

CLEARWATER TOWNSHIP

Amendment 6 to Ordinance 22 The Zoning Ordinance

At a regular meeting of the Clearwater Township Board, held on August 17, 2016, the following amendment was enacted:

An amendment to Ordinance 22 (The Zoning Ordinance), to provide for regulation of monuments or memorial structures within the township. This amendment modifies Article V by adding a definition for monuments or memorials, and inserts Article XIX (Monuments or Memorials). The full text of the amendment is herewith presented.

Article V DEFINITIONS

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

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.
- C. Each request will be reviewed on an individual basis for compliance with the standards of Article XXIV SPECIAL USE PERMITS.

19.03. 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.