

NOTICE OF POSTING OF A PROPOSED TEXT AMENDMENT ORDINANCE

PLEASE TAKE NOTICE that a Tallmadge Charter Township Zoning Text Amendment Ordinance had its first reading at a meeting of the Tallmadge Charter Township Board held on May 12, 2015.

The Zoning Text Amendment Ordinance will amend Section 20.03 – Penalties by revising the civil fine amounts for the first offense and repeat violations of the Zoning Ordinance as well as adding provisions to seek legal fees incurred for enforcement. The proposed Text Amendment Ordinance is scheduled for a second reading at the June 16, 2015 meeting of the Board of Trustees.

PLEASE TAKE FURTHER NOTICE that the Ordinance has been posted in the office of the Tallmadge Charter Township Clerk, Tallmadge Charter Township, 0-1451 Leonard Road, N.W., Grand Rapids, Michigan (telephone: 616-677-1248), and on the Township website at www.tallmadge.com.

Dated: May 31, 2015

Lenore Cook, Clerk
Tallmadge Charter Township

The following Zoning Text Amendment Ordinance was introduced and a first reading completed at the Tallmadge Charter Township Board meeting on May 12, 2015.

ORDINANCE NO. 05-12-15-1

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE TALLMADGE CHARTER TOWNSHIP ZONING ORDINANCE BY RESTATING SECTION 20.03 CONCERNING PENALTIES FOR VIOLATION OF THE ZONING ORDINANCE.

THE CHARTERTOWNSHIP OF TALLMADGE, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Penalties. Section 20.03 of the Zoning Ordinance shall be restated in its entirety as follows.

SECTION 20.03. PENALTIES. Any building or structure which is erected, moved, placed, reconstructed, razed, extended, enlarged, altered, maintained, or used, or any use of a lot or land which is begun, maintained, or changed, in violation of any term or provision of this Ordinance is a nuisance per se. Any person who violates, disobeys, omits, neglects, refuses to comply with, or resists the enforcement or any term or provision of this Ordinance or any amendment to it shall be responsible for a municipal civil infraction. The sanctions for a violation of this Ordinance shall be a civil fine of not less than two hundred fifty dollars (\$250.00), plus costs and other sanctions. Increased civil fines may be imposed for repeated violations of this Ordinance by a person. A "repeat violation" of this Ordinance is a second or subsequent violation of this Ordinance committed by a person within six (6) months of a prior violation of this Ordinance, and for which the person admits responsibility or is determined to be responsible. The sanction for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than five hundred dollars (\$500.00), plus costs and other sanctions. The sanction for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than one thousand dollars (\$1,000.00), plus costs and other sanctions. A person who violates a term or provision of this Ordinance shall also be responsible to reimburse the Township for its legal fees incurred in the enforcement of this Ordinance.

Section 2.Effective Date. This amendment to the Tallmadge Charter Township Zoning Ordinance was approved and adopted by the Township Board of Tallmadge Charter Township, Ottawa County, Michigan on _____, 2015, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended; after introduction and a first reading on May 12, 2015, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on _____, 2015, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Text Amendment Ordinance in the _____, as required by Section 401 of Act 110, as amended. However, this effective date shall be extended as necessary to comply with the

requirements of Section 402 of Act 110, as amended.

James VanEss, Township Supervisor

Lenore Cook, Township Clerk

CERTIFICATE

I, Lenore Cook, the Clerk for the Charter Township of Tallmadge, Ottawa County, Michigan, certify that the foregoing Tallmadge Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2015. The following members of the Township Board were present at that meeting:

_____. The following members of the Township Board were absent:

_____.

The Ordinance was adopted by the Township Board with members of the Board _____

voting in favor and members of the Board _____

_____ voting in opposition. Notice of Adoption of the

Ordinance was published in the _____ on _____,

2015.

Lenore Cook, Clerk
Tallmadge Charter Township

AFFIDAVIT OF POSTING
(Zoning Text Amendment Ordinance)

STATE OF MICHIGAN)
)ss
COUNTY OF OTTAWA)

The undersigned, Lenore Cook, the Tallmadge Charter Township Clerk, being first duly sworn, deposes and says as follows:

1. That she posted a proposed Zoning Text Amendment Ordinance for Tallmadge Charter Township, after its first reading at a meeting of the Tallmadge Charter Township Board held on May 12, 2015, in the Township Clerk's office and on the Township's website at www.tallmadge.com on _____, 2015.

Lenore Cook, Clerk
Tallmadge Charter Township

Subscribed and sworn to before this
_____ day of _____, 2015.

Notary Public, Ottawa County, Michigan
Acting in Ottawa County, Michigan
My commission expires: _____

\