

**TOWNSHIP BOARD
WINFIELD TOWNSHIP
MONTCALM COUNTY, MICHIGAN**

(Ordinance No. 11-9-23-1)

At a regular meeting of the Township Board for Winfield Township held at the Township Hall on Nov. 9, 2023 and commencing at 7:00 p.m., the following Ordinance was offered for adoption by Township Board Member Julia Petrakis and was seconded by Township Board Member Ryan Valskiema:

AN ORDINANCE TO AMEND CHAPTER 3, SECTION 3.02 ENTITLED "MAIN BUILDING OR USE;" TO ENACT CHAPTER 3, SECTION 3.29 OF THE ENTITLED "PERFORMANCE GUARANTEE;" AND TO AMEND CHAPTER 16 SECTION 16.03 SUBSECTION 16.03(A) ENTITLED "VIOLATIONS" OF THE ZONING ORDINANCE FOR WINFIELD TOWNSHIP.

THE TOWNSHIP OF WINFIELD (THE "TOWNSHIP") ORDAINS:

Section 1. Amendment of Section 3.02, Chapter 3, Section 3.02 of the Zoning Ordinance for Winfield Township entitled "Main Building or Use" is amended and reads in its entirety as follows:

Section 3.02 Principle Building and Use.

- A. Unless specifically authorized by this Ordinance, not more than one principal (main) use may be located on any one lot.
- B. Unless specifically authorized in this Ordinance, not more than one principal (main) building may be located on any one lot.
- C. Uses permitted by right or by special land use shall be considered principal uses.
- D. Subsection 3.02(B) above does not apply to related industrial or commercial buildings, multiple family dwellings, or manufactured homes contained within a single, integrated complex, sharing parking and access.

Section 2. Enactment of Section 3.29, Chapter 3, Section 3.29 of the Zoning Ordinance for Winfield Township entitled "Performance Guarantee" is enacted and reads in its entirety as follows:

3.28. Performance Guarantee.

To ensure compliance with the Ordinance and any conditions imposed under the Ordinance, the Township may require that a cash deposit, certified check, irrevocable

letter of credit, or surety bond acceptable to the Township be deposited with the Township Clerk. The performance guarantee must be deposited at the time of the issuance of the permit authorizing the activity or project. The Township may not require the deposit of the performance guarantee until it is prepared to issue the permit.

Section 3. Amendment of Subsection 16.03(A). Chapter 16 Section 16.03, Subsection 16.03(A) of the Zoning Ordinance for Winfield Township entitled "Violations" is hereby amended and reads in its entirety as follows:

A. Violations

1. Any individual or entity that violates this Ordinance or violates any provision or condition imposed by the Planning Commission, Township Board, or Zoning Board of Appeals pursuant to this Ordinance, will be responsible for a municipal civil infraction and subject to fines, costs, and other remedies as provided by law.
2. The owner(s) of any building, structure, or property which is in violation of this Ordinance or in violation of any provision or condition imposed by the Planning Commission, Township Board, or Zoning Board of Appeals pursuant to this Ordinance, will be responsible for a municipal civil infraction and subject to fines, costs, and other remedies as provided by law.
3. Unless otherwise specifically provided in this Ordinance, the fine for a municipal civil infraction will be not less than one hundred (100) dollars nor more than five hundred (500) dollars for the first offense, and not less than five hundred (500) dollars nor more than one thousand (1,000) dollars for subsequent offenses. For purposes of this paragraph, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within twelve (12) months of a previous violation of the same provision of this Ordinance for which said individual or entity admitted responsibility, or was adjudicated to be responsible; provided however, that offenses committed on subsequent days within a period of one (1) week following the issuance of a citation for a first offense shall all be considered separate first offenses.
4. Each day during which any violation continues is deemed a separate offense.
5. A violation of this Ordinance is declared to be a nuisance *per se* subject to abatement.
6. The rights and remedies provided to the Township under this Ordinance are cumulative.
7. Nothing in this Ordinance will be interpreted to preclude the Township from pursuing other remedies available at law or equity.

8. Nothing in this Ordinance shall be interpreted to limit the authority of the Township to revoke an approval previously granted for a violation of this Ordinance. Such right is expressly reserved to the extent permitted by law.

Section 4. Conflict.

- A. Except as otherwise explicitly stated herein, nothing in this Ordinance will be construed in such a manner so as to conflict with existing Township ordinances.
- B. Nothing in the Ordinance shall be construed in such a manner so as to conflict with federal law, or any law of the State of Michigan.

Section 5. Repealer.

Any other ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. Savings Clause.

The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration does not void any or render inoperable any other part or portion of this Ordinance.

Section 7. Effective Date.

This Ordinance is effective upon the expiration of the seventh day following its publication in the manner required by law.

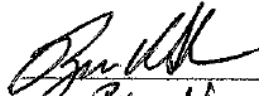
The vote regarding the adoption of this Ordinance was as follows:


YEAS: RYAN VANSOLKEMA, JULIA POTRATZ, BRENDA ARNOLD, KENNETH BIDOM

NAYS: Ø

ABSENT/ABSTAIN: THERESA BENNETT-STRATTON

ORDINANCE DECLARED ADOPTED.

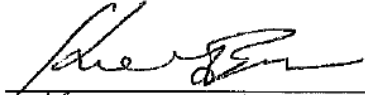

Ryan VanSolkema
Township Supervisor


KENNETH BIDOM
Township Clerk

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Winfield Township Board at the date, time, and place as specified above, pursuant to the required statutory procedures.

Respectfully submitted,


Kenneth Bloom
Township Clerk

Planning Commission Hearing: *OCT 23, 2023*
Adopted: *NOV 9, 2023*
Published: *NOV 17, 2023*
Effective: *NOV 24, 2023*