

Clearwater Township
Planning Commission
Special Meeting of July 7, 2016
As approved August 1, 2016

Call to Order, Pledge of Allegiance:

Vice Chair Backers called the meeting to order at 7:06 p.m., and opened with the Pledge of Allegiance.

Roll Call of Members and Recognition of Visitors:

Commissioners present: Backers, Eldridge, Fields, Von See.

Township officials: Acting Zoning Administrator Parzych

Public: No members of the public attended

Approval of Agenda:

As there was no member of the public present, Vice Chair Backers requested removal of the initial public comment item from the agenda.

MOTION by Von See , second by Eldridge, to accept the agenda as amended. Motion carried.

Call for Disclosure of Conflicts of Interests:

Chair calls for commissioners to disclose any real or potential conflicts of interests. None declared.

Approval of Minutes:

MOTION by Eldridge, second by Von See, to accept the minutes of June 27, 2016 as presented. Motion carried.

New Business

Review, editing, and revision of the proposed new Article XIX to be inserted into Ordinance 22 the Zoning Ordinance. Discussion reviewed each portion of the Article, beginning with the definition of monument or memorial to be added to Article V. The proposed Article XIX, as completed during discussion is attached to the permanent copy of these minutes as [Att A].

MOTION by Fields, second by Von See, to set a public hearing on this Article to be held at our regular meeting of August 1, 2016. Motion carried.

Closing Public Comment:

There was none.

Adjournment:

MOTION by Von See, second by Eldridge, to adjourn. Adjournment at 8:08 p.m.

Assignments:

- Fields to arrange for publication of the required legal notice for the public hearing to be held August 1, 2016.
- Fields to properly format the proposed document for public distribution.

Next Meeting: August 1, 2016.

Respectfully submitted,

A handwritten signature in cursive script that reads "Tina Norris Fields".

Tina Norris Fields
Secretary

**Article V
DEFINITIONS**

Proposed Addition

MONUMENT OR MEMORIAL - Any structure erected to commemorate a famous or notable person or event; a statue or other structure placed in memory of the dead; a structure, or site that is of historical importance or interest.

**Article XIX
MONUMENTS OR MEMORIALS**

Proposed New Article

To regulate monuments or memorials within the township.

19.01 PURPOSE.

Based on the findings which have been made by the Clearwater Township Board, the purposes of Article XIX are:

- A. To define Monuments or Memorials as permanent fixed structures, unique in structure and purpose (See Article V DEFINITIONS), and
- B. To differentiate these structures from signs, and exempt them from sign restrictions.

19.02. REGULATIONS.

- A. Construction of a Monument or Memorial requires a Special Use Permit. The Special Use Permit application shall be reviewed for compliance with setbacks, size, type and construction.
- B. Each request will be reviewed on an individual basis for compliance with the standards of Article XXIV SPECIAL USE PERMITS.

19.0 3. REMOVAL OF STRUCTURES NOT IN COMPLIANCE.

Any Monument or Memorial structure found to be in violation of any of the above conditions or restrictions, or any special conditions agreed upon prior to construction, must be remedied by the responsible party.

19.04. VIOLATIONS AND PENALTIES.

- A. Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961 (being Sections 600.101-600.9939 of Michigan Compiled Laws), and shall be subject to fines established by the Township Board.
- B. Violations of Article XIX may be reported to the Clearwater Township Supervisor and/or to the Kalkaska County Sheriff's Department and/or Clearwater Township Zoning Administrator.

19.05. ENFORCEMENT OFFICIALS.

The Clearwater Township Supervisor, Clearwater Township Zoning Administrator and police officers of the Kalkaska County Sheriff's Department are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Article to appear in court.

19.06. SEPARATE COURT ACTION.

In addition to enforcing Article XIX through the use of a municipal civil infraction proceeding or a criminal prosecution, the Clearwater Township Supervisor may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Article.

19.07. NON-EXCLUSIVITY.

The regulations in Article XIX shall be in addition to, and not exclusive of, any other local police power ordinance or zoning ordinance or any other state law or regulation,

19.08. Effective Date.

This Article shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.