall not change more frequently than once every fifteen (15) seconds.
- b. **Manner of Display Change.** The changing of a message on an EMC sign must be achieved without visual effects, with a transition period of not more than one (1) second. Video, animation, scrolling, fading, pulsing, blinking and other similar effects are prohibited.
- c. **Size.** The area of an EMC sign shall be included in the maximum sign area permitted for the sign type in the district in which it is located. The changeable message area must not exceed eighty percent (80%) of the sign area on which it is located, as provided by this Ordinance.
- d. **Sign Type.** EMC signs are only permitted as a part of freestanding signs.
- e. **Districts Permitted.** EMC signs are permitted in the following Zoning Districts: B1, B2, EI, ES, M-1, M-2, OS, PCI, PCS, PIRO, and ROM.

4. Supply of Power. Underground wiring shall be required for all illuminated and changeable copy signs not attached to the building.

H. Construction and Maintenance. Every sign shall be constructed and maintained in a manner consistent with the building code provisions and maintained in good structural and aesthetic condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal parts and supports. ~~As determined by the Zoning Administrator, signs that are not adequately maintained will be considered obsolete.~~

I. **Sign Safety.** All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they shall be able to withstand wind pressure sufficient to meet Livingston County Building Code requirements. All signs, including any cables, guy wires or supports shall have a minimum clearance of four (4) feet from any electric fixture, street light or other public utility pole or standard.

As determined by the Zoning Administrator, signs that are not deemed safe for persons on site or for the general public will be considered obsolete.

J. **General Standards.** The number, display area and height of signs within the various zoning districts are provided in Table 27.2 and its accompanying footnotes. ~~Some additional standards for specific types of signs are given below:~~

1. ~~**Canopy Signs.** May be used as an alternative to wall signs and may project a maximum of six (6) feet from the edge of the building, measured horizontally parallel to the ground. Any sign area on the canopy shall be included in calculations of maximum wall sign square footage.~~
2. ~~**Wall Signs.** Signs shall not project beyond or overhang the wall or any permanent architectural feature by more than one (1) foot and shall not project above the building facade to which it is attached.~~

K. ~~**Non-Commercial Messages.** Anything in this Article to the contrary notwithstanding, a sign structure permitted in this Article as an on-premises advertising sign or an off-premises advertising sign may contain a non-commercial message.~~

Article 27, Section 27.07 Prohibited Signs

This section will be amended as follows:

A. **Prohibited Sign Types.** The following sign types shall be prohibited in any district in the Township:

1. ~~**Commercial Vehicles or Construction Trailers Used as**~~ **Vehicle Signs:** No commercial vehicle or construction trailer may be parked ~~vehicle signs are permitted on any residential lot, business premises commercial lot~~ or an industrial lot for a time period exceeding forty-eight (48) hours for the intended purpose, as determined by the Zoning Administrator, of advertising a product or serving as a business sign.
2. ~~**Home Occupation Vehicles:** Vehicles identifying or advertising an approved home occupation shall not be parked in the front yard of the lot or home site.~~
3. ~~**Exterior String Lights:** Used in connection with a commercial enterprise, other than holiday decorations which are strung no more than sixty four (64) days before the holiday and removed within ten (10) days following the holiday for which they were erected. Temporary use of exterior string lights to light Christmas tree lots shall be permitted for a period not to exceed 6 weeks.~~ **Exterior string lights are prohibited in the following districts, except as expressly permitted in Section 11, Temporary Signs: B1, B2, EI, ES, M1, M2, OS, PCI, PCS, PIRO, ROM, and PUD where residential uses are not permitted.**
4. ~~**Non-regulatory Signs:** Placed in any public right-of-way, attached to a utility pole or affixed to a tree.~~

5. **Off-premises Signs:** Unless otherwise specifically provided for in this ordinance or covered under the State Highway Act.
6. **Portable Signs:** ~~Except when approved by the Township for grand openings or special public events unless otherwise provided for in this ordinance.~~ **Portable signs are prohibited, except as expressly permitted in Section 27.11, Temporary Signs.**
7. **Signs Having Moving Members** or parts, excluding barber poles and electronic time/temperature signs which do not contain business messages. Also prohibited is any sign which revolves or has any scrolling message, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic pulsations, or by mechanical means, including intermittent electrical pulsations, or by action of normal wind currents.
8. **Changeable Copy.** No sign or portion(s) of a sign(s) shall have a message or messages that change more frequently than one time **every 15 seconds.** **The changing of a message or copy must be achieved without visual effects, with a transition period of not more than one (1) second** ~~in one (1) minute except for permitted necessary changes to a time/temperature sign.~~
9. **Signs using high intensity lights** or flashing lights, intermittent illumination spinners or animated devices.
10. **Signs which obstruct vision** or impair the vision of motorists or non-motorized travelers ~~at any intersection, driveway, within a parking lot or loading area.~~
11. **Signs which simulate** or could in any way be confused with the lighting of emergency vehicles or traffic signals.
12. **Home occupation signs:** Signs identifying home occupations are not permitted.
13. **Roof signs** shall not be permitted.
14. **Obsolete Signs:** Any sign that has become obsolete for any of the reasons identified in this Article.
15. ~~Any sign structure or frame no longer supporting or containing a sign relating to an activity, business, or usage on the premises which has been discontinued for 180 days or longer.~~ **Obsolete Sign Frames or Structures:** Any sign structure or frame that has not supported or contained a permitted sign for more than 180 days.
16. **Projecting Signs:** Signs which project from the façade of the building by more than eighteen (18) inches or hang below an overhang or canopy are not permitted.

B. Prohibited Sign Locations. Signs shall not be permitted at the following locations:

1. **Roof signs:** Signs on the roof of a structure, or extending above the eave, roof line, or parapet of a building.
2. **Signs That Obstruct Clear Vision:** Signs that are placed in a manner that may impair or restrict the vision of motorists or non-motorized travelers at any intersection, driveway, or within a parking lot or loading area.
3. **Off-premises Signs:** Unless otherwise specifically provided for in this ordinance or covered under the State Highway Act.
4. **Signs in the Right-of-Way:** Signs located in the public right-of-way without authorization from the owner or governing body of the right-of-way.
5. **Signs on Site Elements:** Signs placed on benches, regulatory signage, utility poles, construction signage, fences, trees, or other natural or manmade objects.

Article 27, Section 27.08 Administration and Appeals of the Sign Ordinance Standards

This will be a newly created section that will read as follows:

A. Administration. The regulations of this section shall be administered and enforced by the Zoning Administrator. **Violations to the sign ordinance shall be enforced through the provisions provided in Section 30.13 of the Zoning Ordinance and the Civil Infractions Ordinance, Ordinance 39B, as amended.**

In the event that an illegal sign creates potentially hazardous conditions, including, but not limited to, unpermitted placement in a road right-of-way, immediate action shall be taken by the Zoning Administrator, other Township officials, staff, designees, or capable contractors to remove illegal signs. All costs incurred in removing illegal signs, such as contractor fees, labor value of Township employees, and material costs, shall be logged and compiled; minimum removal cost per sign is \$100 to cover mobilization, time, and materials. Costs shall be charged to the violator in accordance with the Township's Civil Infractions Ordinance."

Article 27, Section 27.08 Signs Permitted in Residential Districts

This will be a newly created section within Article 27 that will read as follows:

A. Districts Permitted. For the purposes of this Article, the following Zoning Districts will be considered residential: CDO, FR, LK1, MHP, OSP, R1, R2, RE, RM1, and PUD when the underlying district is residential.

B. Signs Permitted with Permit. The following sign types will be permitted provided that all other standards of this Article are met and a land use permit for the sign has been obtained from the Zoning Administrator:

1. **Freestanding and Monument Signs for Non-Residential Use:** One (1) freestanding or monument sign may be installed for permitted non-residential uses in a residential district.
 - i. Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area.
 - ii. Bonus.** A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.
2. **Shared Monument Signs for Residential Use:** One (1) monument sign may be permitted in a residential district for a group of five (5) or more residential units.
 - i. Location.** A monument sign for must be located on property under common ownership, use, or maintenance. Further, the sign must be located within 200 feet of the common point of vehicular entry.
 - ii. Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height, except in the MHP, R1, and R2 Districts, where the sign may be up to 64 square feet in size and six (6) feet in height. Two signs in a "wingwall" arrangement facing opposite directions may be permitted by the Planning Commission in cases where it is demonstrated that a single two-sided sign could not be seen by approaching traffic from both directions on a single road. If

the Planning Commission approves wing-wall signs, the total combined area of the two signs shall not exceed forty-eight (48) square feet, or sixty-four (64) square feet in the MHP, R1, and R2 Districts. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area.

iii. Bonus. A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.

3. **Wall Signs:** An non-residential use lawfully located in a residential district may have a wall sign not exceeding 10% of the front building façade, or 48 square feet, whichever is greater.

C. Signs Allowed without a Permit. Signs permitted without a permit in residential districts include signs that are regulated in Section 27.07, Signs Permitted without Permit in All Districts.

D. Temporary Signs. Signs Permitted without a permit in residential districts include signs that are regulated in Section 27.11, Temporary Signs.

Staff comments: The new section primarily establishes the number of signs permitted and the dimensional requirements for signs in this district.

Article 27, Section 27.09 Signs Permitted in Commercial Districts

This will be a newly created section within Article 27 that will read as follows:

A. Districts Permitted. For the purposes of this Article, the following Zoning Districts will be considered commercial: B1, B2, ES, OS, PCI, PCS, and PUD when the underlying district is commercial.

B. Signs Permitted with Permit. The following sign types will be permitted provided that all other standards of this Article are met and a land use permit for the sign has been obtained from the Zoning Administrator:

1. Freestanding and Monument Signs: One (1) freestanding or monument sign may be permitted per parcel in a commercial district.

ii. Location. Signs must be set back at least ten (10) feet from all road right-of-way lines.

iii. Dimensions. Signs may not exceed 48 square feet in area and six (6) feet in height. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area. The maximum height for freestanding signs oriented to and visible from U.S. Highway 23 may be increased to fourteen (14) feet.

iv. Bonus. A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.

2. Shared Monument Signs: Where individual freestanding or monument signs are not utilized, one (1) monument sign may be permitted in a commercial district for a group of

two (2) or more residential units, commercial units, or a combination of permitted unit types.

- i.* **Location.** Signs must be set back at least ten (10) feet from all road right-of-way lines. A monument sign for a group of units must be located on property under common ownership, use, or maintenance. Further, the sign must be located within 200 feet of the common point of vehicular entry.
- ii.* **Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height. Two signs in a "wingwall" arrangement facing opposite directions may be permitted by the Planning Commission in cases where it is demonstrated that a single two-sided sign could not be seen by approaching traffic from both directions on a single road. If the Planning Commission approves wing-wall signs, the total combined area of the two signs shall not exceed forty-eight (48) square feet.
- iii.* **Bonus.** A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.

3. Canopy Signs: The total sign area on a canopy must not exceed 10% of the surface area of the principle building façade or 48 square feet, whichever is greater. The permitted sign area for canopy signs may be divided into three (3) distinct message areas when displayed on the same canopy. Canopy signs are not permitted in combination with a wall sign.

4. Wall Signs: The total sign area of a wall sign must not exceed 10% of the surface area of the front building façade for each tenant occupying space, or 48 square feet, whichever is greater. One (1) wall sign is permitted per tenant. Wall signs are not permitted in combination with a canopy sign.

5. Drive-thru Signs: Drive-thru signs are permitted in the B2 and ES districts where the permitted use includes drive-thru or drive-up functions. Two (2) drive-thru signs are permitted per parcel, when each sign does not exceed 32 square feet in area and six (6) feet in height. Drive-thru signs are not permitted in the front yard.

6. Off-premises Signs: Off-premises signs, except as otherwise specifically provided herein, are permitted only in the PCI, PIRO, M-1, M-2, and ROM districts, provided that such signs are located not less than one-thousand three-hundred and twenty (1,320) feet from all federal and state highway rights-of-way, and shall not be located within one-thousand (1,000) feet of residentially zoned land. Billboard signs must be separated by at least four thousand (4,000) feet from all other billboard signs. Billboard signs shall be limited to an area of one-hundred and sixty (160) square feet and to a height of twenty (20) feet. Provided further that such signs are regulated by the Highway Advertising Act, Public Act 106 of 1972, as amended.

C. Signs Allowed without a Permit. Signs permitted without a permit in commercial districts include signs that are regulated in Section 27.07, Signs Permitted without Permit in All Districts.

1. Window Signs: Permanent window signs, in combination with temporary window signs, are permitted to cover 25% of the total window area of a building.

2. Outline Light Signs: Non-residential uses in a commercial district are permitted one (1) outline light sign, not to exceed six (6) square feet in area. String lights, neon lights,

LED lights, or any similar form of light will be limited to the dimensional standards of signs in this Article.

D. Temporary Signs. Signs Permitted without a permit in a commercial district include signs that are regulated in Section 27.11, Temporary Signs.

Staff comments: Again, this newly created section has been created to address the number of signs and the dimensional requirements of signage in this specific district.

Article 27, Section 27.10 Signs Permitted in Industrial Districts

This will be a newly created section within Article 27 and will read as follows:

A. Districts Permitted. For the purposes of this Article, the following Zoning Districts will be considered industrial: EI, M-1, M-2, PIRO, ROM, and PUD when the underlying district is industrial.

B. Signs Permitted with Permit. The following sign types will be permitted provided that all other standards of this Article are met and a land use permit for the sign has been obtained from the Zoning Administrator:

1. Freestanding and Monument Signs: One (1) freestanding or monument sign may be permitted per parcel in an industrial district for non-residential uses.

i. Dimensions. Signs may not exceed 48 square feet in area and six (6) feet in height. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area. The maximum height for freestanding signs oriented to and visible from U.S. Highway 23 may be increased to fourteen (14) feet.

ii. Bonus. A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.

2. Shared Monument Signs: Where individual freestanding or monument signs are not utilized, one (1) monument sign may be permitted in the M-1, M-2, PIRO, and ROM districts for a group of two (2) or more industrial units, commercial units, or a combination of permitted unit types.

i. Location. A monument sign for a group of units must be located on property under common ownership, use, or maintenance. Further, the sign must be located within 200 feet of the common point of vehicular entry.

ii. Dimensions. Signs may not exceed 48 square feet in area and six (6) feet in height. Two signs in a "wingwall" arrangement facing opposite directions may be permitted by the Planning Commission in cases where it is demonstrated that a single two-sided sign could not be seen by approaching traffic from both directions on a single road. If the Planning Commission approves wing-wall signs, the total combined area of the two signs shall not exceed forty-eight (48) square feet.

iii. Bonus. A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.

3. **Wall Signs:** The total sign area of a wall sign must not exceed 10% of the surface area of the front building façade for each tenant occupying space, or 48 square feet, whichever is greater. One (1) wall sign is permitted per tenant.
4. **Off-premises Signs:** Off-premises signs, except as otherwise specifically provided herein, are permitted only in the PCI, PIRO, M-1, M-2, and ROM districts, provided that such signs are located not less than one-thousand three-hundred and twenty (1,320) feet from all federal and state highway rights-of-way, and shall not be located within one-thousand (1,000) feet of residentially zoned land. Billboard signs must be separated by at least four thousand (4,000) feet from all other billboard signs. Billboard signs shall be limited to an area of one-hundred and sixty (160) square feet and to a height of twenty (20) feet. Provided further that such signs are regulated by the Highway Advertising Act, Public Act 106 of 1972, as amended.

C. Signs Allowed without a Permit. Signs permitted without a permit in industrial districts include signs that are regulated in Section 27.07, Signs Permitted Without Permit in All Districts.

1. **Window Signs:** Permanent window signs, in combination with temporary window signs, are permitted to cover 25% of the total window area of a building.
2. **Outline Light Signs:** Non-residential uses in an industrial district are permitted one (1) outline light sign, not to exceed six (6) square feet in area. String lights, neon lights, LED lights, or any similar form of light will be limited to the dimensional standards of signs in this Article.

D. Temporary Signs. Signs Permitted without a permit in an industrial district include signs that are regulated in Section 27.11, Temporary Signs.

Staff comments: The number of signs and the dimensional regulations are again the primary changes that are being created with this new section.

Article 27, Section 27.13 Nonconforming Signs

This will be a newly created section within Article 27 and will read as follows:

SECTION 27.13. NONCONFORMING SIGNS.

- A. Any legal sign existing at the time of adoption of this Ordinance, which does not comply with all provisions contained herein shall be considered a nonconforming sign and may be permitted to continue, subject to the limitations contained in this article, which limitations shall include those placed on obsolete signs.
- B. If a non-conforming sign structure and frame are in good condition and can be reused by a new occupant in a leased or rented building, the building owner shall not be required to remove the sign structure and frame in the interim periods when the building is not occupied. If the building is unoccupied for less than 30 days the previous business' sign information may be retained. If the building is unoccupied for more than 30 days, the previous business' sign information must be removed. In such cases, the sign must be maintained in good condition and any openings must be covered with appropriate panels.
- C. Nonconforming signs which are removed, blown down, destroyed, relocated, damaged or altered such that 50% of their replacement value is lost, shall be required to be replaced with signs that conform to this Ordinance.

- D. In no case shall a sign erected without a permit or which otherwise does not comply with the law at the time of its erection acquire nonconforming status.
- E. Any alteration, modification or reconstruction permitted in this section shall be limited to the replacement of a sign copy, replacing individual letters and logos within the same area or repainting a sign face, and does not permit changes to the structure, framing, erection, or relocation of the sign unless such changes conform to the current provisions of this article.

Staff comments: Non-conforming signage will be allowed to continue subject to the provisions of this section that allow only for the replacement of the message of the sign and not the structure.

The Township has taken a proactive approach in establishing regulations that meet the intent of the referenced U.S. Supreme Court cases that include how to regulate commercial and noncommercial messages on signage (Metromedia v. San Diego), determining when restrictions on commercial speech violate the First Amendment of the United States Constitution (Central Hudson Gas & Electric v. Public Service Commission), and when municipalities may impose content related restrictions on signage with the clarification of scrutiny (Reed v. Gilbert). We believe the sign regulations proposed are appropriate for the Township, but caution that any sign language proposed by any township should undergo a legal review to ensure unforeseen issues with any amendments.

TOWNSHIP PLANNING COMMISSION RECOMMENDATION: APPROVAL. There were no comments at the August 13, 2019 public hearing on the proposed text amendments.

RECOMMENDATION: APPROVAL. The proposed sign amendments are reasonable and appropriate.

Sign Ordinance Amendments

1. **AMEND OR ADD THE FOLLOWING DEFINITIONS TO SECTION 27.00, PURPOSE AND INTENT:**

5. Principal Intent. ~~Recognize that the principal intent of commercial signs, to meet the purpose of these standards and serve the public interest, should be for identification of an establishment on the premises, and not for advertising special events, brand names or off-premises activities, as these can be advertised more appropriately by other methods.~~

8. Public Right. Protect the public right to display and receive messages, especially non-commercial messages such as religious, political, economic, social, philosophical and other types of information protected by the First Amendment of the U.S. Constitution.

9. Conflicts. ~~Prevent off-premises signs from conflicting with land uses.~~

11. Portable and Temporary Signs. Restrict the use of portable ~~commercial signs for use only to announce a grand opening or a specific public noncommercial event~~ and temporary signs in recognition of the significant negative impact on traffic safety and aesthetics caused by a proliferation or more frequent use of such signs.

12. Messages. In consideration of this Article, Tyrone Township recognizes the Supreme Court's ruling in 2015 in *Reed v. Town of Gilbert, Arizona*, in which the majority opinion found that content-based sign regulations would not survive the strict scrutiny standard because the regulation was not narrowly tailored to a governmental interest. Further, the Township recognizes the Supreme Court's ruling from 1981 in *Metromedia, Inc. v. City of San Diego*, in which the majority opinion concluded that a government could distinguish between commercial and non-commercial speech when regulating signs. Finally, Tyrone Township recognizes the opinion of the Supreme Court in *Hudson Gas & Electric Corp. v. Public Service Comm'n* in 1980, which held that the Constitution provides lesser protections for commercial speech than to other constitutionally guaranteed forms of expression.

Based on the opinions of the above-mentioned U.S. Supreme Court rulings, it is Tyrone Township's intent to provide regulations which are free from content-based restrictions to the extent feasible while still maintaining the character and sensibilities as outlined in the Master Plan. It is further the intent of Tyrone Township to provide regulations which distinguish between commercial and non-commercial speech only when necessary. Finally, it is the intent of the Township to permit all forms of non-commercial speech wherever any sign is permitted by this Ordinance, as long as the message is not lewd or injurious to the community or its citizens.

2. **CREATE NEW SECTION, SEVERABILITY:**

This Article and the various sections, subsections, paragraphs, and clauses herein are hereby declared severable. If any section, subsection, paragraph, sentence, phrase, clause, term, or word of this chapter is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected by the judgement.

3. **CREATE NEW SECTION, SUBSTITUTION:**

Any lawful commercial sign permitted under the provisions of this Ordinance may contain a noncommercial message.

2. **REMOVE THE FOLLOWING DEFINITIONS FROM SECTION 27.01, DEFINITIONS:**

Accessory Sign. A sign that pertains to the principal or accessory use of the premises upon which such sign is located.

Business Center. A grouping of two or more business establishments on one or more parcels of land which may share parking and access and are linked architecturally or otherwise present the appearance of a unified grouping of businesses. A business center shall be considered one use for the purposes of determination of the maximum number of freestanding signs. A vehicle dealership shall be considered a business center regardless of the number or type of models or makes available, however, used auto/truck sales shall be considered a separate use in determining the maximum number of freestanding signs, provided that the used sales section of the lot includes at least twenty-five percent (25%) of the available exterior sales area.

Business Sign. A sign advertising the name, services, goods or any other aspect or feature of a commercial business.




Community or Development Identification Sign. A sign placed at or near the entrance to a unified residential or non-residential project consisting of at least five (5) dwelling units (or 3 acres in the case of a non-residential project) and displaying the name of that residential community or other unified development such as a college, an apartment complex, condominium community, senior housing complex, manufactured home park or similar use, excluding business centers.




Noncommercial Sign. A sign that contains non-commercial messages such as designation of public telephones, restrooms, restrictions on smoking, political or religious philosophy or opinion.

Real Estate Development Sign. A sign located at the entrance of a residential development under construction, listing the name of the project developers, contractors, engineer and architects, the name of the development and general information, such as the number and types of units to be built, price range and similar data.




Temporary Grand Opening Sign. A temporary sign used to announce the grand opening of businesses which are new to a particular location or under new ownership.




3. AMEND AND FORMAT THE REMAINING AND NEW DEFINITIONS IN SECTION 27.01, DEFINITIONS (replace photos with appropriate local photos):

Sign Type	Sign Description	Example Signs
<p>Animated Sign</p>	<p>A sign that has any visible moving part, either constantly or at intervals; flashing, sparkling, intermittent, or osculating lights; visible mechanical movement of any description; or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance to depict action, create an image of a living creature or person, or create a special effect or scene.</p>	
<p>Awning Sign</p>	<p>A permanent sign painted or screen-printed on the exterior surface of an awning.</p>	
<p>Banner Sign</p>	<p>A temporary sign on fabric, plastic or other non-rigid material without an enclosing structural framework that is attached flat to a wall or temporarily to a permanent sign face.</p>	

Sign Type	Sign Description	Example Signs
Billboard	A type of <u>freestanding</u> sign, generally characterized by immense size and located near high-traffic roads.	
Bulletin Board Sign	A wall or freestanding sign, no larger than <u>6 square feet in area, that provides area(s) for manually changeable messages.</u>	
Canopy Sign	A <u>permanent sign that is displayed on a non-rigid fabric marquee or awning-type structure which is attached to the building by supporting framework.</u>	






<p>Changeable Copy Sign</p>	<p><u>A permanent sign or portion of a permanent sign on which the copy or symbols change either automatically through electrical, electronic, or manual means.</u></p>	
<p>Construction Sign</p>	<p><u>A type of temporary sign.</u></p>	
<p>Directional Sign</p>	<p><u>A type of regulatory sign.</u></p>	





<p>Festoon</p>	<p><u>A temporary string of ribbons, tinsel, small flags, pinwheels, lights or similar.</u></p>	
<p>Flag</p>	<p><u>A sign on paper, cloth, fabric or other flexible material that is attached to a permanent pole or attached flat to a wall.</u></p>	
<p>Freestanding Sign</p>	<p><u>A sign which is attached to the ground and which stands free, unattached to any building or structure.</u></p>	
<p>Electronic Message Center (EMC) Sign</p>	<p><u>A sign, or part of a sign, that changes content by a method other than physically removing and replacing the sign or its components. EMCs often incorporate rotating panels, LED light arrays, or other similar methods or technologies that permit a sign face to display different content through electronic input.</u></p>	




<p>Historical Marker</p>	<p><u>A sign, plaque, or similar marker that describes a locally-, state-, or nationally-recognized site or structure, including a centennial farm.</u></p>	
<p>Inflatable Sign</p>	<p><u>Any air-filled or gas-filled object tethered to a fixed location and used as a means of directing attention.</u></p>	
<p>Monument Sign</p>	<p>A freestanding sign which has a solid supporting base equal to or greater than the width of the sign face constructed of a decorative and durable material, and which shall have no separation between the sign face and base. The supporting base shall have a minimum 24 inch vertical height.</p>	





<p>Mural Sign</p>	<p>A <u>wall sign</u> painted or drawn on the exterior surface of a structure.</p>	
<p>Nameplate Sign</p>	<p>A <u>small wall sign</u> identifying the name of the occupant and/or street address.</p>	
<p>Off-Premises Sign</p>	<p>A sign which identifies a use <u>or occupant</u>, or advertises products and services not available on the site or parcel on which the sign is located.</p>	

<p>On-Premises Sign</p>	<p>A sign <u>identifying</u> a business, <u>owner</u>, <u>occupant</u>, service or product sold or produced on the same site or parcel.</p>	
<p>Outline Light Sign</p>	<p>A sign consisting of illuminated tubing, strings of lights, or lights displayed in <u>sequence</u>, intended to display, enframe, denote, or enhance a message.</p>	
<p>Pole Sign</p>	<p>A freestanding sign supported on the ground by a pole or posts, and not attached to any building or other structure.</p>	
<p>Political Sign</p>	<p>A type of temporary sign.</p>	

<p>Portable Sign</p>	<p>A sign designed to be moved from place to place, whether or not it is permanently attached to the ground or structure. This includes hot-air and gas filled balloons, sandwich boards, banners, pennants, streamers, festoons, ribbons, tinsel, pinwheels, flags and searchlights.</p>	 
<p>Projecting Sign</p>	<p>A sign, other than a wall sign, that is affixed to any building or wall and whose leading edge extends more than eighteen (18) inches beyond such building or wall.</p>	
<p>Real Estate Sign</p>	<p>A temporary sign advertising a property or structures' availability for sale, lease, or rent.</p>	 

<p>Regulatory Sign</p>	<p><u>Signs erected in compliance with Michigan Manual of Uniform Traffic Control Devices Manual and other signs erected to ensure public health, safety, and welfare. Regulatory signs include signs erected for compliance with the Michigan Barrier-Free Design Code and the Americans with Disabilities Act.</u></p>	 
<p>Roof Sign</p>	<p>A sign mounted on the roof of a building, lying either flat against the roof or upright at an angle to the roof pitch. For purposes of this section, any architectural element which is used on the wall of a structure to give the appearance of a roof line similar to a mansard, gambrel or other roof type, shall be considered as a roof. A vertical plane or fascia which is attached to and located below the angled plane of a sloped roof and which is less than 6 inches in height shall be considered part of the roof.</p>	 

<p>Sandwich Board Sign</p>	<p><u>A portable temporary sign that is freestanding and not permanently anchored or secured to either a building, structure or the ground. Often referred to as “sidewalk signs”, sandwich board signs include but are not limited to so called “A” frame, “T” shaped, or inverted “T” shaped stands.</u></p>	
<p>Sign</p>	<p>A display, message, illustration, depiction, or symbol affixed to, painted on, erected, or presented on a building or other interior or exterior surface which is designed to direct or attract attention to a message from persons outside of a property’s boundaries. For purposes of this article, the term “sign” does not include signs that, by virtue of their size or location, are not likely to attract the attention of those outside the property’s boundaries.</p>	
<p>Shared Sign</p>	<p><u>A sign used by a grouped use or group of uses.</u></p>	
<p>Street Sign</p>	<p><u>A type of regulatory sign.</u></p>	

<p>Temporary Sign</p>	<p>A banner or other sign, with or without a structural frame, <u>designed, placed, and intended for a limited period of display, but not including accessory signs otherwise specifically defined herein.</u></p>	
<p>Vehicle Sign</p>	<p><u>A sign larger than three (3) square feet attached to, printed on, painted on, pulled by, or similarly displayed on or in a vehicle or an object pushed or pulled by a vehicle.</u></p>	 
<p>Wall Sign</p>	<p>A sign placed flat on a building or extending from the building <u>no more than eighteen (18) inches.</u></p>	

<p>Window Sign</p>	<p>A sign placed within the glass area of a window pane, <u>either inside or outside of the building.</u></p>	
<p>Yard Sign</p>	<p>A temporary sign that is freestanding and <u>temporarily anchored or secured to the ground.</u></p>	

4. REMOVE SECTION 27.02, PERMITTED BUSINESS SIGNS (TO BE INTEGRATED INTO 'SIGNS PERMITTED IN COMMERCIAL DISTRICTS' AND 'SIGNS PERMITTED IN INDUSTRIAL DISTRICTS').

5. REMOVE SECTION 27.03, OTHER SIGNS, PERMIT REQUIRED (TO BE INTEGRATED INTO 'SIGNS PERMITTED IN RESIDENTIAL DISTRICTS,' 'SIGNS PERMITTED IN COMMERCIAL DISTRICTS,' AND 'SIGNS PERMITTED IN INDUSTRIAL DISTRICTS').

6. AMEND SECTION 27.04, TEMPORARY SIGNS – PERMIT REQUIRED:

SECTION 27.04 TEMPORARY SIGNS – PERMIT REQUIRED

A. The following temporary signs are permitted in any district, provided that all other standards of this article are met and a land use permit for the sign has been obtained from the Zoning Administrator: Temporary signs are permitted in accordance with Table 27.1, Temporary Sign Standards.

1. ~~**Temporary Grand Opening Signs:** One temporary grand opening sign shall be permitted on a site for a period not to exceed fourteen (14) days for those businesses which are new to a particular location. A business shall only be allowed to use a temporary grand opening sign once during its stay at the same location or have new owners; this does not apply to new operators or management. The sign shall be no larger than forty-eight (48) square feet in surface display area per side and shall not exceed six (6) feet in height. Temporary portable signs, including trailer signs, complying with these restrictions are permitted during the temporary sign period. Wind-blown devices, such as pennants, spinners, search lights and streamers shall also be allowed on the site of the business advertising a grand opening for the fourteen-day time period designated for the grand opening sign.~~

- ~~2. **Real Estate Signs, Non-Residential:** Advertising the sale, rent or lease of real estate other than a single or multiple family structure or lot placed upon the premises and exceeding an area of sixteen (16) square feet.~~

7. **AMEND SECTION 27.05, OTHER SIGNS – NO PERMIT REQUIRED:**

SECTION 27.05 OTHER SIGNS – NO PERMIT REQUIRED – SIGNS PERMITTED WITHOUT PERMIT IN ALL DISTRICTS

- A. The following signs are permitted in any district provided that all other standards of this article are met. A land use permit from the Zoning Administrator is not required.
 1. ~~**Residential Identification Nameplate Signs:**~~ (no change)
 2. **Flags:** Examples of flags include, but are not limited to, decorative flags or flags with the insignia of a nation, state, community organization, college, university or corporation. The size, content, coloring or manner of illumination of said flags or pennants shall not constitute a traffic or pedestrian hazard or impair vehicular or pedestrian traffic flow. The length of a flag shall not exceed ¼ the length of the pole from which it is displayed.
 3. ~~**Miscellaneous Signs:**~~ On vending machines, gas pumps, and ice containers indicating the contents or announcing on-premises sales, provided that the sign on each device does not exceed two (2) square feet in area.
 4. ~~**Model Signs:**~~ Temporary signs which do not exceed six (6) square feet in area, directing the public to a model home or unit.
 5. **Warning Signs:** Such as no trespassing, warning of electrical currents or animals, provided that such signs—One (1) incidental sign that does not exceed (12) square feet is permitted per parcel; if more than one (1) incidental sign is posted, each additional sign shall not exceed four (4) square feet and shall be spaced no closer than necessary to alert the public of the restriction. Signs required by law that exceed the size restrictions identified herein are permitted when installed in a manner that complies with the legal requirement.
 6. **Regulatory, Directional and Street Signs (Public):** Erected by a public agency in compliance with Michigan Manual of Uniform Traffic Control Devices Manual and other signs erected to comply with other governmental regulations. Regulatory signs include signs erected for compliance with the Michigan Barrier-Free Design Code and the Americans with Disabilities Act.
 7. ~~**Driveway Directional Signs Regulatory, Directional and Street Signs (Private):**~~ No more than one (1) private regulatory or directional sign shall be permitted within 200 feet of the road right-of-way per approved driveway, with a maximum sign area of 3square feet per sign, and a maximum height of three (3) feet. Where more than one sign is appropriate or desired, a land use permit shall be required. (Any area of a directional sign which includes a business name, symbol or logo shall be calculated as part of the allowable business sign square footage, as specified in Table 27.1.)
 8. ~~**Rental Office Directional Signs:**~~ Up to two (2) signs identifying or directing motorists to a rental or management office in a multiple family development, provided that such signs are a maximum of four (4) feet in height, are setback a minimum of ten (10) feet from any property line or public right-of way, and do not exceed three (3) square feet in area.
 9. ~~**Parking Lot Signs:**~~ Indicating restrictions on parking, when placed within a permitted parking lot, are a maximum of six (6) feet in height, and do not exceed six (6) square feet in area.

- ~~10. **Garage Sale and Estate Sale Signs:** Provided that they are not attached to public utility poles and do not exceed six (6) square feet in area; and that they are erected no more than ten (10) business days before the sale day and are removed within one (1) business day after the announced sale.~~
- ~~11. **Gas Station Pump Island Signs:** Located on the structural supports identifying "self-serve" and "full-serve" operations, provided that there is no business identification or advertising copy on such signs, that there are no more than two (2) such signs per pump island and that such signs do not exceed four (4) square feet in area.~~
12. **Historical Marker:** Plaques or signs describing state or national designation as an historic site or structure and/or containing narrative, not exceeding sixteen (16) square feet in area. One (1) historical marker is permitted per site, not to exceed 16 square feet in area. Where two or more recognized structures or features exist on the same site, one (1) additional sign not to exceed 16 square feet is permitted for each structure or feature.
13. **Integral Signs: (no change)**
14. **Non-commercial Signs:** Provided that such signs do not exceed two (2) square feet in area. Non-commercial messages are permitted on any sign permitted in this subsection.
15. **Political Signs:** Provided that the sign is placed with the permission of the owner. Such signs shall not be placed within the public street right of way line and the total size of such signs on a lot shall not exceed thirty two (32) square feet in area. Signs related to an election, shall be removed within ten (10) business days following the election for which they are erected, and must comply with all other State and Federal regulations as well.
16. **Real Estate Signs, Residential:** Advertising the sale, rent or lease of a single lot or multiple family structure or lot, placed upon the premises and not exceeding an area of eight (8) square feet.
17. **Handicapped Signs:** Erected in compliance with the Michigan Barrier Free Design Code and the Americans with Disabilities Act.
18. **Community Special Event Signs:** Provided they are approved by the Township Board or Township Supervisor.

8. AMEND TEXT AND ORGANIZATION OF SECTION 27.06, GENERAL STANDARDS FOR PERMITTED SIGNS:

A. The following standards shall apply to any sign allowed with or without a permit by this article.

B. **Allowable Sign Measurement.** Measurement of allowable sign area and height:

1. **Square Footage Sign Area.** The allowable area for signs shall be measured by calculating the square footage of the sign face as measured by enclosing the most protruding points or edges of a sign, including all messages, symbols and logos within a parallelogram or rectangle including any frame. Figures 19 through 23 illustrate the method to measure sign area.
2. **Sign Height.** The height of a sign located on the ground shall be measured from the lowest grade of the ground surface directly below the sign to the highest point of the sign, including the frame, posts, architectural elements, or aesthetic elements.
 - a. **Height of Raised Sign.** Sign height for a sign installed on a berm or raised platform is measured from the average natural grade adjacent to the berm or platform to the highest point of the

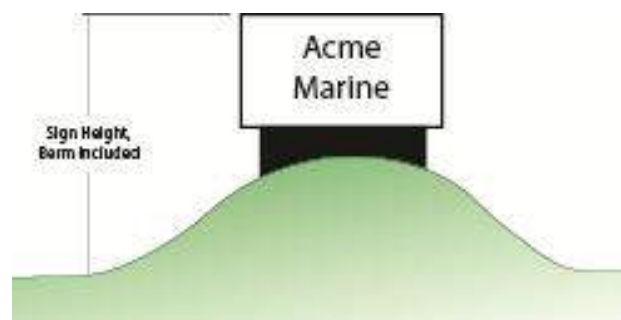


Figure X: Height of a Raised Sign

sign structure, including the frame, posts, architectural elements, or aesthetic elements.

3. **Signs with Two or More Faces.** Where a sign has two or more faces, the area of only the larger face shall be considered when calculating maximum size, provided all faces are part of the same structure, back-to-back, the same size, contain the same message and are separated by no more than two (2) feet.
4. **Total Wall Sign Measurement.** For purposes of calculating sign area allowed as a wall sign, the wall sign square footage shall be determined by measuring a parallelogram (box) which contains all messages, symbols and/or logos on the wall or canopy.

C. Sign Setbacks.

1. **Right-of-way.** All signs, unless otherwise permitted, shall be set back a minimum of ten (10) feet from any public or private street right-of-way line, except residential identification signs allowed by this article which are not required to be set back from the public or private street right-of-way. The required setback distance for all signs other than residential identification signs shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the street right-of-way.
2. **Side Yard.** Side yard setbacks for signs shall be the same as that required for the main structure or building, provided that all non-residential signs shall be setback at least one hundred (100) feet from any residential district.
3. **Setback from Residential District.** All signs in commercial and industrial districts that require a permit as set forth in this Article shall be set back at least 100 feet from any residential district.

D. Clear Vision Zone.

1. **Sight Distance at Intersection of Public Roads.** In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of two (2) feet and six (6) feet within a triangular area measured twenty-five (25) feet back from intersection of public road rights of way.
2. **Sight Distance at Intersection of Public and Private Roads.** At the intersection of a public road and a private road or driveway, the clear vision zones shall consist of triangular areas defined by the street setback line, the access easement line (or edge of driveway pavement where no easement is provided), and a line connecting two points located on these lines set back a distance of ten (10) feet from their point of intersection.
3. **Additional Sight Distance Requirements.** Greater clear vision areas may be required by the Michigan Department of Transportation or the Livingston County Road Commission in particular areas.
4. **Obstruction of Regulatory Signage.** Signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic control devices or street signs.

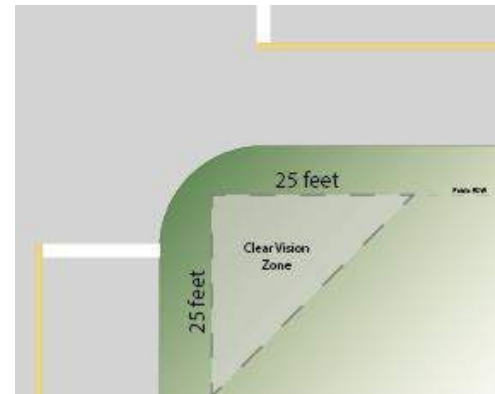


Figure X: Clear Vision Zone

E. Sign Materials. (no change)

- F. **Sign Appearance.** It is the intent of this Ordinance to require signs to be in harmony with the building color and architecture. ~~Established company logos are exempt from color limitations. An established company logo is one that has historically been used as a symbol representing the company.~~ For the purposes of this regulation, black and white shall be considered colors.

Lettering style shall be clean and simple to assure readability and shall be in harmony with the style of architecture of the building. No more than two (2) different fonts shall be used on each sign.

While separately owned businesses occupying a single building on a single parcel of land (such as a multi-tenant building, business center or shopping center) use individual wall signs, all such signs on the building or within the center shall be of a common style, e.g., individual freestanding letters shall be utilized with other signs composed of individual freestanding letters.

G. Illumination and Changeable Copy.

1. **External illumination and Shielding.** Illuminated signs shall be directed or shaded such that no direct ray from the light source is visible to illumination shall be of such intensity or brilliance, so as to interfere with the vision of motor vehicle drivers on the adjacent streets or of adjacent property owners. ~~LED and similar digital electronic signage shall be equipped with a dimmer and programmed to respond to day and night light levels.~~ The use of colored lights which might be confused with traffic signals will not be permitted. ~~Underground wiring shall be required for all illuminated signs not attached to a building.~~
2. **Internal Illumination.** Signs that are illuminated internally must not produce light levels measuring more than 0.5 footcandles at any residential property line or 1.0 footcandles at any nonresidential property line, measured five (5) feet above the ground.
3. **Electronic Message Center (EMC) Signs.** Signs with the ability to change messages by electronic means must be displayed and updated in the following manner:
 - a. **Frequency.** The message of a sign with the ability to change copy shall not change more frequently than once every fifteen (15) seconds.
 - b. **Manner of Display Change.** The changing of a message on an EMC sign must be achieved without visual effects, with a transition period of not more than one (1) second. Video, animation, scrolling, fading, pulsing, blinking and other similar effects are prohibited.
 - c. **Size.** The area of an EMC sign shall be included in the maximum sign area permitted for the sign type in the district in which it is located. The changeable message area must not exceed eighty percent (80%) of the sign area on which it is located, as provided by this Ordinance.
 - d. **Sign Type.** EMC signs are only permitted as a part of freestanding signs.
 - e. **Districts Permitted.** EMC signs are permitted in the following Zoning Districts: B1, B2, EI, ES, M-1, M-2, OS, PCI, PCS, PIRO, and ROM.
4. **Supply of Power.** Underground wiring shall be required for all illuminated and changeable copy signs not attached to a building.

- H. Construction and Maintenance.** Every sign shall be constructed and maintained in a manner consistent with the building code provisions and maintained in good structural and aesthetic condition at all times. All signs shall be kept neatly painted, stained, sealed or preserved including all metal parts and supports.

As determined by the Zoning Administrator, signs that are not adequately maintained will be considered obsolete.

- I. Sign Safety.** All signs erected, constructed, reconstructed, altered or moved shall be constructed in such a manner and of such materials so that they shall be able to withstand wind pressure sufficient to meet Livingston County Building Code requirements. All signs, including any cables, guy wires or supports shall have a minimum clearance of four (4) feet from any electric fixture, street light or other public utility pole or standard.

As determined by the Zoning Administrator, signs that are not deemed safe for persons on site or for the general public will be considered obsolete.

- J. General Standards.** The number, display area and height of signs within the various zoning districts are provided in Table 27.2 and its accompanying footnotes. Some additional standards for specific types of signs are given below:
1. **Canopy Signs.** May be used as an alternative to wall signs and may project a maximum of six (6) feet from the edge of the building, measured horizontally parallel to the ground. Any sign area on the canopy shall be included in calculations of maximum wall sign square footage.
 2. **Wall Signs.** Signs shall not project beyond or overhang the wall or any permanent architectural feature by more than one (1) foot and shall not project above the building facade to which it is attached.
- K. Non-Commercial Messages.** Anything in this Article to the contrary notwithstanding, a sign structure permitted in this Article as an on-premises advertising sign or an off-premises advertising sign may contain a non-commercial message.

9. AMEND SECTION 27.07, PROHIBITED SIGNS:

A. Prohibited Sign Types. The following signs types shall be prohibited in any district in the Township:

1. **Commercial Vehicles or Construction Trailers Used as Vehicle Signs:** No commercial vehicle or construction trailer may be parked vehicle signs are permitted on any residential lot, business premises commercial lot or an industrial lot for a time period exceeding forty-eight (48) hours for the intended purpose, as determined by the Zoning Administrator, of advertising a product or serving as a business sign.
2. **Home Occupation Vehicles:** Vehicles identifying or advertising an approved home occupation shall not be parked in the front yard of the lot or homesite.
3. **Exterior String Lights:** Used in connection with a commercial enterprise, other than holiday decorations which are strung no more than sixty-four (64) days before the holiday and removed within ten (10) days following the holiday for which they were erected. Temporary use of exterior string lights to light Christmas tree lots shall be permitted for a period not to exceed 6 weeks. Exterior string lights are prohibited in the following districts, except as expressly permitted in Section 11, Temporary Signs: B1, B2, EI, ES, M1, M2, OS, PCI, PCS, PIRO, ROM, and PUD where residential uses are not permitted.
4. **Non-regulatory Signs:** Placed in any public right of way, attached to a utility pole or affixed to a tree.
5. **Off-premises Signs:** Unless otherwise specifically provided for in this ordinance or covered under the State Highway Act.
6. **Portable Signs:** Except when approved by the Township for grand openings or special public events unless otherwise provided for in this ordinance. Portable signs are prohibited, except as expressly permitted in Section 27.11, Temporary Signs.
7. **Signs Having Moving Members** or parts, excluding barber poles and electronic time/temperature signs which do not contain business messages. Also prohibited is any sign which revolves or has any scrolling message, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic pulsations, or by mechanical means, including intermittent electrical pulsations, or by action of normal wind currents.
8. **Changeable Copy.** No sign or portion(s) of a sign(s) shall have a message or messages that change more frequently than one time every 15 seconds. The changing of a message or copy must be achieved without visual effects, with a transition period of not more than one (1) second, in 1 minute, except for permitted necessary changes to a time/temperature sign.
9. **Signs using high intensity lights** or flashing lights, intermittent illumination spinners or animated devices.

10. **Signs which obstruct vision** or impair the vision of motorists or non-motorized travelers, ~~at any intersection, driveway, within a parking lot or loading area.~~
11. **Signs which simulate** or could in any way be confused with the lighting of emergency vehicles or traffic signals.
12. **Home occupation signs:** Signs identifying home occupations are not permitted.
13. **Roof signs** shall not be permitted.
14. **Obsolete Signs:** Any sign that has become obsolete for any of the reasons identified in this Article.
15. ~~Any sign structure or frame no longer supporting or containing a sign relating to an activity, business or usage on the premises which has been discontinued for 180 days or longer.~~ **Obsolete Sign Frames or Structures:** Any sign structure or frame that has not supported or contained a permitted sign for more than 180 days.
16. **Projecting Signs:** Signs which project from the façade of the building by more than eighteen (18) inches or hang below an overhang or canopy are not permitted.

B. Prohibited Sign Locations. Signs shall not be permitted at the following locations:

1. **Roof signs:** Signs on the roof of a structure, or extending above the eave, roof line, or parapet of a building.
2. **Signs That Obstruct Clear Vision:** Signs that are placed in a manner that may impair or restrict the vision of motorists or non-motorized travelers at any intersection, driveway, or within a parking lot or loading area.
3. **Off-premises Signs:** Unless otherwise specifically provided for in this ordinance or covered under the State Highway Act.
4. **Signs in the Right-of-Way:** Signs located in the public right-of-way without authorization from the owner or governing body of the right-of-way.
5. **Signs on Site Elements:** Signs placed on benches, regulatory signage, utility poles, construction signage, fences, trees, or other natural or manmade objects.

10.

SECTION 27.08 ADMINISTRATION AND APPEALS OF THE SIGN ORDINANCE STANDARDS

A. Administration. The regulations of this section shall be administered and enforced by the Zoning Administrator. Violations to the sign ordinance shall be enforced through the provisions provided in Section 30.13 of the Zoning Ordinance and the Civil Infractions Ordinance, Ordinance 39B, as amended.

In the event that an illegal sign creates potentially hazardous conditions, including, but not limited to, unpermitted placement in a road right-of-way, immediate action shall be taken by the Zoning Administrator, other Township officials, staff, designees, or capable contractors to remove illegal signs. All costs incurred in removing illegal signs, such as contractor fees, labor value of Township employees, and material costs, shall be logged and compiled; minimum removal cost per sign is \$100 to cover mobilization, time, and materials. Costs shall be charged to the violator in accordance with the Township's Civil Infractions Ordinance."

B. Appeals. The Zoning Board of Appeals may, upon application by the property owner,

make reasonable adjustment in the size and location requirements for any sign provided that the criteria for such variances are met as required by Article 28.

11. CREATE NEW SECTION, SIGNS PERMITTED IN RESIDENTIAL DISTRICTS (ALL TEXT NEW OR RELOCATED TO THIS SECTION):

- A. **Districts Permitted.** For the purposes of this Article, the following Zoning Districts will be considered residential: CDO, FR, LK1, MHP, OSP, R1, R2, RE, RM1, and PUD when the underlying district is residential.
- B. **Signs Permitted with Permit.** The following sign types will be permitted provided that all other standards of this Article are met and a land use permit for the sign has been obtained from the Zoning Administrator:
1. **Freestanding and Monument Signs for Non-Residential Use:** One (1) freestanding or monument sign may be installed for permitted non-residential uses in a residential district.
 - i. **Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area.
 - ii. **Bonus.** A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.
 2. **Shared Monument Signs for Residential Use:** One (1) monument sign may be permitted in a residential district for a group of five (5) or more residential units.
 - i. **Location.** A monument sign for must be located on property under common ownership, use, or maintenance. Further, the sign must be located within 200 feet of the common point of vehicular entry.
 - ii. **Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height, except in the MHP, R1, and R2 Districts, where the sign may be up to 64 square feet in size and six (6) feet in height. Two signs in a "wingwall" arrangement facing opposite directions may be permitted by the Planning Commission in cases where it is demonstrated that a single two-sided sign could not be seen by approaching traffic from both directions on a single road. If the Planning Commission approves wing-wall signs, the total combined area of the two signs shall not exceed forty-eight (48) square feet, or sixty-four (64) square feet in the MHP, R1, and R2 Districts. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area.
 - iii. **Bonus.** A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.
 3. **Wall Signs:** An non-residential use lawfully located in a residential district may have a wall sign not exceeding 10% of the front building façade, or 48 square feet, whichever is greater.
- C. **Signs Allowed without a Permit.** Signs permitted without a permit in residential districts include signs that are regulated in Section 27.07, Signs Permitted without Permit in All Districts.
- D. **Temporary Signs.** Signs Permitted without a permit in residential districts include signs that are regulated in Section 27.11, Temporary Signs.

12. CREATE NEW SECTION, SIGNS PERMITTED IN COMMERCIAL DISTRICTS (ALL TEXT NEW OR RELOCATED TO THIS SECTION):

- A. Districts Permitted.** For the purposes of this Article, the following Zoning Districts will be considered commercial: B1, B2, ES, OS, PCI, PCS, and PUD when the underlying district is commercial.
- B. Signs Permitted with Permit.** The following sign types will be permitted provided that all other standards of this Article are met and a land use permit for the sign has been obtained from the Zoning Administrator:
- 1. Freestanding and Monument Signs:** One (1) freestanding or monument sign may be permitted per parcel in a commercial district.
 - i. Location.** Signs must be set back at least ten (10) feet from all road right-of-way lines.
 - ii. Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area. The maximum height for freestanding signs oriented to and visible from U.S. Highway 23 may be increased to fourteen (14) feet.
 - iii. Bonus.** A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.
 - 2. Shared Monument Signs:** Where individual freestanding or monument signs are not utilized, one (1) monument sign may be permitted in a commercial district for a group of two (2) or more residential units, commercial units, or a combination of permitted unit types.
 - i. Location.** Signs must be set back at least ten (10) feet from all road right-of-way lines. A monument sign for a group of units must be located on property under common ownership, use, or maintenance. Further, the sign must be located within 200 feet of the common point of vehicular entry.
 - ii. Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height. Two signs in a "wingwall" arrangement facing opposite directions may be permitted by the Planning Commission in cases where it is demonstrated that a single two-sided sign could not be seen by approaching traffic from both directions on a single road. If the Planning Commission approves wing-wall signs, the total combined area of the two signs shall not exceed forty-eight (48) square feet.
 - iii. Bonus.** A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.
 - 3. Canopy Signs:** The total sign area on a canopy must not exceed 10% of the surface area of the principle building façade or 48 square feet, whichever is greater. The permitted sign area for canopy signs may be divided into three (3) distinct message areas when displayed on the same canopy. Canopy signs are not permitted in combination with a wall sign.
 - 4. Wall Signs:** The total sign area of a wall sign must not exceed 10% of the surface area of the front building façade for each tenant occupying space, or 48 square feet, whichever is greater. One (1) wall sign is permitted per tenant. Wall signs are not permitted in combination with a canopy sign.
 - 5. Drive-thru Signs:** Drive-thru signs are permitted in the B2 and ES districts where the permitted use includes drive-thru or drive-up functions. Two (2) drive-thru signs are permitted per parcel, when each sign does not exceed 32 square feet in area and six (6) feet in height. Drive-thru signs are not permitted in the front yard.

6. **Off-premises Signs:** Off-premises signs, except as otherwise specifically provided herein, are permitted only in the PCI, PIRO, M-1, M-2, and ROM districts, provided that such signs are located not less than one-thousand three-hundred and twenty (1,320) feet from all federal and state highway rights-of-way, and shall not be located within one-thousand (1,000) feet of residentially zoned land. Billboard signs must be separated by at least four thousand (4,000) feet from all other billboard signs. Billboard signs shall be limited to an area of one-hundred and sixty (160) square feet and to a height of twenty (20) feet. Provided further that such signs are regulated by the Highway Advertising Act, Public Act 106 of 1972, as amended.
- C. **Signs Allowed without a Permit.** Signs permitted without a permit in commercial districts include signs that are regulated in Section 27.07, Signs Permitted without Permit in All Districts.
 1. **Window Signs:** Permanent window signs, in combination with temporary window signs, are permitted to cover 25% of the total window area of a building.
 2. **Outline Light Signs:** Non-residential uses in a commercial district are permitted one (1) outline light sign, not to exceed six (6) square feet in area. String lights, neon lights, LED lights, or any similar form of light will be limited to the dimensional standards of signs in this Article.
- D. **Temporary Signs.** Signs Permitted without a permit in a commercial district include signs that are regulated in Section 27.11, Temporary Signs.

13. CREATE NEW SECTION, SIGNS PERMITTED IN INDUSTRIAL DISTRICTS (ALL TEXT NEW OR RELOCATED TO THIS SECTION):

- A. **Districts Permitted.** For the purposes of this Article, the following Zoning Districts will be considered industrial: EI, M-1, M-2, PIRO, ROM, and PUD when the underlying district is industrial.
- B. **Signs Permitted with Permit.** The following sign types will be permitted provided that all other standards of this Article are met and a land use permit for the sign has been obtained from the Zoning Administrator:
 1. **Freestanding and Monument Signs:** One (1) freestanding or monument sign may be permitted per parcel in an industrial district for non-residential uses.
 - i. **Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height. The base of a monument sign must be at least 24 inches in height and is included in the maximum sign height but not the sign area. The maximum height for freestanding signs oriented to and visible from U.S. Highway 23 may be increased to fourteen (14) feet.
 - ii. **Bonus.** A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.
 2. **Shared Monument Signs:** Where individual freestanding or monument signs are not utilized, one (1) monument sign may be permitted in the M-1, M-2, PIRO, and ROM districts for a group of two (2) or more industrial units, commercial units, or a combination of permitted unit types.
 - i. **Location.** A monument sign for a group of units must be located on property under common ownership, use, or maintenance. Further, the sign must be located within 200 feet of the common point of vehicular entry.
 - ii. **Dimensions.** Signs may not exceed 48 square feet in area and six (6) feet in height. Two signs in a "wingwall" arrangement facing opposite directions may be permitted by the Planning Commission in cases where it is demonstrated that a single two-sided sign could not be seen by approaching traffic from both directions on a single road. If the Planning Commission approves

wing-wall signs, the total combined area of the two signs shall not exceed forty-eight (48) square feet.

iii. Bonus. A ten (10) percent increase in the maximum permitted size may be allowed (as determined by the Planning Commission) if extensive landscaping and a decorative base consistent with the materials of the principal building or overall site plan are provided.

3. **Wall Signs:** The total sign area of a wall sign must not exceed 10% of the surface area of the front building façade for each tenant occupying space, or 48 square feet, whichever is greater. One (1) wall sign is permitted per tenant.
4. **Off-premises Signs:** Off-premises signs, except as otherwise specifically provided herein, are permitted only in the PCI, PIRO, M-1, M-2, and ROM districts, provided that such signs are located not less than one-thousand three-hundred and twenty (1,320) feet from all federal and state highway rights-of-way, and shall not be located within one-thousand (1,000) feet of residentially zoned land. Billboard signs must be separated by at least four thousand (4,000) feet from all other billboard signs. Billboard signs shall be limited to an area of one-hundred and sixty (160) square feet and to a height of twenty (20) feet. Provided further that such signs are regulated by the Highway Advertising Act, Public Act 106 of 1972, as amended.

C. Signs Allowed without a Permit. Signs permitted without a permit in industrial districts include signs that are regulated in Section 27.07, Signs Permitted Without Permit in All Districts.

1. **Window Signs:** Permanent window signs, in combination with temporary window signs, are permitted to cover 25% of the total window area of a building.
2. **Outline Light Signs:** Non-residential uses in an industrial district are permitted one (1) outline light sign, not to exceed six (6) square feet in area. String lights, neon lights, LED lights, or any similar form of light will be limited to the dimensional standards of signs in this Article.

D. Temporary Signs. Signs Permitted without a permit in an industrial district include signs that are regulated in Section 27.11, Temporary Signs.

14. REPLACE TABLE 27.1 WITH NEW SIGN SUMMARY TABLE AND RENUMBER TO TABLE 27.2.

15. AMEND THE ORDER OF THE SECTIONS IN ARTICLE 27, INCLUDING SECTION NUMBERS:

- Section 27.00 Purpose and Intent*
- Section 27.01 Severability*
- Section 27.02 Substitution*
- Section 27.03 Administration and Appeals of the Sign Ordinance*
- Section 27.04 Definitions*
- Section 27.05 Prohibited Signs*
- Section 27.06 General Standards for Permitted Signs*
- Section 27.07 Signs Permitted without a Permit in All Districts*
- Section 27.08 Signs Permitted in Residential Districts*
- Section 27.09 Signs Permitted in Commercial Districts*
- Section 27.10 Signs Permitted in Industrial Districts*
- Section 27.11 Temporary Signs*
- Section 27.12 Sign Summary Table*
- Section 27.13 Nonconforming Signs*

16. ADD A NEW SECTION 27.13, NONCONFORMING SIGNS, TO READ AS FOLLOWS:

SECTION 27.13. NONCONFORMING SIGNS.

- A. Any legal sign existing at the time of adoption of this Ordinance, which does not comply with all provisions contained herein shall be considered a nonconforming sign and may be permitted to continue, subject to the limitations contained in this article, which limitations shall include those placed on obsolete signs.
- B. If a non-conforming sign structure and frame are in good condition and can be reused by a new occupant in a leased or rented building, the building owner shall not be required to remove the sign structure and frame in the interim periods when the building is not occupied. If the building is unoccupied for less than 30 days the previous business' sign information may be retained. If the building is unoccupied for more than 30 days, the previous business' sign information must be removed. In such cases, the sign must be maintained in good condition and any openings must be covered with appropriate panels.
- C. Nonconforming signs which are removed, blown down, destroyed, relocated, damaged or altered such that 50% of their replacement value is lost, shall be required to be replaced with signs that conform to this Ordinance.
- D. In no case shall a sign erected without a permit or which otherwise does not comply with the law at the time of its erection acquire nonconforming status.
- E. Any alteration, modification or reconstruction permitted in this section shall be limited to the replacement of a sign copy, replacing individual letters and logos within the same area or repainting a sign face, and does not permit changes to the structure, framing, erection, or relocation of the sign unless such changes conform to the current provisions of this article.

NEW BUSINESS #2

October 8, 2019



Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439

Subject: Agenda Request – Zoning Ordinance Amendment: Section 21.14 - Home Occupations

Dear Township Board Members:

During our meeting on August 13, 2019, Dave Wardin moved to recommend Township Board approval, along with review and comment by the Livingston County Planning Commission, of a zoning ordinance amendment to Section 21.14 - Home Occupations. Richard Ericson supported the motion. The motion carried by unanimous voice vote.

The purpose of this amendment is to redefine review requirements for permitted home occupations such that those permitted may be administratively approved when possible, to update the list of permitted home occupations, to permit signs in certain cases subject to Planning Commission approval, and to redefine the space limits for home occupations. This will allow home occupation requests to be more efficiently handled, while retaining the right of the Zoning Administrator to require Planning Commission review when questions arise.

The Livingston County Planning Commission recommended approval during their September 18, 2019, meeting (reference Z-40-19). The Planning Commission recommends the Township Board adopt this zoning ordinance amendment to continue our effort to simplify home occupation requests for our residents.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel

Chairman

Tyrone Township Planning Commission

10408 Center Road Fenton, MI 48430-9439 (810) 629-8631

Mark Meisel, Chairman Kurt Schulze, Vice Chair David Wardin, Secretary Richard Erickson Perry Green Dan Stickel Bill Wood



Livingston County Department of Planning

MEMORANDUM

Kathleen J. Kline-Hudson
AICP, PEM
Director

TO: Livingston County Planning Commission and the Tyrone Township Board of Trustees

FROM: Scott Barb, Principal Planner

DATE: September 11, 2019

SUBJECT: Z-40-19. Amendments to Zoning Ordinance: Article 21 Supplemental District Regulations, Section 21.14 Home Occupations.

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

The Tyrone Township Planning Commission is proposing to amend the Township Zoning Ordinance by modifying Section 21.14 that establishes the standards for home occupations within the Township. Staff reviewed the proposed amendments for accuracy and compatibility with the Township Zoning Ordinance and offers the following summary for your review. Staff comments are written in *italics and underlined* while changes to the ordinance are written in **red**.

Article 21, Section 21.14 Home Occupations

This section will include the following changes:

Home Occupations permitted in Section 21.14 may be administratively approved by the Zoning Administrator conditional upon the home occupation complying with all standards in Section 21.14.B and an interpretation that the delivery of goods and visits by patrons and other activities resulting from the home occupation are incidental and will not disturb adjacent homes or road traffic. The Zoning Administrator may request or require Planning Commission or Planning Commission Subcommittee review to demonstrate compliance with Section 21.14.A & B if there is **uncertainty**. All **other** home occupations must be reviewed by the Planning Commission. Home occupations, as defined herein, or as may be allowed by the Planning Commission, are permitted provided that the following conditions and standards are met:

Staff comments: This section has been amended to allow the Zoning Administrator to approve the listed home occupations and defers to the Planning Commission if there is any uncertainty regarding any of the home occupations.

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

●
(517) 546-7555
Fax (517) 552-2347

●
Web Site
www.livgov.com

A. Permitted Home Occupations. The following are permitted home occupations provided they meet all of the standards listed in ~~item~~ **Section B.** below, **else reference Sections 21.14.C & D:**

1. Dressmaking, **upholstering**, sewing, and tailoring.
2. Painting, sculpturing or writing.
3. Telephone answering or telemarketing.
4. Home crafts, such as model making, rug weaving, and lapidary work.
5. Tutoring, **music or singing lessons, yoga or fitness, or similar instructional activities not requiring an additional permit or agency review**, limited to not more than four students at a time.
6. Computer program development.
7. Salesperson's office or home office of a professional person that meets all conditions of paragraph (B) below. No sales or direct customer contact are permitted on premise.
8. Repair of clocks, instruments, or other small appliances which do not create a nuisance due to noise, vibration, glare, fumes, odor, and do not create electrical interference.
9. **Road side stands, or other small scale sales of site originating produce or firewood, except those activities that are clearly incidental.**
10. **Gunsmithing, exclusive of the manufacturing of ammunition and sale of firearms.**
11. **Personal services, such as hairdresser, licensed massage therapist, and tax preparation.**
- ~~9.~~**12. Other substantially similar home occupations as determined by the Planning Commission Subcommittee or Planning Commission. An applicant may request approval to engage in a home occupation not specifically provided for above subject to Section 21.14.D below.**

Staff comments: Some new home occupations have been added to the list of permitted home occupations.

B. Required Standards. Home occupations shall be permitted following a determination by the Planning Commission that the proposed occupation complies with all of the following standards.

1. **Dwelling Appearance.** There shall be no visible change to the outside appearance of the dwelling.
2. **Traffic Impacts.** Traffic, parking, sewage, trash or garbage storage and removal or water use shall not be noticeably different from impacts associated with a typical home in the neighborhood.
3. **General Nuisance Factors.** The use shall not generate noise, vibration, glare, fumes, toxic substance, odors or electrical interference, at levels greater than normally associated with a single family home.
4. **Storage.** Outside storage or display of products related to the home occupation is prohibited.
5. **Signs.** Signs related to a home occupation **may be permitted at the discretion of the Planning Commission or Planning Commission subcommittee after review.**
6. **Nuisance Prohibited.** The home occupation shall not become a nuisance in any manner including but not limited to items 1 and 2 above.
7. **Outside Employees Prohibited.** Only a resident of the dwelling may be employed or involved in the home occupation. No person outside of the residence shall participate in the home occupation.
8. **Home Occupation Space Limits.** A home occupation shall not occupy more than ten (10) percent of the usable floor area of the dwelling. **Attached garages, detached garages, and other detached accessory buildings may be utilized for storage, assembly/construction, or general exercise of the craft, hobby, or business the home occupation is based upon, however such uses shall not occupy the entire structure and**

shall be an accessory or supplemental use of the structure and shall not be used as the primary functioning business location for home occupations.

9. **Time Limits.** Visits by patrons and other activities exclusive of deliveries shall occur only between 8:00 a.m. and 8:00 p.m.

Staff comments: Changes to this subsection allow for home occupation signage at the discretion of the planning commission and clarification of the home occupation space limits.

C. Prohibited Home Occupations. The following are prohibited home occupations:

1. Private Clubs.
2. Repair shops which may create a nuisance due to noise, vibration, glare, fumes, odors or electrical interference.
3. Restaurants.
4. Stables or kennels as defined in Article 2.
5. Tourist homes except Bed and Breakfasts operations permitted in the FR Farming Residential and RE Rural Estate Districts.
6. Repair, maintenance, painting and storage of automobiles, machinery, trucks, boats, recreational vehicles and similar items.

D. Special Land Uses. Any proposed home occupation that is neither specifically permitted above, nor specifically prohibited above, shall be considered a 'Special Land Use and be granted or denied upon consideration of the 'Required Conditions' contained in Section 21.14.B above and the standards specified in Article 22.

E. Owner Occupation. Home occupation permits shall be limited to the applicant who legally resides in the residence.

F. Business Address. The use of a home address as a business address for the sole purpose of meeting state or federal licensing requirements, with no business activity conducted at the home, is not considered to be a home occupation and is exempt from the provisions of this section.

Township Planning Commission Recommendation: APPROVAL. There were no comments at the August 13, 2019 public hearing on the proposed amendments.

Recommendation: Approval. The proposed amendments are reasonable and appropriate.

SECTION 21.14 HOME OCCUPATIONS

Home Occupations permitted in Section 21.14 may be administratively approved by the Zoning Administrator conditional upon the home occupation complying with all standards in Section 21.14.B and an interpretation that the delivery of goods and visits by patrons and other activities resulting from the home occupation are incidental and will not disturb adjacent homes or road traffic. The Zoning Administrator may request or require Planning Commission or Planning Commission Subcommittee review to demonstrate compliance with Section 21.14.A & B if there is uncertainty.

All other home occupations must be reviewed by the Planning Commission. Home occupations, as defined herein, or as may be allowed by the Planning Commission, are permitted provided that the following conditions and standards are met:

A. Permitted Home Occupations. The following are permitted home occupations provided they meet all of the standards listed in ~~item Section B~~ below, else reference Sections 21.14.C & D:

1. Dressmaking, upholstering, sewing, and tailoring.
2. Painting, sculpturing or writing.
3. Telephone answering or telemarketing.
4. Home crafts, such as model making, rug weaving, and lapidary work.
5. Tutoring, music or singing lessons, yoga or fitness, or similar instructional activities not requiring an additional permit or agency review, limited to not more than four students at a time.
6. Computer program development.
7. Salesperson's office or home office of a professional person that meets all conditions of paragraph (B) below. No sales or direct customer contact are permitted on premise.
8. Repair of clocks, instruments, or other small appliances which do not create a nuisance due to noise, vibration, glare, fumes, odor, and do not create electrical interference.
9. Road side stands, or other small scale sales of site originating produce or firewood, except those activities that are clearly incidental.
10. Gunsmithing, exclusive of the manufacturing of ammunition and sale of firearms.
11. Personal services, such as hairdresser, licensed massage therapist, and tax preparation.
- 9.12. Other substantially similar home occupations as determined by the Planning Commission Subcommittee or Planning Commission.

An applicant may request approval to engage in a home occupation not specifically provided for above subject to Section 21.14.D below

B. Required Standards. Home occupations shall be permitted following a determination by the Planning Commission that the proposed occupation complies with all of the following standards.

1. **Dwelling Appearance.** There shall be no visible change to the outside appearance of the dwelling.

2. **Traffic Impacts.** Traffic, parking, sewage, trash or garbage storage and removal or water use shall not be noticeably different from impacts associated with a typical home in the neighborhood.
3. **General Nuisance Factors.** The use shall not generate noise, vibration, glare, fumes, toxic substance, odors or electrical interference, at levels greater than normally associated with a single family home.
4. **Storage.** Outside storage or display of products related to the home occupation is prohibited.
5. **Signs.** Signs related to a home occupation may be permitted at the discretion of the Planning Commission or Planning Commission subcommittee after review. ~~are not permitted except as allowed for the normal residential use.~~
6. **Nuisance Prohibited.** The home occupation shall not become a nuisance in any manner including but not limited to items 1 and 2 above.
7. **Outside Employees Prohibited.** Only a resident of the dwelling may be employed or involved in the home occupation. No person outside of the residence shall participate in the home occupation.
8. **Home Occupation Space Limits.** A home occupation shall not occupy more than ten (10) percent of the usable floor area of the dwelling. ~~or ten (10) percent of the floor area of an attached garage, detached garages and other detached accessory buildings~~ may be utilized for storage, assembly/construction, or general exercise of the craft, hobby, or business the home occupation is based upon, however such uses shall not occupy the entire structure and shall be an accessory or supplemental use of the structure and shall not be used ~~for as the primary functioning business location for~~ home occupations.
9. **Time Limits.** ~~All delivery of goods and visits~~ Visits by patrons and other ~~activity~~ activities exclusive of deliveries shall occur only between ~~7~~8:00 a.m. and ~~6~~8:00 p.m.

C. Prohibited Home Occupations. The following are prohibited home occupations:

1. Private clubs.
2. Repair shops which may create a nuisance due to noise, vibration, glare, fumes, odors or electrical interference.
3. Restaurants.
4. Stables or kennels as defined in Article 2.
5. Tourist homes except Bed and Breakfast operations permitted in the FR Farming Residential and RE Rural Estate Districts.
6. Repair, maintenance, painting and storage of automobiles, machinery, trucks, boats, recreational vehicles and similar items.

D. Special Land Uses. Any proposed home occupation that is neither specifically permitted above, nor specifically prohibited above, shall be considered a Special Land Use and be granted or denied upon consideration of the "Required Conditions" contained in Section 21.14.B above and the standards specified in Article 22.

- E. **Owner Occupation.** Home occupation permits shall be limited to the applicant who legally resides in the residence.
- F. **Business Address.** The use of a home address as a business address for the sole purpose of meeting state or federal licensing requirements, with no business activity conducted at the home, is not considered to be a home occupation and is exempt from the provisions of this section.

NEW BUSINESS #3

October 8, 2019



Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439

Subject: Agenda Request – Zoning Ordinance Amendment: Section 21.16 - Noise Regulations

Dear Township Board Members:

During our meeting on August 13, 2019, Dave Wardin moved to recommend Township Board approval, along with review and comment by the Livingston County Planning Commission, of a zoning ordinance amendment to Section 21.16 - Noise Regulations. Richard Ericson supported the motion. The motion carried by unanimous voice vote.

The purpose of this amendment is to update noise related to fireworks for consistency with PA 634 of 2018 and PA 635 of 2018, and to add clarification to enforcement of noise violations, as discussed and agreed to during our joint meeting on June 25, 2019. These changes are in response to the complaints received by township residents regarding fireworks noise, and clarify to the Livingston County Sheriff and others our enforcement process.

The Livingston County Planning Commission recommended approval during their September 18, 2019, meeting (reference Z-41-19). The Planning Commission recommends the Township Board adopt this zoning ordinance amendment in response to resident complaints related to noise from illegal fireworks use.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel

Chairman

Tyrone Township Planning Commission

10408 Center Road Fenton, MI 48430-9439 (810) 629-8631

Mark Meisel, Chairman Kurt Schulze, Vice Chair David Wardin, Secretary Richard Erickson Perry Green Dan Stickel Bill Wood



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commissioners and the
Tyrone Township Board of Trustees

FROM: Kathleen Kline-Hudson, Director

DATE: August 29, 2019

SUBJECT: Z-41-19
Article 21 Supplemental District Regulations, Section 21.16 Noise

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

In the following text amendments to Article 21 Supplemental District Regulations, Tyrone Township proposes to add clarification regarding the enforcement of noise violations, and update their fireworks language so that it is consistent with PA 634 of 2018 and PA 635 of 2018.

Proposed additions to existing text are noted in **bold red underline**, deletions in ~~strike through~~, and staff comments are noted in **bold, italic underline**.

Section 21.16 Noise

A. Definitions

3. For the purposes of this Section, "National Holidays" shall mean the days identified as National Holidays in ~~PA 256 of 2011, as amended, PA 65 of 2013, as amended, and PA 9 of 2014~~ **PA 635 of 2018**, as amended.

4. For the purposes of this Section, "Excluded Enforcement of Fireworks Noise" shall be as set forth in PA 635 of 2018, those conditions being for allowed ignition, discharge, or use of consumer fireworks during the following days and times:

- **11 a.m. on Dec. 31 to 1 a.m. on Jan. 1**
- **11 a.m. to 11:45 p.m. on the Saturday and Sunday immediately preceding Memorial Day**
- **11 a.m. to 11:45 p.m. on June 29 and 30, and July 1, 2, 3, and 4**
- **11 a.m. to 11:45 p.m. on July 5, only if that date is a Friday or Saturday**
- **11 a.m. to 11:45 p.m. on the Saturday and Sunday immediately preceding Labor Day**

~~4.5.~~ For the purposes of this Section, "Day" and "Night" shall be as set forth in Table 1 below.

~~5.6.~~ For the purposes of this Section, "Fireworks Safety Act" shall mean PA 256 of 2011, as amended, PA 65 of 2013, as amended, ~~and PA 9 of 2014, as amended,~~ **PA 634 of 2018, as amended, and PA 635 of 2018, as amended,**

Department Information

Administration Building
304 E. Grand River Avenue
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A. Definitions (continued)

Table 1		
Time Period	All Days <u>except</u> the Day Before, Day Of, and Day After a National Holiday*	The Day Before, Day Of, and Day After a National Holiday*
Day	7 AM – 10 PM	8 AM – 1 AM
Night	10 PM – 7AM	1 AM – 8 AM

Planning Staff Comments: If Tyrone Township has not already done so, County Planning Staff would recommend that you check with your municipal legal counsel to ensure the correct citation of these Michigan firework laws. Staff was not able to locate the 2018 laws as referenced. The National Holiday hours as noted in the amended language of 21.16.A.4 were consistent with the Michigan Fireworks Safety Act, PA 256 of 2011.

B. General Standards: It shall be unlawful for any person to willfully make, continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which unreasonably disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the township. Such a determination shall be made by the Township Board or its duly authorized representative. The factors which shall be considered in determining whether a violation of this subsection exists shall include, but not necessarily be limited to, the following:

- The volume of the noise;
- The intensity of the noise;
- Whether the nature of the noise is usual or unusual;
- Whether the origin of the noise is natural or unnatural;
- The volume and intensity of the background noise, if any;
- The proximity of the noise to residential sleeping facilities;
- The nature and zoning of the area within which the noise emanates;
- The density of the inhabitation of the area in which the noise emanates;
- The time of the day or night the noise occurs;
- The duration of the noise;
- Whether the noise is recurrent, intermittent, or constant; ~~and~~
- Whether the noise is produced by a commercial or noncommercial activity, **and**
- **Whether the noise is permitted, or otherwise excluded from enforcement.**

C. Sound Measurement – No proposed revisions

D. Impulse Noise – No Proposed revisions



E. Exclusions

The provisions of this Section shall not apply to noise or sound emitted by or related to:

17. Consumer or personal use of Fireworks, as defined and permitted by the Fireworks Safety Act, as amended, as required by PA 635 of 2018 between the hours of 8AM and 1AM the DAY BEFORE, the DAY OF, and the DAY AFTER a National Holiday as defined herein; and consistent with the definition above for Excluded Enforcement of Fireworks Noise.

18. Consumer Fireworks ~~7 days before and 7 days after the 4th of July~~ between the hours of ~~8~~12 AM ~~PM~~ and 1 AM ~~11:00 PM~~, to accommodate reasonable use associated with during the day of a commercial fireworks display for Members of a legally established association holding a valid this holiday and permitted Display Fireworks events permit, unless the display event occurs during a day and time defined above as Excluded Enforcement of Fireworks Noise for which the Excluded Enforcement of Fireworks Noise times specified by PA 635 of 2018 shall apply.

19. Noise created during a Tyrone Township permitted event, as long as the noise created is consistent with the allowable noise level and duration set forth in the permit.

Planning Staff Comments: Subsection E. Exclusions is followed by a table that shows allowed decibel levels. There are no changes suggested to this table.

Planning Staff believes that item E.18 is incorrect in terms of the hours noted as "Consumer Fireworks between the hours of 12 PM and 11:00 PM..."

F. Enforcement

The Township recognizes many noise events violating this Ordinance occur before or after Township Hall office hours. Tyrone Township has adopted Regulatory Ordinance #22, the Tyrone Township Enforcement Ordinance, to address enforcement of a "Township Ordinance" by "Public Servants" as defined within Ordinance #22.

As set forth in Article Six of Ordinance #22, the Livingston County Sheriff and any other person designated by resolution by the Township Board is authorized to issue and serve appearance tickets upon an offending person when they have reasonable cause to believe an Ordinance has or is being violated.

Township Planning Commission Recommendation: Approval. The Tyrone Township Planning Commission recommended Approval of the Zoning Ordinance Text amendment to Article 21 at their August 13, 2019 meeting. It is unknown if there were public comments at the public hearing as only a public hearing synopsis was available at the time of review.

Staff Recommendation: Approval. The proposed amendments to Section 21.16 Noise, appear to be consistent with the Michigan Fireworks Safety Act 256. County Planning Staff recommends that Tyrone Township consult with their municipal legal counsel on the public act citations of this amendment and correct the duration of hours noted in E.18 regarding consumer fireworks.

SECTION 21.16 NOISE

A. Definitions

For purposes of this section the following definitions shall apply:

1. ANSI- The American National Standards Institute or its successor body. Any ANSI standard referred to in this Ordinance shall be deemed to incorporate further revisions by reference.
2. IMPULSE NOISE: Means noise of short duration (generally less than one second), especially of high intensity, abrupt onset and rapid decay, and often rapidly changing spectral composition.
3. For the purposes of this Section, "National Holidays" shall mean the days identified as National Holidays in ~~PA 256 of 2011, as amended, PA 65 of 2013, as amended, and PA 9 of 2014~~ PA 635 of 2018, as amended.
4. For the purposes of this Section, "~~Excluded Enforcement of Fireworks Noise~~" shall be as set forth in PA 635 of 2018, those conditions being for allowed ignition, discharge, or use of consumer fireworks during the following days and times:
 - 11 a.m. on Dec. 31 to 1 a.m. on Jan. 1
 - 11 a.m. to 11:45 p.m. on the Saturday and Sunday immediately preceding Memorial Day
 - 11 a.m. to 11:45 p.m. on June 29 and 30, and July 1, 2, 3, and 4
 - 11 a.m. to 11:45 p.m. on July 5, only if that date is a Friday or Saturday
 - 11 a.m. to 11:45 p.m. on the Saturday and Sunday immediately preceding Labor Day
- 4.5. For the purposes of this Section, "Day" and "Night" shall be as set forth in Table 1 below.
6. For the purposes of this Section, "Fireworks Safety Act" shall mean PA 256 of 2011, as amended, PA 65 of 2013, as amended, ~~and PA 9 of 2014, as amended, PA 634 of 2018, as amended, and PA 635 of 2018, as amended.~~

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Table 1		
Time Period	All Days except the Day Before, Day Of, and Day After a National Holiday*	The Day Before, Day Of, and Day After a National Holiday*
Day	7AM – 10PM	8AM – 1AM
Night	10PM – 7AM	1AM – 8AM

B. General Standards: It shall be unlawful for any person to willfully make, continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which unreasonably disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the township. Such a determination shall be made by the Township Board or its duly authorized representative. The factors which shall be considered in determining whether a violation of this subsection exists shall include, but not necessarily be limited to, the following:

- The volume of the noise;
- The intensity of the noise;
- Whether the nature of the noise is usual or unusual;
- Whether the origin of the noise is natural or unnatural;
- The volume and intensity of the background noise, if any;
- The proximity of the noise to residential sleeping facilities;
- The nature and zoning of the area within which the noise emanates;
- The density of the inhabitation of the area in which the noise emanates;
- The time of the day or night the noise occurs;
- The duration of the noise;
- Whether the noise is recurrent, intermittent, or constant; ~~and~~
- ~~Whether the noise is produced by a commercial or noncommercial activity.~~ and

- Whether the noise is permitted, or otherwise excluded from enforcement.

Additionally, a person, industry, corporation, firm or business shall not emit, cause, or allow to be emitted, sound from any source or combination of sources other than a motor vehicle registered for use on public highways, which when measured in accordance with the procedure described herein exceeds the sound level limits in Table 2.

C. Sound Measurement Measurement of sound levels shall be made using a microphone set at a height of four (4) feet, at a horizontal distance of at least five (5) feet from a lot line or right-of-way line on any lot or right-of-way other than that on which the sound source or sources being measured is located. A violation shall not be deemed to exist unless the sound level measured with the sound source or sources of interest in operation is at least six (6) decibels higher than the sound level measured with the sound source or sources not in operation. Duration of sound shall be measured by observing the sound level meter and recording the sound level measured at intervals of time not to exceed five (5) minutes.

Whenever this Section prohibits sound over a certain decibel limit, measurement of said sound shall be made with a Type 1 or Type 2 calibrated sound level meter utilizing the A-weighting scale and the slow meter response as specified by the American National Standards Institute (A.N.S.I. S1.4-1984/85A). Noise levels shall be measured in decibels and A-weighted. The unit of measurement shall be designated as dB(A). Meters shall be maintained in calibration and good working order. Calibrations shall be employed which meet A.N.S.I. S1.40-1984. Measurements recorded shall be taken so as to provide a proper representation of the sound being measured. The microphone of the meter shall be positioned so as not to create any unnatural enhancement or diminution of the measured sound. A windscreen shall be used for the microphone.

D. Impulse Noise

1. No person shall cause or allow the emission of impulse noise in excess of 80 dB peak sound pressure level during the nighttime.
2. No person shall allow the emission of impulse noise in excess of 100 dB peak sound pressure at any time

E. Exclusions

The provisions of this Section shall not apply to noise or sound emitted by or related to:

1. Natural phenomena;
2. The unamplified sound of the human voice;
3. The unamplified sound made by any wild or domestic animal;
1. A motor vehicle registered for use on public highways when fitted with a factory provided or similar performing muffler;
2. Bells, carillons, or chimes associated with specific religious observances and/or organizations;
3. Snow removal and lawn maintenance equipment provided the equipment is maintained in good repair so as to minimize noise and that noise discharged from exhausts shall be adequately muffled-to prevent loud and/or explosive noises therefrom;
4. Farming equipment or farming activity; when used in compliance with PA 93 of 1981, Michigan's Right to Farm Act, as amended, and the most recently adopted Generally Accepted Agricultural Management Practices (GAAMPs);
5. Refuse, solid waste or recyclable materials collection;
6. Impulse noise caused by the legal discharge of a firearm;
7. Sounds created by emergency equipment and work necessary for law enforcement or for the health, welfare and safety of the community;
8. Sounds created by portable generators during periods when there is no electrical service available from the primary supplier due to natural disaster or power outage;
9. Sounds created by stationary generators that do not exceed a sound level of 75 dBA at any property line during periods when there is no electrical service available from the primary supplier due to natural disaster or power outage;

10. Sounds originating from aircraft in flight, and US-23 traffic;
11. Sounds created by safety and protective warning devices where noise suppression would render the device ineffective;
12. Sounds created by existing electrical substations and stationary equipment used to convey water, wastewater or natural gas by a utility.
13. Display Fireworks events, when permitted by, and conducted within, Tyrone Township, as set forth by the Display Fireworks Permit approved by and issued by the Tyrone Township Board;
14. Consumer or personal use of Fireworks, as defined and permitted by the Fireworks Safety Act, as amended, as required by PA 635 of 2018 between the hours of 8AM and 1AM the DAY BEFORE, the DAY OF, and the DAY AFTER a National Holiday as defined herein; and consistent with the definition above for Excluded Enforcement of Fireworks Noise,
15. Consumer Fireworks 7 days before and 7 days after the 4th of July between the hours of 8:12 AM-PM and 1AM-11:00 PM, to accommodate reasonable use associated with during the day of a commercial fireworks display for Members of a legally established association holding a valid this holiday and permitted Display Fireworks event permits, unless the display event occurs during a day and time defined above as Excluded Enforcement of Fireworks Noise for which the Excluded Enforcement of Fireworks Noise times specified by PA 635 of 2018 shall apply.
- ~~16.~~ Noise created during a Tyrone Township permitted event, as long as the noise created is consistent with the allowable noise level and duration set forth in the permit.

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Table 2						
A-WEIGHTED SOUND LEVEL LIMITS - DECIBELS						
Duration	Districts		Districts		Districts	
(Duration as a fraction [percentage] of any one hour period)	FR/RE, LK-1, MHP, R-1, R-2, RM-1		B-1, B-2, ES, OS, PCI, PCS, ROM, EI, PO		M-1, M-2, PIRO	
	Night	Day	Night	Day	Night	Day
50% or greater	45 dB A	50 dB A	55 dB A	65 dB A	55 dB A	70 dB A
More than 10% but less than 50%	50 dB A	55 dB A	60 dB A	70 dB A	60 dB A	75 dB A
10% or less	55 dB A	65 dB A	70 dB A	75 dB A	70 dB A	80 dB A
Maximum, any duration	65 dB A	75 dB A	80 dB A	80 dB A	80 dB A	85 dB A

F. Enforcement

The Township recognizes many noise events violating this Ordinance occur before or after Township Hall office hours. Tyrone Township has adopted Regulatory Ordinance #22, the Tyrone Township Enforcement Ordinance, to address enforcement of a "Township Ordinance" by "Public Servants" as defined within Ordinance #22.

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As set forth in Article Six of Ordinance #22, the Livingston County Sheriff and any other person designated by resolution by the Township Board is authorized to issue and serve appearance tickets

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upon an offending person when they have reasonable cause to believe an Ordinance has or is being violated.

NEW BUSINESS #4

October 8, 2019



Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439

Subject: Agenda Request – Zoning Ordinance Amendment: Section 26.04.A.3- Permitted Expansion or Extension of Nonconforming Structures

Dear Township Board Members:

During our meeting on August 13, 2019, Dave Wardin moved to recommend Township Board approval, along with review and comment by the Livingston County Planning Commission, of a zoning ordinance amendment to Section 26.04.A.3, Expansion or Extension of Nonconforming Structures. Richard Ericson supported the motion. The motion carried by unanimous voice vote.

The purpose of this amendment is to clarify ZBA review and public hearing requirements for the extension or expansion of nonconforming structures such that the interpretation and procedures comply with PA 110 of 2006, the Michigan Zoning Enabling Act. Specifically, ZBA full body review is required for any ZBA action, and all matters decided must be during a public hearing.

The Livingston County Planning Commission recommended approval during their September 18, 2019, meeting (reference Z-42-19). The Planning Commission recommends the Township Board adopt this zoning ordinance amendment to ensure our procedures and processes comply with PA 110 of 2006.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel

Chairman

Tyrone Township Planning Commission

10408 Center Road Fenton, MI 48430-9439 (810) 629-8631

Mark Meisel, Chairman Kurt Schulze, Vice Chair David Wardin, Secretary Richard Erickson Perry Green Dan Stickel Bill Wood



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commissioners and the
Tyrone Township Board of Trustees

FROM: Kathleen Kline-Hudson, Director

DATE: August 29, 2019

SUBJECT: Z-42-19

Kathleen J. Kline-Hudson
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Scott Barb
AICP, PEM
Principal Planner

Article 26 Nonconformities, Section 26.04.A.3 Permitted Expansion or
Extension of Nonconforming Structures

In the following text amendment to Article 26 Nonconformities, Tyrone Township proposes to clarify ZBA review and public hearing requirements for extension or expansion of nonconforming structures.

Proposed additions to existing text are noted in **bold red underline**, deletions in ~~strike through~~, and staff comments are noted in **bold, italic underline**.

Section 26.04.A.3 Permitted Expansion or Extension of Nonconforming Structures

3. **Permitted Expansion or Extension:** A residential nonconforming structure may be expanded or extended upon **review and** approval from **after a duly noticed public hearing of** the Zoning Board of Appeals in accordance with the standards in subsections a. through e. below. Any proposed expansion which does not meet the following requirements shall only be permitted after obtaining a variance from the Zoning Board of Appeals in accordance with the criteria of Section 28.03.C.

- a. The expansion does not extend closer to the side or rear lot line than any existing nonconforming part of the structure.
- b. The expansion does not extend beyond the predominant existing building line along the same Block, does not obstruct lines of sight for traffic or block views from adjacent lots, or impede light and air.
- c. The addition retains compliance with all other setback, lot coverage, and height requirements.
- d. The addition, whether at ground level or above, shall not extend beyond the existing nonconforming first floor footprint of the building.
- e. The resultant addition will be compatible in terms of scale and design with the existing structure and the established character of the neighborhood.

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

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(517) 546-7555
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Web Site
livgov.com



Z-42-19
August 23, 2019
Page 2

Township Planning Commission Recommendation: Approval. The Tyrone Township Planning Commission recommended Approval of the Zoning Ordinance Text amendment to Article 26 at their August 13, 2019 meeting. It is unknown if there were public comments at the public hearing as only a public hearing synopsis was available at the time of review.

Staff Recommendation: Approval. The proposed amendments to Section 26.04.A.3, are minimal yet effective, in clarifying that decisions on the extension or expansion of a residential nonconforming structure are made after ZBA review and approval, and a noticed public hearing.

Permitted Expansion or Extension: A residential nonconforming structure may be expanded or extended upon review and approval ~~from~~after a duly noticed public hearing of the Zoning Board of Appeals in accordance with the standards in subsections a. through e. below. Any proposed expansion which does not meet the following requirements shall only be permitted after obtaining a variance from the Zoning Board of Appeals in accordance with the criteria of Section 28.03.C.

- a.** The expansion does not extend closer to the side or rear lot line than any existing nonconforming part of the structure.
- b.** The expansion does not extend beyond the predominant existing building line along the same Block, does not obstruct lines of sight for traffic or block views from adjacent lots, or impede light and air.
- c.** The addition retains compliance with all other setback, lot coverage, and height requirements.
- d.** The addition, whether at ground level or above, shall not extend beyond the existing nonconforming first floor footprint of the building.
- e.** The resultant addition will be compatible in terms of scale and design with the existing structure and the established character of the neighborhood.

NEW BUSINESS #5

October 8, 2019



Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439

Subject: Agenda Request – Zoning Ordinance Amendment: Section 21.28 – Stables and Animals

Dear Township Board Members:

During our meeting on August 13, 2019, Dave Wardin moved to recommend Township Board approval, along with review and comment by the Livingston County Planning Commission, of a zoning ordinance amendments to Section 2 – Definitions, and Section 21.28 – Stables and Animals. Richard Ericson supported the motion. The motion carried by unanimous voice vote.

The purpose of this amendments revise the requirements and standards for keeping of animals that are not pets in the Farming Residential (FR), Rural Estate (RE), and Single Family Residential (R-1) zoning districts, to clarify the method used to calculate the number of animals allowed, and to add standards for the keeping of chickens (hens), rabbits and bees. The proposed text would revise the current definition of household pet and replace the current text in Section 21.28.

The Livingston County Planning Commission recommended approval during their September 18, 2019, meeting (reference Z-43-19). The Livingston County Planning Department did identify several abbreviation typos which have since been corrected, and did note the animal units table was not within the body of the ordinance text, which has also since been addressed. The Planning Commission recommends the Township Board adopt this zoning ordinance amendment to update our non-pet keeping of animals regulations which better organizes and clarifies our regulations and includes updates to allow for the many requests to keep chickens (hens), rabbits, and bees.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel

Chairman

Tyrone Township Planning Commission

10408 Center Road Fenton, MI 48430-9439 (810) 629-8631

Mark Meisel, Chairman Kurt Schulze, Vice Chair David Wardin, Secretary Richard Erickson Perry Green Dan Stickel Bill Wood



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commissioners and the
Tyrone Township Board of Trustees

FROM: Kathleen Kline-Hudson, Director

Kathleen J. Kline-Hudson
AICP, PEM
Director

DATE: September 3, 2019

SUBJECT: Z-43-19

Robert A. Stanford
AICP, PEM
Principal Planner

Article 2 Definitions and Article 21 Supplemental District Regulations,
Section 21.28 Stables and Animals

Scott Barb
AICP, PEM
Principal Planner

In the following text amendments Tyrone Township proposes to update the definition of a "Household Pet" in Article 2 Definitions, and amend Section 21.28 to revise the requirements and standards for keeping of animals that are not pets in the Farming Residential (FR), Rural Estate (RE), and Single Family Residential (R-1) zoning districts, to clarify the method used to calculate the number of animals allowed, and to add standards for the keeping of chickens (hens) and bees.

The entire text of Section 21.28 is new and is included in full in this amendment. The current text of Article 21 will be deleted in its entirety (attached at end of review in [blue text](#)).

Proposed additions to existing text are noted in **bold red underline**, deletions in ~~strike through~~, and staff comments are noted in **bold, italic underline**.

Article 2 Definitions

HOUSEHOLD PET. A domesticated animal typically found in **kept within a residential dwellings and not typically disruptive that does not generate nuisance factors detrimental** to the residential character of an area. This definition would include, by way of example and not by way of exclusion, such animals as domesticated dogs other than dog/wolf hybrids, small domesticated cats, gerbils, hamsters, turtles, non-venomous snakes under ten (10) feet in length, tropical fish, parrots, canaries and parakeets.

County Planning Staff Comments: The Tyrone Township Zoning Ordinance also contains a definition for 'Nuisance Factors' that lists nuisances such as odor and noise.

Article 21 Supplemental District Regulations, Section 21.28 Stables and Animals

The standards described in this Section shall not apply to the keeping of animals as part of an active farm operation in the FR/RE district and maintained in conformance with the Right to Farm Act (P.A. 93 of 1981, as amended) and Generally Accepted Agricultural Management Practices (GMMP) established by the Michigan Department of Agriculture and Rural Development (MDARD). Specifically, the keeping of farm animals are addressed in the Care of Farm Animals GMMP. Such

Department Information

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animals are not regulated in this Section. All animals regulated by this Ordinance are defined as nonhuman zoological species and are classified as follows:

County Planning Staff Comments: This is a good opening paragraph to Section 21.28 stating that this section does not apply to the keeping of animals as part of an active farm which would be regulated by the Right to Farm Act and GAAMPs.

Please note that the acronym for Generally Accepted Agricultural Management Practices should be GAAMPs instead of GMMP as noted in opening paragraph.

A. Classification of Animals

1. Class I Animal: Domesticated household pets weighing less than 150 pounds. Class I animals may be maintained in any zoning district in accordance with Section 21.49.

County Planning Staff Comments: Section 21.49 is Keeping of Pets.

2. Class II Animal: An animal which is normally part of the livestock maintained on a farm, including:
 - a. Bovine and like animals, such as the cow.
 - b. Swine and like animals, such as the pig and hog.
 - c. Ovine and like animals, such as the sheep and goat.
 - d. Equine and like animals, such as the horse.
 - e. Class II animals may be maintained in the FR/RE districts as a permitted principal use subject to any special conditions listed in Section 4.0. Class II animals shall only be permitted on a lot having three (3) or more acres.

County Planning Staff Comments: Under e. the reference to Section 4.0 does not appear to be correct, nor does the reference to Section 4.2 below in B.

3. Class III Animal: means rabbits (which are not maintained or kept as domesticated household pets); animals considered as poultry, animals considered as wildfowl, such as pheasant, quail, geese or grouse, bees, and other animals weighing less than 75 pounds not specifically classified in this definition. Class III animals may be maintained in zoning Districts R1, FR, & RE.

- #### B. Housing Requirements Related to Class II and III Animals: Structures shall be provided for the purpose of housing, confining, sheltering, and maintaining permitted animals. Such structures shall meet requirements for height and floor area as specified in Section 21.28, but no single structure shall exceed four thousand (4,000) square feet. Structures for the purpose of housing, confining, sheltering, and maintaining of animals shall meet all setback requirements specified within Section 4.2. The following minimum floor area shall be provided within a structure for each animal:

1. Class II Animals: Class II animals shall be provided with a structure having a minimum floor area of 100 square feet for each animal. Planning Commission has the discretion to permit smaller structures for miniature horses.



2. Class III Animals: Class III animals, other than rabbits, chickens, and bees, as described below, shall be provided with an appropriately-sized structure. It shall be the responsibility of the Applicant to provide evidence of the structure dimensions appropriate for the species of animal.
 - a. Rabbits, when kept outdoors, are subject to the following requirements:
 - i. Rabbits must be kept in the rear yard and at least ten (10) feet from all adjacent property lines and twenty-five (25) feet from any residential structure.
 - ii. There must be a covered, predator proof hutch that provides a minimum of six (6) square feet per rabbit and two (2) feet high living area. The bottom floor of the hutch shall be elevated above grade level. Part of the hutch shall have a wire floor and a portion shall have solid surfacing. The hutch shall be well ventilated and contain windows for natural light. A hutch shall not exceed eight (8) feet in height.
 - b. Hens, but not roosters, may be kept, subject to the following requirements:
 - i. Hens must be kept in an enclosure, including a fence or corral, in the rear yard that provides at least ten (10) square feet of space for each hen. The enclosure must be of sufficient type, height, and strength to secure and reasonably assure that the hens will not escape. The enclosure must be at least ten (10) feet from all adjacent property lines and forty (40) feet from any residential structure. The area within the enclosure must be well drained and free from standing water.
 - ii. There shall be a covered, well ventilated, predator proof coop within the enclosure that provides at least two (2) square feet per hen, nesting boxes for each three (3) hens, twelve (12) inches of roost per hen, and access to the outdoor portion of the enclosure. A coop shall not exceed eight (8) feet in height.
 - iii. Hens may be allowed to roam outside of the coop or fenced enclosure if within the fully fenced rear yard of the premises housing the hens, and under direct supervision by an adult in the immediate vicinity of the hens.
 - iv. Roosters are expressly prohibited, regardless of the age or maturity of the bird.
 - c. Honey bees may be kept subject to compliance with current GAMMPS requirements and standards, however, if a nuisance is confirmed by the Township the following requirements shall apply:
 - i. Hives kept in the rear and side yard shall be not less than fifty (50) feet from any adjacent property lines. If limited rear and/or side yard area is available, the front yard may be utilized if the hive is set back not less than one hundred fifty (150) feet from the front lot line and fifty (50) feet from the side yard property lines.
 - ii. Each hive shall not exceed a maximum size of twenty (20) cubic feet.
 - iii. A constant supply of water shall be provided for all hives.



- iv. When hives are within two hundred (200) feet of any adjacent property line, the hive entrances must open toward the property keeping the bees, so that the bees fly across the property where the hive is located. If this is not possible, a solid fence (limited in height as set forth elsewhere in this Ordinance) or a dense vegetative barrier at least six (6) feet in height shall be required to redirect the bees flight pattern and prevent a direct line of flight from the hives onto a neighboring property.

Subject to additional standards determined by the Planning Commission that are necessary to abate the nuisance.

County Planning Staff Comments: Please note that the acronym for Generally Accepted Agricultural Management Practices should be GAAMPs instead of GMMP as noted in 2c.

3. Class II & Class III animals shall be restricted to areas on the premises upon which they are being maintained no less than ten (10) feet from the nearest residential lot line, or any neighboring dwelling unit in any zoning classification district, said restricted area to include areas in which animals are fenced or otherwise restrained. Structures for housing, sheltering, and/or maintaining of Class II & III animals shall be no less than twenty-five (25) feet from the nearest lot line, regardless of zoning classification district and located in side and rear lots only. Structures in excess of 200 square feet will be considered an accessory structure as defined elsewhere in this ordinance.
- C. Animal Unit Density Requirements: When making density calculations to determine allowable animal units on a parcel, the acreage located within a designated wetland, lake, or the 100 foot floodplain shall be excluded from the calculation unless the property owner can show the land to be excluded does not contain standing water.

1. Permitted Density in the Farming Residential (FR) Zoning District:

- i. Less than 2 acres: 0.5 animal unit.
- ii. 2.00 to 2.99 acres: 1.0 animal unit
- iii. 3.00 acres and larger 1.0 animal unit for the first two acres, and 1.0 animal per full acre owned above 2 acres.

In the Farming Residential Zoning District, an animal unit density greater than those listed above requires a Special Use Permit, with a review of existing and proposed site conditions, structures, etc.

Cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49, unless kept considered a commercial kennel pursuant to Special Land Use Approval.

2. Permitted Density in the Rural Estate Residential (RE) Zoning District:

- i. Less than 2 acres: .5 animal unit
- ii. 2.00 to 2.99 acres: 1.0 animal unit
- iii. 3.00 acres and larger: 1.0 animal unit for the first two acres, and 1.0 animal unit per full acre owned above two acres, with a limit of 20.0 animal units.



In the Rural Estate Zoning District, an animal unit density greater than those listed above or a total number of units greater than 20.0 requires a special use permit, with a review of existing and proposed site conditions, structures, etc.

Cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49, unless kept considered a commercial kennel pursuant to Special Land Use Approval.

3. Permitted Density in the Single Family Residential (R-1) Zoning District:

- i. Less than 2 acres: Cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49. 0.5 animal unit is permitted for the keeping of hens, rabbits, and bees if consent from the adjacent neighbors is received.
- ii. 2.01 to 4.99 acres: 1.0 animal unit; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.
- iii. 5.00 to 9.99 acres: 1.0 animal unit plus 0.25 animal unit for each additional acre owned above 5 acres, with a maximum of 2.25 animal units; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.
- iv. 10.00 to 19.99 acres: 2.25 animal units plus 0.5 animal unit for each additional acre owned above 10 acres, with a maximum of 7.25 animal units; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.
- v. 20.00 or more acres: 7.25 animal units plus 0.5 animal unit for each additional acre owned above 20 acres; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.

County Planning Staff Comments: The minimum lot size in the FR district is 3 acres, the minimum lot size in the RE district is 1.75 acres, and the minimum lot size in the R-1 district is 1 acre; the permitted density in C. 1, 2 and 3 does not match these minimum lot sizes so staff asked the Tyrone Township Planning Commission Chair for clarification and he provided the following explanation:

While minimum lot sizes are specified elsewhere for the purpose of creating new lots in the various zoning districts, we believe lots have significantly different constraints with respect to compatibility with the keeping of animals, such as actual lot size, lot shape, zoning, adjacent land uses, developmental density, and the type and quantities of animals being kept. We have no intent to attempt to associate allowed animal units based on the minimum required lot sizes in the various zoning districts, since lot sizes exist that are both smaller and larger than the currently required minimums. We have attempted to balance the zoning classifications (residential versus farming) with what is allowed to be kept to ensure compatibility with adjacent neighbors. This strategy is consistent with the current text found 21.28



County Planning Staff Comments: Staff also asked the Tyrone Township Planning Commission Chair for clarification on why neighbor consent is being introduced in 3.i. and he provided the following explanation:

Neighbor consent is being introduced in an attempt to allow the highly desired keeping of hens, rabbits, and bees in higher density residential areas that would otherwise be excluded, while minimizing conflicts or nuisance factors by requiring this consent. Consent is only intended for these higher density areas, and only to allow the keeping of hens, rabbits, and bees.

- D. Performance Standards for the Keeping of Animals: In addition to, and notwithstanding the above, the following regulations shall be applicable to the maintenance of animals:
1. Adequate fencing shall be provided to contain the animals within the restricted areas provided for in this Ordinance and approved by the Building Official. The minimum acceptable fence shall be a #12.5 woven wire forty-eight (48) inches tall with openings not larger than three (3) inches square. Posts shall be U-bar steel, or equivalent, spaced not more than twelve (12) feet apart, and the top row shall be reinforced with a #12 tensioning wire. (See Section 5.12 Fences, Walls and other Protective Barriers).
 2. No animal pen or fence shall be established or maintained within 75 feet of a neighboring property owner's primary structure. If the neighboring property does not have a primary structure on the property, at the time of construction of the pen or fence, the distance must be measured from the minimum side yard and front yard setback of the neighboring property.
 3. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses.
 4. All feed and other substances and materials on the premises for the maintenance of animals shall be stored in appropriate enclosed receptacles and structures, excepting such storage as may otherwise be accomplished without adversely affecting the neighbors of the premises or the public health, safety and welfare of the citizens of the Township. Storage is permissible within required accessory structures.
 5. On any premises upon which animals are situated or maintained in the Township, garbage, refuse, offal and the like, shall not be brought upon the premises and fed to animals; said action is hereby deemed to be a nuisance.
 6. No Animals or Uses described in this section shall be allowed in Condominiums, Subdivisions or similar developments if said animals or uses are expressly prohibited in Master Deeds, Restrictions, or similar recorded documents.
 7. A nuisance or a threat to public health and/or safety shall not be created by the maintenance of animals in the Township. The Building Official, or other Township official duly designated and authorized by the Township Board, shall inspect the premises on which animals are kept where it is alleged there exists a nuisance or a threat to public health and/or safety. Within ten (10) days written notice shall be given by the Official to the person maintaining



animals on the premises, stating that it appears a nuisance or public health/safety threat does in fact exist on said premises, and that the nuisance or threat shall be abated. Upon application of the person or persons maintaining the animals on the premises, due notice being given to individuals residing within three hundred (300) feet of the said premises, and other interested parties known to the Township, the Zoning Board of Appeals shall conduct a hearing and make a determination as to whether the conditions on the premises in question constitute a nuisance or public health/safety threat. The person or persons maintaining the animals on said premises, or their legal representatives, shall be permitted to present evidence and argument. Upon a determination by the Zoning Board of Appeals that a nuisance or threat exists, the Zoning Board of Appeals shall, in writing, apprise the person maintaining the animals on the said premises as to how the nuisance or threat shall be abated, and provide a reasonable time therefor. The Zoning Board of Appeals shall order the animals upon the premises removed only in the event that the maintenance of said animals creates an imminent danger to the public health, safety and welfare, and, provided that such a removal order shall be limited to a minimum number of animals and minimum time period necessary to abate said danger.

County Planning Staff Comments: The following Animal Unit Calculation Table was included in this text amendment, however it is not referenced in the text nor does it have a section number, so staff is uncertain where it is supposed to be inserted in Section 21.28.

Township Planning Commission Recommendation: Approval. The Tyrone Township Planning Commission recommended Approval of the Zoning Ordinance Text amendment to Articles 2 and 21 at their August 13, 2019 meeting. It is unknown if there were public comments at the public hearing as only a public hearing synopsis was available at the time of review.

Staff Recommendation: Approval. With minimal corrections to the sections noted in *County Planning Staff Comments*, the content of the proposed amendments is comprehensive and should do a fine job of regulating the keeping of animals on non-farm lots.

Animal Unit Calculation Table			
<i>ANIMAL TYPE</i>	<i>NUMBER OF ANIMALS</i>	<i>ANIMAL UNIT FACTOR</i>	<i>NUMBER OF ANIMAL UNITS</i>
Dairy Cattle			
Mature Cow over 1,000 pounds		1.400	0.0
Mature Cow under 1,000 pounds		1.000	0.0
Heifer		0.700	0.0
Calf		0.200	0.0
Beef Cattle			
Slaughter Steer of Stock Cow		1.000	0.0
Feeder Cattle or Heifer		0.700	0.0
Cow & Calf pair		1.200	0.0
Calf		0.200	0.0
Swine			
Over 300 pounds		0.400	0.0
Between 55 & 300 pounds		0.300	0.0
Under 55 pounds		0.050	0.0
Horse			
Full Size Standard Horse		1.000	0.0
Miniature Horse (350 pounds or less)		0.330	0.0
Sheep & Lambs			
All types		0.100	0.0
Chickens			
Chickens (all types) -over 5-pounds-(dry-manure-system)		0.033	0.0
Laying-Hen or Broiler (liquid-manure-system)		0.006	0.0
Chicken-under 5-pounds (dry-manure-system)		0.003	0.0
Turkeys			
All types		0.018	0.0
Under-5-pounds		0.006	0.0
Ducks & Geese			
Ducks (all types)		0.010	0.0
Geese (all types)		0.020	0.0
Rabbits			
Rabbits (all types)		0.010	0.0
Animals not listed above & approved by Zoning Administrator or Sub Committee		average weight of animal divided by 1,000	
All			
Total Number of Animal Units (Add up all numbers in Column 4)			0.0

EXISTING SECTION 21.28 IN TYRONE TOWNSHIP ZONING ORDINANCE:

SECTION 21.28 STABLES AND ANIMALS

Stables for breeding, rearing and housing of horses, mules and similar domestic animals are subject to the following conditions:

- A. **Minimum Commercial Parcel.** For breeding, rearing and housing of horses, mules and, similar domestic animals on a commercial basis, the minimum lot size shall be twenty (20) acres.
- B. **Stable Location.** An accessory building used as a stable shall not be located nearer than one hundred (100) feet to any dwelling.
- C. **Pasture Fencing.** Paddocks or pastures of livestock shall be a suitable fenced area that precludes their approaching nearer than twenty (20) feet of any dwelling on adjacent properties.
- D. **Nuisance or Hazard.** The facility shall be so constructed and maintained that odor, dust, noise or drainage shall not constitute a nuisance or hazard to adjoining premises.
- E. **Animal Units.** For private use by the owner or lessee of the land and dwelling, the following number of animal units is allowed on the designated usable land as provided in the following table:

<u>Site Acreage</u>	<u>Number of Animal Units Permitted</u>
less than 3	0
3 to less than 5	1
5 to less than 7	2
7 to less than 9	3
9 to 10	4

One (1) animal unit is equivalent to:

- 1 horse or donkey or mule or cow, or
- 3 pigs, or
- 15 sheep or goats, or
- 30 fowl, or
- 4 miniature equine

- F. **Less Than Ten Acres.** On parcels that are less than ten (10) acres in size, the animals must be housed and maintained on the land of the owner or lessor of the principal residence. Land cannot be leased to increase the size of the primary parcel, thereby allowing for more animals than would be allowed on the primary parcel.

HOUSEHOLD PET. A domesticated animal ~~typically found in~~ kept within a residential dwellings ~~and not typically disruptive~~ that does not generate nuisance factors detrimental to the residential character of an area. This definition would include, by way of example and not by way of exclusion, such animals as domesticated dogs other than dog/wolf hybrids, small domesticated cats, gerbils, hamsters, turtles, non-venomous snakes under ten (10) feet in length, tropical fish, parrots, canaries, and parakeets.

Section 21.28: STABLES AND ANIMALS

The standards described in this Section shall not apply to the keeping of animals as part of an active farm operation in the FR/RE district and maintained in conformance with the Right to Farm Act (P.A. 93 of 1981, as amended) and Generally Accepted Agricultural Management Practices (GAMMPs) established by the Michigan Department of Agriculture and Rural Development (MDARD). Specifically, the keeping of farm animals are addressed in the Care of Farm Animals GAMMPs. Such animals are not regulated in this Section. All animals regulated by this Ordinance are defined as nonhuman zoological species and are classified as follows:

A. Classification of Animals

1. **Class I Animal**: Domesticated household pets weighing less than 150 pounds. Class I animals may be maintained in any zoning district in accordance with Section 21.49.
2. **Class II Animal**: An animal which is normally part of the livestock maintained on a farm, including:
 - a. Bovine and like animals, such as the cow.
 - b. Swine and like animals, such as the pig and hog.
 - c. Ovine and like animals, such as the sheep and goat.
 - d. Equine and like animals, such as the horse.
 - e. Class II animals may be maintained in the FR/RE districts as a permitted principal use subject to any special conditions listed in Section 4.0. Class II animals shall only be permitted on a lot having three (3) or more acres.
3. **Class III Animal**: means rabbits (which are not maintained or kept as domesticated household pets); animals considered as poultry, animals considered as wildfowl, such as pheasant, quail, geese or grouse, bees, and other animals weighing less than 75 pounds not specifically classified in this definition. Class III animals may be maintained in zoning Districts R1, FR, & RE.

B. Housing Requirements Related to Class II and III Animals: Structures shall be provided for the purpose of housing, confining, sheltering, and maintaining permitted animals. Such structures shall meet requirements for height and floor area as specified in Section 21.28, but no single structure shall exceed four thousand (4,000) square feet. Structures for the purpose of housing, confining, sheltering, and maintaining of animals shall meet all requirements specified within Sections B and D. The following minimum floor area shall be provided within a structure for each animal:

1. **Class II Animals**: Class II animals shall be provided with a structure having a minimum floor area of 100 square feet for each animal. Planning Commission has the discretion to permit smaller structures for miniature horses.
2. **Class III Animals**: Class III animals, other than rabbits, chickens, and bees, as described below, shall be provided with an appropriately-sized structure. It shall be the

responsibility of the Applicant to provide evidence of the structure dimensions appropriate for the species of animal.

a. Rabbits, when kept outdoors, are subject to the following requirements:

- i. Rabbits must be kept in the rear yard and at least ten (10) feet from all adjacent property lines and twenty-five (25) feet from any residential structure.
- ii. There must be a covered, predator proof hutch that provides a minimum of six (6) square feet per rabbit and two (2) feet high living area. The bottom floor of the hutch shall be elevated above grade level. Part of the hutch shall have a wire floor and a portion shall have solid surfacing. The hutch shall be well ventilated and contain windows for natural light. A hutch shall not exceed eight (8) feet in height.

b. Hens, but not roosters, may be kept, subject to the following requirements:

- i. Hens must be kept in an enclosure, including a fence or corral, in the rear yard that provides at least ten (10) square feet of space for each hen. The enclosure must be of sufficient type, height, and strength to secure and reasonably assure that the hens will not escape. The enclosure must be at least ten (10) feet from all adjacent property lines and forty (40) feet from any residential structure. The area within the enclosure must be well drained and free from standing water.
- ii. There shall be a covered, well ventilated, predator proof coop within the enclosure that provides at least two (2) square feet per hen, nesting boxes for each three (3) hens, twelve (12) inches of roost per hen, and access to the outdoor portion of the enclosure. A coop shall not exceed eight (8) feet in height.
- iii. Hens may be allowed to roam outside of the coop or fenced enclosure if within the fully fenced rear yard of the premises housing the hens, and under direct supervision by an adult in the immediate vicinity of the hens.
- iv. Roosters are expressly prohibited, regardless of the age or maturity of the bird.

c. Honey bees may be kept subject to compliance with current GAMMPs requirements and standards, however, if a nuisance is confirmed by the Township the following requirements shall apply:

- i. Hives kept in the rear and side yard shall be not less than fifty (50) feet from any adjacent property lines. If limited rear and/or side yard area is available, the front yard may be utilized if the hive is set back

not less than one hundred fifty (150) feet from the front lot line and fifty (50) feet from the side yard property lines.

- ii. Each hive shall not exceed a maximum size of twenty (20) cubic feet.
- iii. A constant supply of water shall be provided for all hives.
- iv. When hives are within two hundred (200) feet of any adjacent property line, the hive entrances must open toward the property keeping the bees, so that the bees fly across the property where the hive is located. If this is not possible, a solid fence (limited in height as set forth elsewhere in this Ordinance) or a dense vegetative barrier at least six (6) feet in height shall be required to redirect the bees flight pattern and prevent a direct line of flight from the hives onto a neighboring property.
- v. Subject to additional standards determined by the Planning Commission that are necessary to abate the nuisance.

3. Class II & Class III Restrictions: Class II & Class III animals shall be restricted to areas on the premises upon which they are being maintained no less than ten (10) feet from the nearest residential lot line, or any neighboring dwelling unit in any zoning classification district, said restricted area to include areas in which animals are fenced or otherwise restrained. Structures for housing, sheltering, and/or maintaining of Class II & III animals shall be no less than twenty-five (25) feet from the nearest lot line, regardless of zoning classification district and located in side and rear lots only. Structures in excess of 200 square feet will be considered an accessory structure as defined elsewhere in this ordinance.

C. Animal Unit Density Requirements: When making density calculations to determine allowable animal units on a parcel, the acreage located within a designated wetland, lake, or the 100 foot floodplain shall be excluded from the calculation unless the property owner can show the land to be excluded does not contain standing water.

1. Permitted Density in the Farming Residential (FR) Zoning District:

- i. Less than 2 acres: 0.5 animal unit.
- ii. 2.00 to 2.99 acres: 1.0 animal unit
- iii. 3.00 acres and larger 1.0 animal unit for the first two acres, and 1.0 animal per full acre owned above 2 acres.

In the Farming Residential Zoning District, an animal unit density greater than those listed above requires a Special Use Permit, with a review of existing and proposed site conditions, structures, etc.

Cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49,

unless kept considered a commercial kennel pursuant to Special Land Use Approval

2. Permitted Density in the Rural Estate Residential (RE) Zoning District:

- i. Less than 2 acres: .5 animal unit
- ii. 2.00 to 2.99 acres: 1.0 animal unit
- iii. 3.00 acres and larger: 1.0 animal unit for the first two acres, and 1.0 animal unit per full acre owned above two acres, with a limit of 20.0 animal units.

In the Rural Estate Zoning District, an animal unit density greater than those listed above or a total number of units greater than 20.0 requires a special use permit, with a review of existing and proposed site conditions, structures, etc.

Cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49, unless kept considered a commercial kennel pursuant to Special Land Use Approval.

3. Permitted Density in the Single Family Residential (R-1) Zoning District:

- i. Less than 2 acres: Cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49. 0.5 animal unit is permitted for the keeping of **hens, rabbits, and bees if consent from the adjacent neighbors is obtained.** -
- ii. 2.01 to 4.99 acres: 1.0 animal unit; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.
- iii. 5.00 to 9.99 acres: 1.0 animal unit plus 0.25 animal unit for each additional acre owned above 5 acres, with a maximum of 2.25 animal units; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.
- iv. 10.00 to 19.99 acres: 2.25 animal units plus 0.5 animal unit for each additional acre owned above 10 acres, with a maximum of 7.25 animal units; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.
- v. 20.00 or more acres: 7.25 animal units plus 0.5 animal unit for each additional acre owned above 20 acres; and cats and dogs or other domestic animals customarily kept as household pets are allowed on any size parcel with a density restriction pursuant to Section 21.49.

D. Performance Standards for the Keeping of Animals: In addition to, and notwithstanding the above, the following regulations shall be applicable to the maintenance of animals:

1. Adequate fencing shall be provided to contain the animals within the restricted areas provided for in this Ordinance and approved by the Building Official. The minimum acceptable fence shall be a #12.5 woven wire forty-eight (48) inches tall with openings not larger than three (3) inches square. Posts shall be U-bar steel, or equivalent, spaced not more than twelve (12) feet apart, and the top row shall be reinforced with a #12 tensioning wire. (See Section 5.12 Fences, Walls and other Protective Barriers).
2. No animal pen or fence shall be established or maintained within 75 feet of a neighboring property owner's primary structure. If the neighboring property does not have a primary structure on the property, at the time of construction of the pen or fence, the distance must be measured from the minimum side yard and front yard setback of the neighboring property
3. The refuse and wastes resulting from the maintenance of animals shall be controlled upon the premises, and shall be cared for or disposed of within a reasonable time so as to minimize hazards of health and offensive effects upon neighboring people and uses.
4. All feed and other substances and materials on the premises for the maintenance of animals shall be stored in appropriate enclosed receptacles and structures, excepting such storage as may otherwise be accomplished without adversely affecting the neighbors of the premises or the public health, safety and welfare of the citizens of the Township. Storage is permissible within required accessory structures.
5. On any premises upon which animals are situated or maintained in the Township, garbage, refuse, offal and the like, shall not be brought upon the premises and fed to animals; said action is hereby deemed to be a nuisance.
6. No Animals or Uses described in this section shall be allowed in Condominiums, Subdivisions or similar developments if said animals or uses are expressly prohibited in Master Deeds, Restrictions, or similar recorded documents.
7. A nuisance or a threat to public health and/or safety shall not be created by the maintenance of animals in the Township. The Zoning Administrator, or other Township official (the Official) duly designated and authorized by the Township Board, shall inspect the premises on which animals are kept where it is alleged there exists a nuisance or a threat to public health and/or safety. Within ten (10) days written notice shall be given by the Official to the person maintaining animals on the premises, stating that it appears a nuisance or public health/safety threat does in fact exist on said premises, and that the nuisance or threat shall be abated. Upon application of the person or persons maintaining the animals on the premises, due notice being given to individuals residing within three hundred (300) feet of the said premises, and other interested parties known to the Township, the Zoning Board of Appeals shall conduct a hearing and make a determination as to whether the conditions on the premises in question constitute a nuisance or public health/safety threat. The person or persons maintaining the animals on said premises, or their

legal representatives, shall be permitted to present evidence and argument. Upon a determination by the Zoning Board of Appeals that a nuisance or threat exists, the Zoning Board of Appeals shall, in writing, apprise the person maintaining the animals on the said premises as to how the nuisance or threat shall be abated, and provide a reasonable time therefor. The Zoning Board of Appeals shall order the animals upon the premises removed only in the event that the maintenance of said animals creates an imminent danger to the public health, safety and welfare, and, provided that such a removal order shall be limited to a minimum number of animals and minimum time period necessary to abate said danger.

- E. **Animal Unit Density Calculation:** Animal units shall be determined by referencing Table 21.28.1. After determining the total number and type of animals being kept or desired, the animal units designated for each animal type and quantity can be calculated and compared to Section 21.28.C for compliance.

Table 21.28.1

Animal Unit Calculation Table			
<i>ANIMAL TYPE</i>	<i>NUMBER OF ANIMALS</i>	<i>ANIMAL UNIT FACTOR</i>	<i>NUMBER OF ANIMAL UNITS</i>
Dairy Cattle			
Mature Cow over 1,000 pounds		1.400	0.0
Mature Cow under 1,000 pounds		1.000	0.0
Heifer		0.700	0.0
Calf		0.200	0.0
Beef Cattle			
Slaughter Steer of Stock Cow		1.000	0.0
Feeder Cattle of Heifer		0.700	0.0
Cow & Calf pair		1.200	0.0
Calf		0.200	0.0
Swine			
Over 300 pounds		0.400	0.0
Between 55 & 300 pounds		0.300	0.0
Under 55 pounds		0.050	0.0
Horse			
Full Size Standard Horse		1.000	0.0
Minature Horse (350 pounds or less)		0.330	0.0
Sheep & Lambs			
All types		0.100	0.0
Chickens			
Chickens (all types)		0.033	0.0
Turkeys			
All types		0.018	0.0
Ducks & Geese			
Ducks (all types)		0.010	0.0
Geese (all types)		0.020	0.0
Rabbits			
Rabbits (all types)		0.010	0.0
Animals not listed above & approved by Zonning Administrator or Sub Committee			
	All	average weight of animal divided by 1,000	
Total Number of Animal Units (Add up all numbers in Column 4)			0.0

NEW BUSINESS #6



3901 East Paris SE
 Grand Rapids, MI 49512
 616.957.2120 phone
 616.957.3026 fax
 kentcommunications.com

Proposal

Joanne Milarch
 Tyrone Township
 10408 Center Rd.
 Fenton, MI 48430
 Ph:

Proposal 203838.
Date October 21, 2019

Fax:

Project

Winter 2019 Tax Bills
 Newsletter: (400 Extra) 11x17 Print 4/4 on 80# White Gloss Text, Trim & Fold;
 Tax Bills - Laser Print 1/0 (black ink) on 20# YELLOW Perfed Stock, Fold, Insert x2 (Bill & Newsletter)
 into Double Window Env, Inkjet Message (TAX DOCUMENT ENCLOSED) on Env, Seal, Sort & Mail
 First Class Presort

** 1000 Sheets - 20# YELLOW Perfed Blank Stock & 400 Extra Newsletters to be sent to customer **

PDF File

Components

Tax Bill, #10 DW Env, Tax Bill - Blank Stock, Newsletter - 11x17

Quantity of 3,560

Services	Quantity	Setup	Minimum	Rate	per	Price
**Printing - Newsletter - 11x17	3,960			\$200.49	/m	\$793.96
**Material - Tax Bill - Blank Stock (Yellow)	1,000			\$13.99	/m	\$13.99
Statement Set-up PDF Inkjet Only	1			\$100.00	ea	\$100.00
Pre-Press	3,560		\$60.00	\$2.25	/c	\$80.10
Process & Mail Tax Bills	4	\$31.50		\$31.50	ea	\$157.50
UPS/Shipping Charges	3,560		\$350.00	\$130.00	/m	\$462.80
	1					\$0.00
Total Cost for Services						<u>\$1,608.35</u>
Estimated Postage		Pieces		Rate		Postage
1st Class/5-Digit		3,560		0.38300		\$1,363.48000
Total Estimated Postage						<u>\$1,363.48000</u>
Total Estimated Project Cost		3,560	Unit Price:	\$0.83		<u>\$2,971.83</u>

Postage must be paid in advance or on deposit with the Post Office.

Thank you for the opportunity to quote on this project.

Autumn Hoffman

NEW BUSINESS #7

**RESOLUTION #1911xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**TO AUTHORIZE NEGOTIATING FOR
SUMMER TAX COLLECTION WITH SCHOOLS**

WHEREAS, Act 333, Public Acts of Michigan, 1982, provides that townships may negotiate the collection of summer property taxes upon request of the local school districts; and

WHEREAS, in previous years school districts within the boundaries of Tyrone Township have requested one-half or all of the tax levy;

WHEREAS, school districts within the boundaries of Tyrone Township have indicated they will request one-half or all of the 2019 tax levy, including debt services; and

WHEREAS, the 2019 summer property tax collection shall not be an additional expense to Tyrone Township;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The negotiations for the collection of the 2019 summer school tax, as certified by school districts within Tyrone Township, are authorized.
2. The Supervisor, Mike Cunningham, and Treasurer, Jennifer Eden, are authorized and directed to negotiate on behalf of Tyrone Township.
3. These taxes will be levied commencing July 1, 2019.
4. Should an agreement not be determined to cover reasonable expenses, Tyrone Township will not be responsible for the collection of the above tax.

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: November

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on **November 21, 2017**, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Marcella Husted
Tyrone Township Clerk

*Resolution #171102
To Authorize Negotiating for Summer Tax Collection with Schools*

NEW BUSINESS #8

Jennifer Eden

From: Jennifer Eden
Sent: Thursday, October 31, 2019 9:07 AM
To: jeneden124@gmail.com
Subject: Equipment Purchase

Jennifer,

I have emailed the shopping cart from B&H in a separate email. Please let me know if you did not revive it. I ended up coming in lower at \$8,500. Not too bad.

The livestream computer may be delayed in shipping but I can start the install without it. Shouldn't have an issue having it up and running by the 14th.

It will take me a few days for the install, estimate \$850 to install everything including two big screen TV's.

-Randen



ProSafe 5-Port (

The Professional's Source

Hello, JENNIFER My Account



Photography Computers Pro Video Lighting Pro Audio Mobile TVs & Entertainment Camcorders Surveillance Optics Audio-Visual

Tyrone Township



B&H Acct Reps Omnia Specialist 800.942.8214 Omnia@bhphoto.com

Quick Order B&H Item #

QTY

Orders & Quotes

B2B IT Service

MY CART

Move All to Wish List

Remove All

Email Print



PTZOptics 12x-SDI Gen2 Live Streaming Camera (Gray)

B&H #PT12XSDIGYG2 • MFR #PT12X-SDI-GY-G2 Free Shipping (USA)

Accessories

SquareTrade Protection Plan:

- 2-Year Protection Plan \$79.99 3-Year Protection Plan \$129.99

MORE INFORMATION

In Stock Ready to Ship

1

\$1,295.19

ESTIMATE SHIPPING & TAX

NYC SuperStore Pickup See Details

UNITED STATES

Zip Code 48430

Eligible for FREE Shipping

Save for Later Remove

Item Total: \$1,295.19

Subtotal: \$6,431.97 Shipping FREE Est. Tax \$385.92



Livestream Studio One HD with 4 x SDI Inputs

B&H #LISSOHDSDI • MFR #LS-STUDIOONE HD SDI Free Shipping (USA)

Accessories

SquareTrade Protection Plan:

- 2-Year Protection Plan \$194.99 3-Year Protection Plan \$299.99

MORE INFORMATION

In Stock Ready to Ship

1

\$4,515.75

Total \$6,817.89

Begin Checkout

Get a Quote

or

Express Checkout

Save for Later Remove

Item Total: \$4,515.75

In Stock \$104.47

Helpful Links

- Shipping Information Our Return Policy Your Privacy and Security



LG 24BK430H-B 23.8" 16:9 IPS FreeSync Monitor

B&H #LG24BK430HB • MFR #24BK430H-B

Free Shipping (USA)

Accessories

SquareTrade Protection Plan:

2-Year Protection Plan \$11.99

3-Year Protection Plan \$17.99

[MORE INFORMATION](#)

Ready to Ship

1

Save for Later

Remove

Item Total: \$104.47



NewerTech High-Speed HDMI Cable (3')

B&H #NECHDMI14031 • MFR #NWTCLHDMI14031

Free Shipping (USA)

Accessories

In Stock
Ready to Ship

1

\$2.81

Save for Later

Remove

Item Total: \$2.81



Kopul Premium Series 3G-SDI Cable (100 ft)

B&H #KOVBBC4100 • MFR #VBBBC-4100

Free Shipping (USA)

Accessories

In Stock
Ready to Ship

1

\$44.96

Save for Later

Remove

Item Total: \$44.96



Comprehensive 100' (30.5 m) Cat6 550MHz Snagless Patch Cable (Black)

B&H #COC655PCMBK • MFR #CAT6-100BLK

Free Shipping (USA)

Accessories

In Stock
Ready to Ship

1

\$25.55

Save for Later

Remove

Item Total: \$25.55

In Stock
Ready to Ship

\$74.84



Audio-Technica Pro 45 - Cardioid Hanging Condenser Microphone (White)

B&H #AUPRO45W • MFR #PRO 45W

Free Shipping (USA)

Accessories

SquareTrade Protection Plan:

- 2-Year Protection Plan \$6.99
- 3-Year Protection Plan \$9.99

[MORE INFORMATION](#)

4

Save for Later Remove

Item Total: \$299.36



Kopul Studio Elite 4000 Series XLR M to XLR F Microphone Cable - 100' (30.5 ...)

B&H #KOM4100 • MFR #M4100

Free Shipping (USA)

Accessories

In Stock
Ready to Ship

4

\$24.25

Save for Later Remove

Item Total: \$97.00



Hosa Technology Balanced 1/4" TRS Male to 3-Pin XLR Male Audio Cable (5')

B&H #HOHSX005 • MFR #HSX-005

Free Shipping (USA)

Accessories

In Stock
Ready to Ship

2

\$7.09

Save for Later Remove

Item Total: \$14.18



Netgear ProSafe 5-Port Gigabit Desktop Switch

B&H #NEGS105NA • MFR #GS105NA

Free Shipping (USA)

Accessories

SquareTrade Protection Plan:

- 2-Year Protection Plan \$5.99
- 3-Year Protection Plan \$8.49

[MORE INFORMATION](#)

In Stock
Ready to Ship

1

\$32.70

NEW BUSINESS #9

DECEMBER 2019

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23 <i>OPEN</i>	24 <i>CLOSED</i>	25	26	27	28
29	30 <i>OPEN</i>	31 <i>CLOSED</i>	1 JAN	2 JAN		

NEW BUSINESS #10

Letter of Intent to Become a Partner in the
2020 Aerial Acquisition

Livingston County plans to partner with the State of Michigan to acquire high resolution imagery for the year 2020. Based on the Concept Plan for this flight

_____, intends to become a partner in this project.
(agency name)

More information about Michigan Statewide Authoritative Imagery & Lidar (MiSAIL) Program can be found on the State's website.

https://www.michigan.gov/som/0,4669,7-192-78943_78944_78949_78952_63834---,00.html

Project Cost: We understand that the total cost for Livingston County's portion of this project will be between \$63,000 and \$175,000, based on final photography specifications. Costs will be shared among local unit partners based on area, population and parcel count for 6 inch imagery or imagery specifications for the 3 inch buy-up option. If my unit requests the 3 inch resolution buy-up option, cost shares with contiguous units will need to be recalculated by LC GIS, our contribution being based on the tile geography specified under the MiSAIL Program. We also understand that this amount for each partner may vary based on the total number of partners. A document showing the current projected costs for each partner is attached.

The partners will jointly own imagery, distribution to others will follow guidelines defined by Sections 7 and 8 of the Intergovernmental Agreement for Access to G.I.S. Data.

Authorizing signature _____
Has the authority to sign contracts and to commit agency funds.

Title _____

Date _____

We would like the 6 inch resolution option.

We would like the 3 inch resolution buy-up option.

APPROVED AS TO FORM FOR COUNTY OF LIVINGSTON:

COHL, STOKER & TOSKEY, P.C.

By: MATTIS D. NORDFJORD

On: October 30, 2019

LIVINGSTON COUNTY 2020 ORTHOIMAGERY PROJECT

PARTNER WITH THE STATE OF MICHIGAN (MISAIL PROGRAM)

COST PER PARTNER FOR BUY-UP OPTION (6 INCH OR 3 INCH RESOLUTION IMAGERY)

6 INCH COST ESTIMATE							
	AREA	POPULATION	PARCELS	AREA	POPULATION	PARCELS	AVERAGE
COHOCTAH	38.56	3,317	1,871	\$ 2,018.60	\$ 1,000.49	\$ 1,121.95	\$ 1,380.35
CONWAY	41.03	3,546	1,844	\$ 2,147.69	\$ 1,069.57	\$ 1,105.76	\$ 1,441.01
FOWLerville	2.69	2,886	1,011	\$ 140.83	\$ 870.49	\$ 606.25	\$ 539.19
HANDY	34.30	5,120	2,678	\$ 1,795.61	\$ 1,544.33	\$ 1,605.87	\$ 1,648.60
HOWELL TWP	29.82	6,702	3,417	\$ 1,560.89	\$ 2,021.50	\$ 2,049.02	\$ 1,877.14
IOSCO	37.22	3,801	2,060	\$ 1,948.18	\$ 1,146.48	\$ 1,235.29	\$ 1,443.32
MARION	34.52	9,996	5,079	\$ 1,807.35	\$ 3,015.05	\$ 3,045.64	\$ 2,622.68
PINCKNEY	2.91	2,427	1,043	\$ 152.57	\$ 732.05	\$ 625.44	\$ 503.35
PUTNAM	32.73	5,821	3,160	\$ 1,713.46	\$ 1,755.77	\$ 1,894.91	\$ 1,788.04
TYRONE	36.77	10,020	4,301	\$ 1,924.71	\$ 3,022.29	\$ 2,579.11	\$ 2,508.71
UNADILLA	37.89	3,366	2,208	\$ 1,983.39	\$ 1,015.27	\$ 1,324.04	\$ 1,440.90
TOTAL	328.44	57,002	28,672	\$ 17,193.29	\$ 17,193.29	\$ 17,193.29	\$ 17,193.29
COST SPLITS	\$ 52.35	\$ 0.30	\$ 0.60				

3 INCH COST ESTIMATE					
CVT	Sq Mi	COST SHARE	COST %	DISCOUNT	EST. COST
BRIGHTON CITY	4.04	\$ 999.64	1%	\$ 56.96	\$ 942.68
BRIGHTON TWP	35.20	\$ 8,719.12	12%	\$ 496.84	\$ 8,222.29
DEERFIELD TWP	39.91	\$ 9,885.38	14%	\$ 563.29	\$ 9,322.09
GENOA TWP	38.34	\$ 9,496.63	14%	\$ 541.14	\$ 8,955.49
GREEN OAK TWP	40.80	\$ 10,107.52	14%	\$ 575.95	\$ 9,531.57
HAMBURG TWP	38.11	\$ 9,441.09	13%	\$ 537.97	\$ 8,903.12
HARTLAND TWP	42.15	\$ 10,440.74	15%	\$ 594.94	\$ 9,845.80
HOWELL CITY	7.17	\$ 1,777.15	3%	\$ 101.27	\$ 1,675.88
OCEOLA TWP	37.66	\$ 9,330.02	13%	\$ 531.65	\$ 8,798.37
TOTAL	283.37	\$ 70,197.29	100%	\$ 4,000.00	\$ 66,197.29

COUNTYWIDE PARTNERS	
LIVINGSTON COUNTY GIS	\$ 5,000.00
LC ROAD COMMISSION	\$ 5,000.00
LIVINGSTON COUNTY DRAIN	\$ 5,000.00
TOTAL	\$ 15,000.00

COST FOR BUY-UP OPTIONS PER SQMI
3 INCH PIXEL RESOLUTION = \$247.72 (AREAS > 100 SQMI)
3 INCH PIXEL RESOLUTION = \$365.78 (AREAS < 100 SQMI)
6 INCH PIXEL RESOLUTION = \$85.84

TOTAL PROJECT COSTS				
3 INCH IMAGERY	283.37	\$ 70,197.29	\$ 66,197.29	\$ (4,000.00)
6 INCH IMAGERY	328.44	\$ 28,193.29	\$ 17,193.29	\$ (11,000.00)
TOTAL COST	611.81	\$ 98,390.58	\$ 83,390.58	\$ (15,000.00)

PRICING AND COST SHARE IS BASED CURRENT IMAGERY SPECIFICATION SELECTIONS AS OF OCTOBER 31, 2019

NEW BUSINESS #11

Polling location changes for Precincts 1 and 4

No documents attached.