

ARTICLE 19 GENERAL PROVISIONS

SECTION 1900 GENERAL

Except where otherwise specifically provided, all buildings, structures and/or uses in the Township shall be governed by these General Provisions in addition to any other applicable provisions of this Ordinance.

SECTION 1901 ACCESS TO MAJOR THOROUGHFARE OR COLLECTOR STREET

Vehicular access must be provided to an existing or planned major thoroughfare or collector street. However, access driveways to a street may be permitted where the property directly across the street and all property abutting the street between the driveway and the major thoroughfare or collector street is zoned for multiple family or any nonresidential use, and not single family residences. Access driveways also may be permitted in areas where future single family residences are not planned. This exception shall apply only if there are special circumstances which indicate that there will be a substantial improvement in traffic safety by reducing the number of driveways to a major thoroughfare or collector street.

SECTION 1902 ACCESSIBILITY TO LOT

No dwelling shall be built on a lot unless it has access to vehicular traffic as provided in Section 1901. Such access must have a minimum width of thirty (30) feet, except where an access of record of less width existed prior to the effective date of this Ordinance. All regulations contained in this Ordinance shall apply to such accesses of record in the same manner as if they were dedicated streets.

No site permits shall be issued for construction on a lot or parcel of land having three or more splits available to it under MCL 560.101, et. seq.; MSA 26.430(101), et. seq. that does not abut a public or private street/road or have a main access. Any street/road developed after the effective date of this Ordinance must be in compliance with the standards of the Huron County Road Commission, unless otherwise provided in this Ordinance.

SECTION 1903 ACCESSORY BUILDINGS

1. Where an accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this ordinance applicable to main buildings.
2. No detached accessory building shall be located closer than five (5) feet to any side or rear lot line.*
3. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall not be closer than one (1) foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement or right- of-way.
4. When an accessory building is located on a corner lot where the side lot line is substantially a continuation of the front lot line of the lot to its rear, the building must not project beyond the front yard setback required on the rear lot.
5. Any building erected as a garage or in which the main portion is a garage shall in no case be occupied for dwelling purposes unless it is auxiliary to a residence already being occupied upon the lot and unless it also complies with all the provisions of this ordinance relating to buildings for residential purposes.

* The Zoning Inspector may approve a three foot setback.

SECTION 1904 BASEMENT

No structure, the major portion of which consists of a basement, shall be occupied for living and/or sleeping purposes by human beings except under a variance permit from the Zoning Board of Appeals. A variance permit shall only be for a limited time period permitting the construction of a planned above grade dwelling.

SECTION 1905 CONFLICTING REGULATIONS

Whenever any provision of this Ordinance imposes more restrictive requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more restrictive requirements than are imposed or required by this Ordinance then the provisions of such other law or ordinance shall govern.

SECTION 1906 HOME OCCUPATIONS

A home occupation, where permitted, shall be subject to the following limitations:

1. It shall occupy no more than twenty (20%) percent of the floor area of the dwelling unit.
2. It shall be operated in its entirety within the dwelling and not within any garage or accessory building located on the lot, except for incidental storage in or use of a residential-type garage on the lot.
3. It shall be conducted only by the person or persons occupying the dwelling as their principal residence a major portion of each month; provided, however, the Planning Commission may permit additional subordinate workers who do not reside in the dwelling when such approval would not materially impair the residential character of the neighborhood, cause traffic congestion or parking problems. In no event shall such additional workers exceed three (3) in number.
4. The dwelling and/or lot shall have no exterior evidence to indicate that the same is being utilized for any purpose other than that of a dwelling except for one unanimated, non-illuminated, wall sign having an area of not more than six (6) square feet or a free standing sign having an area of not more than four (4) square feet.
5. No goods shall be sold from the premises which are not strictly incidental to the principal home occupation conducted therein.
6. No occupation shall be conducted upon or from the premises which would constitute a nuisance.
7. Any home occupation shall be subject to annual inspection by the Zoning Inspector and may be terminated by order of the inspector whenever it fails to comply with this Ordinance.
8. The Planning Commission shall have authority to determine whether or not a proposed or present home occupation complies with this Ordinance, whether or not it is compatible with the character of the zoning district in which it is located, and whether or not the health, safety, and general welfare of the neighborhood will thereby be impaired.

SECTION 1907 INTERPRETATION

In interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, and/or general welfare of the Township.

SECTION 1908 LIGHTING

1. Outdoor lighting in all districts used to light the general area of a lot must be directed downward, shielded to reduce glare and must be placed so as not to interfere with the vision of persons on adjacent lots or right-of-ways.
2. Lighting used for the external illumination of buildings, in order to feature the buildings, must be shielded to reduce glare, and placed so as not to interfere with the vision of persons on adjacent lots or right-of-ways.
3. Illumination of signs must be directed downward, shielded to reduce glare and placed so as not to interfere with the vision of persons on adjacent lots or right-of-ways.
4. Illumination of signs and any other outdoor features must not be of a flashing, moving or intermittent type. Artificial light must be maintained stationary and constant in intensity and color at all times when in use.

SECTION 1909 NONCONFORMING USES

1. Provided all other provisions are met, any lot existing and of record on the effective date of this Ordinance may be used for any use permitted in the district in which it is located whether or not the lot now complies with the lot area requirements of this Ordinance.
2. Any building or structure for which a building permit has been issued and the actual construction has been started, or for which a contract or contracts have been entered into pursuant to a building permit being issued prior to the effective date of this Ordinance may be completed and used in accordance with the plans and application on which the building permit was granted. However failure to start construction within thirty (30) days or complete construction of any of the building or structure within one (1) year after the effective date of this Ordinance will be a zoning violation.
3. Any sign or object which lawfully existed and was maintained at the time this Ordinance became effective may be continued even though the use does not conform with the provisions of this Ordinance provided that all such nonconforming signs and objects and their supporting members located in R-I, R-2, or B-1 districts shall be completely removed from the premises within five (5) years from the effective date of this Ordinance.
4. There may be a change of tenancy, ownership, or management of an existing nonconforming use of land or structure, or land and a structure in combination provided there is no change in the nature or character of such nonconforming use.
5. Where a lawful structure exists on the effective date of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, density, height, yards or other characteristics of the structure or its location on the lot, that structure may be continued as long as it remains otherwise lawful; subject to the following:

- a. A structure that is nonconforming as to use regulations, shall not be added to or enlarged in any manner unless such structure, including additions and enlargements, is made to conform to all regulations of the district in which it is located.
 - b. A structure nonconforming as to height or density regulations, may be added to or enlarged if such addition or enlargement conforms to the regulations of the district in which it is located.
 - c. When a structure or portion thereof is moved from one district to another or to another location within the same district, it must conform or be made to conform to all of the regulations of the district to which it is moved.
 - d. A nonconforming use of a portion of a structure, which structure otherwise conforms to the provisions of this Ordinance, shall not be expanded or extended into any other portion of such conforming structure, nor changed except to a conforming use. If such nonconforming use or portion thereof is discontinued or changed to a conforming use, any future use of such structure or portion thereof shall be in conformity with the regulations of the district in which such structure is located.
 - e. Should such structure be destroyed by any means to an extent of more than seventy-five (75%) percent or double its latest state equalized value, it shall be reconstructed only in conformity with the provisions of this Ordinance.
 - f. On any structure devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not exceeding seventy-five (75%) percent or double the latest state equalized value of the structure; provided that the cubic content of the structure as it existed on the effective date of this Ordinance shall not be increased. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition any structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.
6. When, on the effective date of this Ordinance, a lawful use of land exists that is made no longer permissible under the terms of this Ordinance, such use may be continued, so long as it remains otherwise lawful; subject to the following:
- a. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied on the effective date of this Ordinance.
 - b. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use on the effective date of this Ordinance.
 - c. If such nonconforming use of land ceases for any reason for a period of more than six (6) consecutive months, any subsequent use of such land shall conform to the regulations for the district in which such land is located.
 - d. No structure shall be placed on this land except in conformity with the provisions of this Ordinance.
7. If a lawful use of a structure, or of structure and land in combination, exists on the effective date of this Ordinance, that is made no longer permissible under the terms of this Ordinance, such lawful use may be continued so long as it remains otherwise lawful; subject to the following:
- a. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except to change the use of the structure to a use permitted in the district in which it is located.
 - b. Any nonconforming use may be extended throughout any parts of a structure which were manifestly arranged or designed for such use, and which existed on the effective date of this Ordinance, but no such use shall be extended to occupy any land outside such structure.

- c. If no structural alterations are made, any nonconforming use of a structure and land in combination, may be changed to another nonconforming use of the same or a more restricted classification; provided that the Zoning Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Zoning Board of Appeals may require conditions and safeguards in accord with the purpose and intent of this Ordinance. When a nonconforming use of a structure, or structure and land in combination, is hereafter changed to a more conforming use, it shall not thereafter be changed to a less conforming use.
 - d. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.
 - e. When a nonconforming use of a structure, or structure and land in combination is discontinued, vacated, unoccupied, or ceases to exist for six (6) consecutive months or for eighteen (18) months during any three (3) year period, it shall be conclusively presumed that same has been legally abandoned; and the structure, or structure and land in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located. Structures occupied by seasonal uses shall be accepted from this provision. Seasonal uses shall be determined by the Planning Commission.
 - f. When nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
8. Whenever an owner fails to comply with the provisions of this Ordinance relating to removal or discontinuance of a nonconforming use, the Zoning Inspector will serve notice in writing to the owner or his agent requiring compliance within a specific time. If, after such notice the owner fails to comply, the Zoning Inspector will take whatever action is necessary, including civil action, to cause compliance with the provisions.

SECTION 1910 NONOPERATING MOTOR VEHICLES

1. The purpose of these regulations is to limit and restrict the outdoor storage or unreasonable accumulation of junk cars, unused cars, stock cars, and dilapidated non-operating motor vehicles except within an area where a junk dealer is permitted to operate or the area is zoned for such purposes.
2. No person shall store, place, permit to be stored, permit to be placed, or allow a dismantled, partially dismantled or inoperable motor vehicle, to remain on any lot for longer than ten (10) days in any one (1) year unless the same is kept in a wholly enclosed structure, is located in an approved junkyard, or unless permission is first obtained from the Zoning Inspector. Permission shall be granted only in special hardship cases beyond the control of the applicant, where peculiar circumstances exist, where no adjoining property owner is adversely affected and where the spirit and purpose of these regulations are still observed.
3. No person shall park or store a motor vehicle in operating condition which is not regularly used for the purpose for which it was manufactured or designed unless the same is kept within an enclosed building, approved junkyard, or unless permission is first obtained from the Zoning Inspector. Permission shall be granted only in special hardship cases beyond the control of the applicant, where peculiar circumstances exist, where no adjoining property owner is adversely affected and where the spirit and purpose of these regulations are still observed.

4. These provisions shall not be construed as repealing any ordinance now in effect or hereafter made effective relating to rubbish, litter, garbage, refuse, trash or junk but shall be construed as supplementary to any such ordinances, as well as any applicable statutes of the State of Michigan.

SECTION 1911 PARKING, STORAGE AND LOADING SPACES

1. It shall be unlawful to use the off-street parking or loading areas established to meet the requirements of this Ordinance for any purpose other than the parking of licensed vehicles or the loading or unloading of necessary and licensed service vehicles.
2. There shall be provided, in all districts at the time of erection of any main building or structure, motor vehicle off-street parking space with adjacent access to all spaces in accordance with the following provisions, compliance with which shall be determined prior to the issuance of any Site Permit:
 - a. Off-street parking shall be permitted in a side or rear yard.
 - b. Off-street parking for other than residential use shall be permitted to occupy a portion of a required front yard provided that there shall be maintained a minimum unobstructed and landscaped setback of ten (10) feet between the nearest point of the off-street parking area, exclusive of access driveways, and the nearest right-of-way line.
 - c. Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership by the applicant shall be shown for all lots or parcels intended for use as parking by the applicant.
 - d. Residential off-street parking shall consist of a parking strip, parking bay, driveway, garage, or combination thereof and shall be located on the lot intended to be served.
 - e. Minimum required off-street parking shall not be replaced by any other use unless and until equal facilities are provided elsewhere.
 - f. Off-street parking existing on the effective date of this Ordinance, in connection with the operation of an existing building or use, shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
 - g. In a residential district, travel trailers, campers, boats, and recreational vehicles may be parked only in a rear yard, provided there is no blockage of access to a public right-of-way. Commercial vehicles shall not be parked in a residential district except one commercial vehicle of the light delivery type not to exceed one (1) ton per lot or vehicles parked on school property.
 - h. No parking space shall be closer than five (5) feet from a lot line.
 - i. Two or more buildings or uses may collectively provide required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.
 - j. In the case of mixed uses in the same building, the total requirements of off-street parking shall be the sum of the requirements for the separate individual uses computed separately.
 - k. For those uses not specifically mentioned in the following schedule, the requirements for off-street parking shall be in accord with a use which the Zoning Inspector considers to be similar in terms of parking demand.
 - l. When units or measurements determining the number of required parking spaces result in a fractional space, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one (1) parking space.
 - m. For the purpose of computing the number of parking spaces required, the definition of floor area shall govern.
 - n. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

USE

NUMBER OF MINIMUM PARKING SPACES PER UNIT OF MEASURE

1) RESIDENTIAL

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| a.) Residential, One-family and Two-Family. | Two (2) for each family unit. |
| b.) Residential, Multiple-Family. | Two (2) for each family unit. |
| c.) Housing for the elderly. | One (1) for each two (2) family unit and one (1) for each employee. Should units revert to general occupancy, then two (2) spaces per family unit shall be provided. |
| d.) Mobile home park. | Two (2) for each mobile home space and one (1) for each employee of the mobile home park. |

2) INSTITUTIONAL

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| a.) Churches, mosques, synagogues or temples. | One (1) for each three (3) seats or six (6) feet of pews in the main unit of worship. |
| b.) Hospitals. | One (1) for each four (4) beds and one (1) for each two (2) employees or staff members. |
| c.) Homes for the aged or convalescent homes. | Bassinets shall not be counted as beds.
One (1) for each six (6) beds and one (1) for each two (2) employees or staff members. |

- d.) Elementary and junior high schools. One (1) for each school bus and one (1) for every two (2) teachers, employees or administrators, in addition to the requirements for the auditorium, if any.
- e.) Senior high schools. One (1) for each school bus, one (1) for every two (2) teachers, employees, or administrators, and one (1) for every ten (10) students, in addition to the requirements for the auditorium, if any.
- f.) Private clubs or lodge halls. One (1) for every three (3) persons allowed within the maximum occupancy load as established by local, county, or state fire, building or health codes; or one (1) for every one hundred (100) square feet of floor area; whichever is greater.
- g.) Private golf clubs, swimming pool clubs, tennis clubs or other similar uses. One (1) for each two (2) member family or every two (2) individuals plus spaces required for each accessory use, such as a restaurant or bar.
- h.) Golf courses open to the general public, except miniature or "par-3" courses. Five (5) for each golf hole and one (1) for each employee, plus spaces required for each accessory use, such as a restaurant or bar.
- i.) Stadium, sports arena or similar place of outdoor assembly. One (1) for every three (3) seats or twelve (12) feet of benches.
- j.) Theaters or auditoriums. One (1) for every three (3) seats plus one (1) for every two (2) employees.
- k.) Libraries, museums, post offices. One (1) for every one hundred (100) square feet of floor area.

3.) BUSINESS AND COMMERCIAL

- a.) Planned commercial or shopping center. One (1) for every one hundred (100) square feet of floor area.
- b.) Auto wash (automatic). One (1) for each employee. In addition, reservoir parking spaces equal in number to five (5) times the maximum capacity of the auto wash. Maximum capacity of the auto wash shall mean the greatest number of automobiles possible undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by twenty (20).

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| c.) Auto wash (self-service or coin operated). | Five (5) for each washing stall. |
| d.) Beauty parlor or barber shop. | Three (3) for each of the first two (2) beauty or barber chairs, and one and one-half (1-1/2) spaces for each additional chair. |
| e.) Bowling alley. | Five (5) for each one (1) bowling lane plus spaces required for each accessory use. |
| f.) Dance halls, pool or billiard parlors, roller or skating rinks, exhibition halls, or assembly halls without fixed seats. | One (1) for every two (2) persons allowed within the maximum occupancy load as established by local, county, or state fire, building, or health codes; or one (1) for every one hundred (100) square feet of floor area; whichever is greater. |
| g.) Establishment for sale and consumption on the premises of beverages, food or refreshments. | One (1) for every one hundred (100) square feet of floor area or one (1) for every two (2) persons allowed within the maximum occupancy load as established by local, county, or state fire, building or health codes; whichever is greater. |
| h.) Furniture and appliance, household equipment, repair shops, showroom of a plumber, decorator, electrician, or similar trade, shoe repair or other similar uses. | One (1) for every eight hundred (800) square feet of display floor area; plus for that floor area used in processing, one (1) additional space shall be provided for every two (2) persons employed. |
| i.) Gasoline service stations. | Two (2) for each lubrication stall, rack or pit; and one (1) for each gasoline pump. |
| j.) Laundromats or coin operated dry cleaners. | One (1) for every two (2) washing and/or dry cleaning machines. |
| k.) Miniature or "Par-3" golf courses. | One (1) for each one (1) hole plus one (1) for each employee. |
| l.) Mortuary establishments. | One (1) for every fifty (50) square feet of floor area. |
| m.) Motel, hotel, or other commercial lodging establishments. | One (1) for each occupancy unit plus one (1) for each employee. |

- n.) Motor vehicle sales and service establishments. One (1) for every two hundred (200) square feet of salesroom floor area and one (1) for each auto service stall in the service room.
- o.) Nursery school, day nurseries, or child care centers. One (1) for every three hundred fifty (350) square feet of floor area.
- p.) Retail stores except as otherwise specified herein. One (1) for every one hundred fifty (150) square feet of floor area.
- q.) Roadside stand. Five (5) parking spaces.

4.) OFFICES.

- a.) Banks. One (1) for every two hundred (200) square feet of floor area.
- b.) Business offices or professional offices except as indicated in the following item (c). One (1) for every two hundred (200) square feet of floor area.
- c.) Professional offices of doctors, dentists or similar professions. One (1) for every fifty (50) square feet of floor area in waiting rooms. and one (1) for each examining room, dental chair or similar use area.

5.) INDUSTRIAL.

- a.) Industrial or research establishments and related accessory offices. Five (5), plus one (1) for every one and one-half (1-1/2) employees in the largest working shift. Space on site shall also be provided for all construction workers during periods of plant construction.
- b.) Warehouses or wholesale establishments and related accessory offices. Five (5), plus one (1) for every employee in the largest working shift, or one (1) for every seventeen hundred (1700) square feet of floor area; whichever is greater.

3. Whenever the off-street parking requirements of the preceding schedule require the building of an off-street parking lot or facility, it shall be laid out, constructed and maintained in accordance with the following:
 - a. All parking lots or facilities must be approved by the Planning Commission before a site permit is issued by the Zoning Inspector. Applications for a permit submitted to the Zoning Inspector shall include plans showing compliance with all provisions of this section.
 - b. Plans for the layout of an off-street parking lot or facility shall include a total dimension across two (2) tiers of spaces and one maneuvering lane in accordance with the following minimum requirements:

Parking Pattern (Degrees)	Maneuvering Lane Width	Parking Space Width	Parking Space Length	Total Width or One Tier of Spaces Plus Maneuvering Lane	Total Width of Two Tiers of Spaces Plus Maneuvering Lane
0 deg. Parallel	12'	8'	23'	20'	28'
12' parking					
30 to 53	12'	8'6"	20'	32'	52'
54 to 74	15'	8'6"	20'	36'6"	58'
75 to 90	22'	9'	20'	42'	62'

- c. All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street is prohibited.
 - d. Adequate ingress and egress to a parking lot or facility by means of clearly limited and defined drives not less than twenty-two (22) feet in width, shall be provided for all vehicles. Ingress and egress to a parking lot or facility lying in an area zoned R-I shall not be across land zoned R-1.
 - e. All maneuvering lane widths shall permit one-way traffic movement except that the ninety (90°) degree pattern may permit two-way movement.
 - f. Each entrance and exit to and from a parking lot or facility located in an area zoned other than R-I shall be at least twenty-five (25) feet distant from any adjacent residential lot line.
 - g. The entire parking lot or facility for all uses except one (1) and two (2) family dwelling units shall be surfaced with a material that shall provide a durable, smooth and dustless surface; shall be graded and provided with adequate drainage to dispose of all collected surface water; shall be lighted; and shall provide bumper guards or curbs to prevent yard encroachment.
 - h. In all cases where a wall extends to an alley which is a means of ingress and/or egress to a parking lot or facility, it shall be permissible to end the wall not more than ten (10) feet from such alley line in order to permit a wider means of access to the parking lot or facility.
4. On the same lot with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading in order to avoid undue interference with public use of dedicated right-of-ways, streets and alleys. Such space shall be provided as follows:
 - a. Any storage shall be in the rear yard.
 - b. In all use districts except for an industrial district loading space shall be provided in the rear yard in the ratio of at least ten (10) square feet for every six thousand (6000) square feet of

floor area of the structure being served which shall be computed separately from the off-street parking requirements.

- c. Within an industrial district, all spaces shall be laid out in the dimension of at least ten by fifty (10x50) feet, or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height. Loading dock approaches shall be provided with a permanent, durable and dustless surface. All spaces in an industrial district shall be provided in the following ratio of spaces to floor area of the structure being served which shall be computed separately from the off-street parking requirements:

<u>FLOOR AREA OF STRUCTURE (In Square Feet)</u>	<u>LOADING AND UNLOADING SPACE REQUIRED</u>
0 – 1,400	None
1,401 – 20,000	One (1) Space One (1) space plus one (1) space for every twenty thousand (20,000) square feet in excess of twenty thousand and one (20,001) square feet
20,001 – 100,000	
100,001 – and over	Five (5) spaces

- d. All loading and unloading in an industrial district shall be provided off-street in the rear yard or interior side yard, and shall in no instance be permitted in a front yard. In those instances where exterior side yards have a common relationship with an industrial district across a public thoroughfare, loading and unloading may take place in said exterior side yard when the setback is equal to at least fifty (50) feet.

SECTION 1912 PERFORMANCE STANDARDS

Any use otherwise allowed which does not conform to the following minimum standards of use, occupancy, and operation shall not be permitted within any district:

1. No person shall operate or cause to be operated any use nor erect or use any structure which constitutes a nuisance.
2. Glare from any process (such as or similar to arc welding or acetylene torch cutting) which emits harmful ultraviolet rays must be performed in such a manner as not to be seen from any point beyond the property line and as not to create a nuisance or hazard along property lines. Radioactive materials and wastes shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards when measured at the property line.
3. The storage, utilization, or manufacture of materials, goods or products ranging from free or active burning to intense burning, as determined by the Fire Marshall is permitted; subject to compliance with all other yard requirements and performance standards and provided that the following conditions are met:
 - a. Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having incombustible exterior walls, which meet the requirements of the applicable building code.

- b. All such buildings or structures shall be set back at least forty (40) feet from lot lines, or in lieu thereof, all such buildings or structures shall be protected throughout by an automatic sprinkler system complying with installation standards prescribed by the National Fire Association.
 - c. The storage and handling of flammable liquids, liquefied petroleum, gases, and explosives shall comply with state rules and regulations established by Public Act No. 207 of 1941, as amended.
- 4 All structures shall be located in compliance with the standards set forth by the Occupational Safety and Health Administration (OSHA) with respect to power lines.

SECTION 1913 SIGNS

1. All signs shall be erected or used in conformity with this Ordinance and must be approved by the Zoning Inspector.
2. All signs shall be subject to the following general regulations:
 - a. No sign shall be permitted which:
 - (1) Contains statements, words, or pictures of an obscene, indecent or immoral character offensive to public morals or decency.
 - (2) Contains or is an imitation of any official traffic sign or signal or contains the words: "stop", "go slow", "caution", "danger", "warning", or similar words.
 - (3) Is of a size, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control device or which hides from view any traffic or street sign or signal.
 - (4) Moves in any manner or has a major moving part.
 - (5) May swing or otherwise noticeably move as a result of wind pressure because of the manner of its suspension or attachment.
 - b. No ground-mounted or free-standing sign above a height of two (2) feet from the established street grade shall be permitted within twenty-five (25) feet of the intersection of any streets.
 - c. Ground-mounted or free-standing signs may be located in a front yard; and except for those established by the Township, County, State, or Federal government, may not be located closer than ten (10) feet from a public right of way or dedicated public easement.
 - d. The base of a ground-mounted or free standing sign shall not be more than four (4) feet above grade level and the top shall not be above the roofline.
 - e. A building-mounted sign which is flush with the building may be located anywhere on the building except on the roof, and shall not project above the roofline.
 - f. A building-mounted sign may project from the building, but must have a minimum clearance of eight (8) feet above the grade level of a sidewalk, right of way, or easement and fifteen (15) feet above the grade level of an alley, parking space, driveway, street, or other area of vehicular traffic, and may not project above the roofline.
 - g. Temporary signs having an area not exceeding eight (8) square feet and advertising land or buildings for rent, lease and/or sale shall be permitted in any district when located on the land or building intended to be rented, leased and/or sold.
 - h. Accessory signs shall be permitted in all districts.
 - i. Non-accessory signs shall not be permitted in residential districts.
 - j. Signs, as defined in the "Highway Advertising Act of 1972" (1972 PA 106 as amended), bordering interstate highways, freeways, or primary highways as defined in said Act shall be regulated and controlled by the provisions or such statute, notwithstanding the provisions of this Ordinance.
 - k. The Zoning Inspector may order the removal of any sign which is abandoned or erected or maintained in violation of this Ordinance. He shall give thirty (30) days notice in writing to the owner of such sign, and to the owner of the building, structure, or premises on which such sign is located, to remove the sign or to bring it into compliance. The Zoning

Inspector may cause the removal of the sign which remains in violation after such notice. The Zoning Inspector may remove a sign immediately and without notice if, in his opinion, the condition of the sign is such as to present an immediate threat to the safety of the public, the cost of removal shall be paid by the owner of the sign or the building, structure, or premises on which it is located.

3. In addition to the general regulations, the following restrictions shall apply in the following districts:
 - a. **Residential Districts:** For each dwelling unit, not more than one (1) nameplate, not exceeding two (2) square feet in area and indicating the name of the occupant, shall be permitted. For structures and uses other than dwelling units and for multiple housing project rental or management offices, not more than one (1) sign not exceeding twelve (12) square feet in area and three (3) feet in height, shall be permitted.
 - b. **Commercial Districts:** No more than two (2) signs shall be permitted on each lot. No sign shall exceed one hundred fifty (150) square feet in area.
 - c. **Industrial Districts:** No sign shall exceed three hundred (300) square feet in area and shall not be located closer than one thousand (1,000) feet to another sign on the same right-of-way.
4. The following signs shall be permitted under the following conditions. General regulations and/or district restrictions in conflict with these conditions shall not apply:
 - a. Signs of a non-commercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and the like shall be permitted in any district.
 - b. Political campaign signs announcing candidates seeking public political office and other data pertinent thereto, up to an area of nine (9) square feet for each premise shall be permitted in any district. These signs shall be confined within private property and shall be removed within ten (10) days after the election for which they were made.
 - c. Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with construction, but not including any advertisement of any product; and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, shall be permitted in any district to a maximum area of twenty (20) square feet for each firm. The signs shall be confined to the site of the construction and shall be removed within fourteen (14) days of the beginning of the intended use of the project.
 - d. Temporary Land Development Project signs pertaining to the sale, lease, rent or development of a subdivision, planned shopping center, industrial park or similar land parcel shall be permitted for a period of two (2) years upon issuance of the building permit. The total number of signs allowed, together with maximum size, shall be controlled according to the following schedule:

Land Size	Total No. of Signs	Max. Area Per Sign
Less than 4 acres	1	100 sq. ft.
Over 4, but less than 20 acres	2	150 sq. ft.
Over 20 acres	3	200 sq. ft.

Signs shall not exceed a maximum height above ground of four (4) feet for free-standing signs or twenty-four (24) feet for ground-mounted signs.

- e. Permanent joint sign(s) for an industrial or commercial complex pertaining to the identification of the complex or its occupants is permitted upon authorization by the Planning Commission, after duly advertised public hearing and according to the following:
 - (1) Commercial Centers: Maximum size and number of signs shall be controlled according to the following:
 - (a) Neighborhood Centers: One hundred fifty (150) square feet per face for complexes comprising less than five (5) acres; maximum of one (1) sign permitted.
 - (b) Community Centers: Two hundred (200) square feet per face for complexes over five (5) acres; maximum of two (2) signs permitted.
 - (c) Regional Centers: Three hundred (300) square feet per face for complexes of (50) acres or more; maximum of three (3) signs permitted.
 - (2) Industrial Complexes: The maximum size and number of signs shall be controlled according to the following:
 - (a) Two hundred (200) square feet per face for industrial plants or complexes of less than ten (10) acres; maximum of two (2) signs permitted.
 - (b) Three hundred (300) square feet for complexes of ten (10) acres or more.

SECTION 1914 SWIMMING POOLS

- 1. A private swimming pool shall be permitted as an accessory use to one-family or two-family dwelling units, but must be located only in a rear or side yard.
- 2. All swimming pools, public or private, are subject to the following:
 - a. The outside wall of a swimming pool shall not be closer than ten (10) feet to a side or rear yard lot line or the required setback of a rear or side yard, whichever distance is greater.
 - b. The outside wall of a swimming pool shall be no closer than thirty-five (35) feet to the front yard lot line.
 - c. The outside wall of a swimming pool shall be no closer than six (6) feet to any building on the same lot.
 - d. For the protection of the general public, a swimming pool shall be completely enclosed by a fence not less than five (5) feet in height. Gates shall be of a self-closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the swimming pool is not in use for extended periods.
 - e. All electrical installations or wiring in connection with swimming pools, shall conform to the provisions of the National Electrical Code.
 - f. If service drops, conductors or other utility wires cross under or over a proposed swimming pool area, an applicant must arrange for the relocation the wires away from the swimming pool before a site permit can be issued.
 - g. No portion of a swimming pool or associated structure shall be permitted to encroach upon any easement or right of way.

SECTION 1915 TEMPORARY BUILDINGS

- 1. Tents, travel trailers, motor homes, or recreational vehicles may not be used as dwelling units except in duly licensed or government operated parks or camps. The owner of a lot, however, may use a tent, travel trailer, motor home, or recreational vehicle for a temporary dwelling unit on his lot for no more than a total of twenty-one (21) days in any calendar year; provided that all temporary units, except tents, must be connected to running water and sewage facilities.

2. Subject to the provisions of Article 3, Section 302 the Planning Commission may, in its discretion, permit a temporary use and/or structure in any district, whether permitted there or not, for a period not to exceed one (1) year; subject to the following additional conditions.
 - a. The use and/or structure shall be in harmony with the general character of the district.
 - b. The granting of the temporary use and/or structure shall in no way constitute a change in the uses permitted in the district nor on the property where located.
 - c. The granting of the temporary use and/or structure shall be in writing, stipulating all conditions as to time, nature of development permitted, and arrangements for removing the use at the termination of said temporary permit.
 - d. All setbacks, land coverage, off-street parking, lighting and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience, and general welfare of the inhabitants of the Township shall be made at the discretion of the Planning Commission.
 - e. The Planning Commission has the right to annually review compliance with all imposed conditions and may terminate the Special Use Approval for non-compliance.

SECTION 1916. VESTED RIGHTS

Nothing in this Ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, zoning classification district or any permissible activities therein; and, they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation and/or protection of public health, safety and welfare.

SECTION 1917 VOTING PLACE

Public elections shall be held at the Township Hall unless unusual circumstances dictate the temporary use of an alternate property.

SECTION 1918 WALLS, FENCES, AND PLANTING AREAS

1. In all residential districts, entrance way structures including, but not limited to, walls, columns, and gates marking entrances to single family subdivisions or multiple housing projects, shall be permitted.
2. No fence, wall, shrubbery, or other obstruction to vision above a height of two (2) feet from the established street grade shall be permitted within twenty-five (25) feet from the intersection of any streets.
3. Land between a wall, fence, or shrubbery and front property line or street right-of-way line shall be kept free from refuse and debris, except on designated trash pick-up days, and shall be landscaped. The ground area and all landscaping shall be kept neat and orderly in appearance and all living materials shall be maintained in a healthy growing condition.
4. Fences are permitted or required subject to the following:
 - a. Fences on all lots in residential districts which enclose property and/or are within a required side or rear yard, shall not exceed six (6) feet in height measured from the surface of the ground, may be placed on the property line, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard; whichever is greater.

- b. Protective fences required in this Ordinance for child amusement and recreation areas and public and private pools need not be obscuring fences unless otherwise herein provided.
 - c. Fences in all districts except Agricultural shall not contain barbed wire or electricity.
 - d. Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, shall not exceed eight (8) feet in height, measured from the surface of the ground, and shall not obstruct vision to an extent greater than twenty-five (25) percent of their total area.
5. Any lot which is used for parking, storage, or any commercial or industrial purpose shall be screened from any adjoining residential lot by either of the following:
 - a. A natural compact planting area of evergreens or shrubbery which maintain their density and screening effect throughout the calendar year, and which are maintained in a neat and attractive manner.
 - b. An artificial wall or fence of sufficient density or compactness to screen these structures and activities from the view of the adjoining residential lot which shall be maintained in a neat and attractive manner.
6. The minimum height of any required obscuring wall, fence or planting area shall be as follows:
 - a. Eight (8) feet for any industrial use and for drag strips and race tracks.
 - b. The height of stored materials in any storage area or six (6) feet; whichever is higher.
 - c. Five (5) feet for all other uses.
7. The height of any obscuring wall, fence or planting area shall be measured from the grade level upon which it is situated.
8. No obscuring wall, fence or planting area shall be closer than ten (10) feet from any adjoining street right of way line.
9. An obscuring wall, fence or planting area may be placed on the property line unless utilities interfere. The wall, fence or planting area may, with approval of the Planning Commission, be located on the opposite side of an ally right-of-way if mutually agreeable to affected property owners.
10. An obscuring wall, fence or planting area shall have no openings for vehicular traffic or other purposes, unless openings do not exceed twenty (20) percent of the surface and the openings are spaced so that the obscuring character required is maintained. The arrangement of the openings shall be reviewed and approved by the Zoning Inspector.