

An Ordinance to Amend Section 18:53 of the Zoning Ordinance of the Charter Township of Mt. Morris entitled Solar Energy Collector Systems which sets forth the locational standards for Building-Mounted and Ground-Mounted Solar Energy Collector Systems, the requirements for Building-Mounted and Ground-Mounted Solar Energy Collector Systems, the procedures for obtaining permits to operate Building-Mounted and Ground-Mounted Solar Energy Collector Systems, the procedures for the Decommissioning of Building-Mounted and Ground-Mounted Solar Energy Collector Systems, and the penalties for violating any provisions of this section.

THE CHARTER TOWNSHIP OF MOUNT MORRIS HEREBY ORDAINS:

That Chapter 18:53 of the Charter Township of Mount Morris Zoning Ordinance is hereby amended to read as follows:

SECTION 18.53: SOLAR ENERGY COLLECTOR SYSTEMS

A. Standards:

1. **Building-Mounted Solar Energy Collector Systems:** A Building-Mounted Solar Energy Collector System is permitted as an accessory use in all zoning districts by permit issued by the Zoning Administrator after an administrative review. The applicant must also comply with the requirements of Section 18.53C, Section 18.53D, Section 18.53E and Section 18.53F.
2. **Ground-Mounted Solar Energy Collector Systems:** A Ground-Mounted Solar Energy Collector System is permitted by Special Land Use Permit, granted in accordance with Article 19 of the Charter Township of Mount Morris Zoning ordinance, in the (RA) Rural Agricultural District, (RE) Rural Estate Residential District, (R-1)(R-2)(R-3) Single Family Residential Districts, (C-1) Local Commercial District, (C-2) Community Commercial District, (C-3) Regional Commercial District, (C-4) Service Commercial District, (M-1) Light Industrial District and (M-2) Heavy Industrial District.
3. **Ground-Mounted Commercial Solar Energy Collector System:** A Ground-Mounted Commercial Solar Energy Collector System is permitted by Special Land Use Permit granted in accordance with Article 19 of the Charter Township of Mount Morris Zoning Ordinance in the (RA) Rural Agricultural District, (M-1) Light Industrial District and (M-2) Heavy Industrial District.

B. Definitions:

1. **Active Solar Energy Structure** means a structure which uses mechanically operating solar collectors to collect, transfer, or store solar energy.

2. **Ancillary Solar Equipment** means any accessory part or device of a solar energy system that does not require direct access to sunlight, such as batteries, electric meters, converters, or water heater tanks.
3. **Applicant** means the person who applies for a permit for a Solar Energy Collector System.
4. **Building** means any permanent structure having a roof or other covering that is built, used, designed, or intended for the enclosure of persons, animals, chattel, or property of any kind.
5. **Building-Mounted Solar Energy Collector System** means a Solar Energy Collector System attached to the roof or wall of a building, or which serves as a roof, wall, or window or other element, in whole or in part, of a building.
6. **Commercial Solar Energy System** means a facility consisting of a utility-scale Solar Energy Collector System with the primary purpose of wholesale or retail sale of generated electricity, commonly referred to as a solar farm.
7. **Ground-Mounted Solar Energy Collector System** means a Solar Energy Collector System that is not attached to and is separate from any building on the parcel of land on which the Solar Energy Collector System is located.
8. **On-Site Solar Energy Collector System** means a solar energy system with the primary purpose to help meet the electrical needs of the buildings and structures located on the site. The system shall not be used for any commercial sale of energy, except for the sale of surplus electrical energy back to the electrical grid.
9. **Parcel** means that property which is identified by a single parcel number by the Mount Morris Township Treasurer.
10. **Person** means any individual, partnership, corporation, association, or limited liability company.
11. **Physical Improvement** means the improvement of real property using construction materials constructed in a manner which complies with the Mount Morris Township Zoning Ordinance.
12. **Planning Commission** means the Charter Township of Mount Morris Planning Commission.
13. **Solar Energy** means radiant energy (direct, diffuse, and reflected) received from the sun.
14. **Solar Energy Collector System** means a panel or panels and/or other devices or equipment, or any combination thereof, that collect, store, distribute and/or transform solar, radiant energy into electrical, thermal, or chemical energy for the purpose of generating electrical power or other form of generated energy for use

in or associated with a principal land use on the parcel of land on which the Solar Energy Collector is located and, if permitted, for the sale and distribution of excess available electricity to an authorize public utility for distribution to other lands.

15. **Solar Panel** means a panel consisting of an array of solar cells used to generate electricity directly from sunlight.
16. **Solar Shingles** means a roofing product made by combining thin film solar technology (which converts sunlight to electricity) with a durable backing to provide a structural roof shingle comparable to traditional shingles.
17. **Structure** means anything constructed or erected, the use of which requires more or less permanent location on the ground or which is attached to something having a permanent location on the ground, except utility poles and live plant materials. Structures include, but are not limited to hoop houses, principal and accessory buildings, towers, decks, fences, privacy screens, walls, antennae, and signs.
18. **Township** means the Charter Township of Mount Morris, Genesee County, Michigan.
19. **Township Board** means the Charter Township of Mount Morris, Board of Trustees, Genesee County, Michigan.

C. Requirements for the Use of All Solar Energy Collector Systems:

1. All solar energy collectors, whether building mounted, ground mounted, or commercial, shall comply with the following standards:
2. All Solar Energy Collector Systems must be located in the least visibly obtrusive location where panels will be functional.
3. The installation of any Solar Energy Collector System shall not negatively impact adjacent properties with additional or excessive storm water runoff and/or drainage.
4. The exterior surfaces of all Solar Energy Collectors Systems shall be generally neutral in color and substantially non-reflective of light. A Solar Energy Collector System may not be installed or located so that sunlight or glare is reflected into neighboring dwellings or onto adjacent roads or private roads.
5. Screening shall be required in cases where any Solar Energy Collector negatively impacts views from adjacent residential properties. Screening methods may include the use of material, colors, textures, screening walls, fences and landscaping that will blend the unit into the natural setting and existing environment.

6. All Solar Energy Collector Systems must comply with the Stille Derossett-Hale Single State Constitutional Code Act Michigan Public Act 230 of 1972 as amended [PA 230], the 2018 International Property Maintenance Code as amended [IPMC] or any other applicable law, statute, ordinance, etc.
7. All Solar Energy Collector Systems must be repaired or replaced within 3 months of becoming non-functional.
8. All Solar Energy Collector Systems must conform to applicable industry standards including those established by the American National Standards Institute (“ANSI”).

D. Requirements for Building-Mounted Solar Energy Collector Systems: A Building-Mounted Solar Energy Collector System must conform to the following requirements:

1. A Building-Mounted Solar Energy Collector System is permitted as an accessory use in all zoning districts by permit issued by the Zoning Administrator after an administrative review, subject to the requirements of Section 18.53C, Section 18.53D, Section 18.53E and Section 18.53F.
2. An Administrative Review by the Zoning Administrator is required for the construction and/or installation of all Building-Mounted Solar Energy Collector Systems prior to the issuance of a permit as an accessory use.
3. Roof-Mounted Solar Energy Collector Systems may be located on front facing roofs as viewed from any adjacent street only if the applicant can demonstrate that due to solar access limitations no location exists other than the street facing roof where the Solar Energy System can perform effectively. The applicant must also comply with the requirements of Section 18.53C, Section 18.53D, Section 18.53E and Section 18.53F.
4. A Building-Mounted Solar Energy Collector System mounted on the roof of a building shall not project more than 5 feet above the highest point of the roof, but in any event, shall not exceed the maximum height limitation for the zoning district in which the parcel of property is located.
5. A Building-Mounted Solar Energy Collector System mounted on the roof of a building shall not have a weight more than can be safely supported by the roof. The applicant must provide the Zoning Administrator with proof thereof in the form of a certificate by a professional engineer or architect, which must be approved by the Zoning Administrator prior to the issuance of a permit by the Zoning Administrator as an accessory use.
6. A Building-Mounted Solar Energy Collector System which is mounted on a roof shall not be installed within 3 feet of the edges of the roof, the peak, or eave or valley in order to maintain pathways of accessibility.

7. A Building-Mounted Solar Energy Collector System that is roof-mounted, wall-mounted, or otherwise attached to a building or structure shall be permanently and safely attached to the building or structure. The applicant must provide the Zoning Administrator with proof of the safety and reliability of the means of such attachment, which must be approved by the Zoning Administrator prior to the issuance of a permit by the Zoning Administrator as an accessory use.
8. A Building-Mounted Solar Energy Collector System that is wall-mounted shall not exceed the height of the building wall to which is attached.
9. A Building-Mounted Solar Energy Collector System shall not be mounted on a building wall that is parallel to an adjacent public right-of-way.
10. A Building-Mounted Solar Energy Collector System shall not obstruct solar access to adjacent properties.
11. A Building-Mounted Solar Energy Collector System that is roof-mounted, wall-mounted, or otherwise attached to a building or structure shall be installed, maintained, and used only in accordance with the manufacturer's installation and maintenance instructions.
12. A Building-Mounted Solar Energy Collector System that is roof-mounted, wall-mounted, or otherwise attached to a building or structure must comply with the Stille Derossett-Hale Single State Constitutional Code Act Michigan Public Act 230 of 1972 as amended [PA 230], the 2018 International Property Maintenance Code as amended [IPMC] or any other applicable law, statute, ordinance, etc.
13. A Building-Mounted Solar Energy Collector shall be considered part of the building to which it is attached and shall meet the required building setback requirements, lot requirements, etc.

E. Application for Administrative Review of Building-Mounted Solar Energy Collector System: Except as provided in 18.53F, an application for administrative review for a permit for a Building-Mounted Solar Energy Collector System must be submitted on a form supplied by the Township and must include with the application the following:

1. Photographs of the property's existing condition.
2. Renderings or catalogue cuts of the proposed Building-Mounted Solar Energy Collector System.
3. Documentation establishing that the Building-Mounted Solar Energy Collector System conforms to ANSI Standards.
4. A Certificate of Compliance demonstrating that the Building-Mounted Solar Energy Collector System has been tested and approved by Underwriters Laboratories ("UL") or other approved independent testing agency.

5. A Site Plan to indicate where the Building-Mounted Solar Energy Collector System will be installed on the property.
6. A Description of screening to be provided if required for the Building-Mounted Solar Energy Collector System.
7. A copy of the manufacturer's installation and maintenance instructions.

F. Exceptions for Administrative Review of Building-Mounted Solar Energy Collector Systems: An application for a permit for administrative review of a Building-Mounted Solar Energy System is not required for:

1. The installation of 1 solar panel with a total collector area not exceeding 8 square feet; or
2. The repair and/or replacement of any component of an existing Building-Mounted Solar Energy Collector System, provided that the size of the total collector area is not expanded.

G. Requirements for Ground-Mounted Solar Energy Collector System: A Ground-Mounted Solar Energy Collector System must conform to the following requirements:

1. **Ground-Mounted Solar Energy Collector Systems:** A Ground-Mounted Solar Energy Collector System is permitted by Special Land Use Permit, granted in accordance with Article 19 of the Charter Township of Mount Morris Zoning ordinance, in the (RA) Rural Agricultural District, (RE) Rural Estate Residential District, (R-1)(R-2)(R-3) Single Family Residential Districts, (C-1) Local Commercial District, (C-2) Community Commercial District, (C-3) Regional Commercial District, (C-4) Service Commercial District, (M-1) Light Industrial District and (M-2) Heavy Industrial District.
2. Ground-Mounted Solar Energy Collector Systems shall also require site plan review and approval pursuant to Article 20 of the Charter Township of Mount Morris Zoning Ordinance.
3. Ground-Mounted Solar Energy Collector Systems shall be located only in the side or rear yard.
4. Ground-Mounted Solar Energy Collector Systems shall be set back 10 feet from the rear and side property lines and shall be at least ten feet from any principal building or other accessory building.
5. Ground-Mounted Solar Energy Collector Systems shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the Ground-Mounted Solar Energy Collector shall be measured from ground level to the highest point of the solar panel.

6. Ground-Mounted Solar Energy Collector Systems shall be set back a minimum of 10 feet from the boundary of a wetland or water course.
7. Ground-Mounted Solar Energy Collector Systems shall not obstruct solar access to adjacent properties.
8. No Ground-Mounted Non-Commercial Solar Energy Collector System will be allowed on a parcel of land less than one (1) acre in size.
9. The total area of a Ground-Mounted Solar Energy Collector System shall be included with calculations to determine maximum lot coverage and shall not exceed the maximum lot coverage for the zoning district in which it is situated, or the maximum square footage allowed for accessory buildings or structures.
10. All vegetation underneath a Ground-Mounted Solar Energy System's infrastructure shall be properly maintained as to not block access to solar collectors.
11. A building permit is required for all Ground-Mounted Solar Energy Collector Systems.

H. Requirements for Ground-Mounted Commercial Solar Energy Collector Systems:

1. A Ground-Mounted Commercial Solar Energy Collector System is permitted by Special Land Use Permit granted in accordance with Article 19 of the Charter Township of Mount Morris Zoning Ordinance in the (RA) Rural Agricultural District, (M-1) Light Industrial District and (M-2) Heavy Industrial District.
2. A Ground-Mounted Commercial Solar Energy Collector System shall require site plan review and approval pursuant to Article 20 of the Charter Township of Mount Morris Zoning Ordinance.
3. Ground-Mounted Commercial Solar Energy Collector Systems shall meet the requirements in Section 15.53C and Section 18.53G.
4. Ground-Mounted Commercial Solar Energy Collector System must meet the following requirements:
 - a. A Ground-Mounted Commercial Solar Energy Collector System shall be located on a lot, lots, parcel or parcels, of at least twenty (20) acres.
 - b. Ground-mounted Commercial Solar Energy Collector Systems shall not exceed 12 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted Commercial Solar Energy Collector System shall be measured from ground level to the highest point of the solar panel.
 - c. The total area of Ground-Mounted Commercial Solar Energy Collector System shall be included with calculations to determine maximum lot

coverage and shall not exceed the maximum lot coverage for the zoning district in which it is situated.

- d. A Ground-Mounted Commercial Solar Energy System shall be located at least one mile from all other Commercial Solar Energy Systems, whether located in Mt. Morris Township or an adjacent jurisdiction.
- e. Ground-Mounted Commercial Solar Energy Collector Systems shall be set back a minimum of 10 feet from the boundary of a wetland or water course.
- f. Ground-Mounted Commercial Solar Energy Collector Systems located in the (M-1) Light Industrial District and (M-2) Heavy Industrial District shall be set back 60 feet from the rear, side, and front property lines. If the system is adjacent to a residential district the system shall be set back a minimum of 100 feet from the residential district.
- g. The exterior surfaces and structural components of a Ground-Mounted Commercial Solar Energy Collector System shall be generally neutral in color and substantially non-reflective of light. A solar collector surface shall not be installed or located so that sunlight or glare is reflected into neighboring residences or onto adjacent streets.
- h. A Ground-Mounted Commercial Solar Energy Collector System shall be located in the area least visibly obtrusive to adjacent residential properties while remaining functional.
- i. A Ground-Mounted Commercial Solar Energy Collector System shall not obstruct solar access to adjacent and neighboring properties.
- j. A building permit is required for all Ground-Mounted Commercial Solar Energy Collector Systems.
- k. If a Ground-Mounted Commercial Solar Energy System is repaired, a Professional Engineer (hired at the expense of the owner or operator) shall certify its safety prior to the resumption of operations.
- l. Screening shall be required in cases where a Ground-Mounted Commercial Solar Energy Collector System negatively impacts the view from adjacent residential properties. Screening methods may include the use of material, colors, textures, screening walls, fences and landscaping that will blend the unit into the natural setting and existing environment.
- m. Noise emanating from a Ground-Mounted Commercial Solar Energy Collector System shall not exceed 50 decibels (dBA) as measured from any property line. The Township Planning Commission may reduce this

maximum noise level in order to protect adjacent residents and property owners.

- n. A Ground-Mounted Commercial Solar Energy Collector System must include adequate infrastructure to transport the electricity generated into the electrical grid system.
- o. A Ground-Mounted Commercial Solar Energy Collector System's power and communication lines running between the banks of the solar panels may be placed above ground, provided the lines are placed no higher than top of the solar panels.
- p. A Ground-Mounted Commercial Solar Energy Collector Systems power and communication lines to electric substations or interconnections with buildings shall be buried underground, except where the following conditions apply:
 - 1. Where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
 - 2. When required by the utility company.
 - 3. Unless otherwise determined by the Planning Commission.
- q. For the purpose of restricting unauthorized access to the site, the Planning Commission may require that the perimeter of a Ground-Mounted Commercial Solar Energy Collector System be fenced in with at least a six (6) foot high fence.
- r. The applicant for a special use permit to operate a Ground-Mounted Commercial Solar Energy Collector System shall submit a plan for the operation and maintenance of the Commercial Solar Collector Energy System, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures of operational maintenance of the installation, as applicable.
- s. Upon request by Mount Morris Township Planning Commission, the owner/operator of the Ground-Mounted Commercial Solar Energy Collector System shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the Commercial Solar Energy Collector System shall be clearly marked. The owner/operator shall identify a responsible person for public inquiries throughout the life of the installation. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator.

- t. The Ground-Mounted Commercial Solar Energy Collector System owner/operator shall maintain the facility in good condition at all times. Maintenance shall include, but not be limited to, structural repairs, safety-related upgrades, and integrity of security measures. Site access roads or drives shall be maintained to a level acceptable to local emergency services personnel. The owner/operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s).
5. If more than 4,000 square feet of impervious surface is proposed at the site of a Ground-Mounted Commercial Solar Energy Collector System a drainage plan shall be submitted.
6. No Ground-Mounted Commercial Solar Energy Collector System shall be installed until evidence has been provided to the Planning Commission that an electric utility company has agreed to an interconnection with the electrical grid of the system or to a power purchase agreement.

I. Decommissioning Plan: Prior to site plan approval, a Ground-Mounted Commercial Solar Energy System shall have a plan approved by the Township Planning Commission for decommissioning the site. A Decommissioning Plan shall be submitted for review and approval detailing the expected duration of the project, how the improvements will be decommissioned, a Professional Engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the surety bond holder, or other similar financial instrument with which the financial resources shall be deposited. The decommissioning plan shall address all applicable items in the previous subsection as well as the following.

1. The financial resources for decommissioning shall be in the form of a surety bond or similar financial instrument with a replenishment obligation and shall be deposited by an agent acceptable to the township.
2. The financial resources for decommissioning shall be 125 percent of the estimated removal and restoration cost. The Planning Commission shall require independent verification of the adequacy of this amount from a Professional Engineer.
3. The Planning Commission shall annually review the amount deposited for removal, site restoration, and administration costs to ensure it is adequate for these purposes. If the Planning Commission determines that these amounts are not adequate, the township shall require the owner/operator to make additional deposits to increase the amount of the surety bond to cure such inadequacy.
4. If decommissioning is not completed by the applicant within one year of the end of project life, inoperability of solar farm or facility abandonment, the township shall have access to the financial resources for decommissioning for the expressed

purpose of completing decommissioning. Funds may be used for administrative fees and costs associated with decommissioning.

5. The township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.
6. The township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the township's right to seek reimbursement from the applicant or applicant's successor for decommissioning costs in excess of the amount provided for in the decommissioning plan and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien. Applicants submitting a site plan and special use permit application to Mt. Morris Township for a Commercial Solar Energy System shall deposit \$5,000 with the township in an escrow account to address the costs of professional and legal review of the application. If this fund is expended prior to action being taken on the application, the township may request additional deposits.

J. Decommissioning:

1. Any Ground-Mounted Commercial Solar Energy System that is not operated or found to be inoperable due to disrepair for a continuous period of six months shall be considered abandoned. If it is found abandoned, the Planning Commission, upon notice by the Zoning Administrator, shall provide written notice to the applicant/owner/operator of a hearing before the Planning Commission to hear evidence that the solar farm should not be decommissioned.
2. Within 90 days of the hearing where the Planning Commission has determined that a Ground-Mounted Commercial Solar Energy System is abandoned or inoperable, the owner/operator shall obtain a permit from the township, and any other necessary entities to remove all structures and equipment, consistent with the approved decommissioning plan.
3. Failure to obtain necessary permits within the 90-day period provided in this subsection shall be grounds for the township to remove the Commercial Solar Energy Collector System at the owner's expense, consistent with the decommissioning plan.
4. Decommissioning shall include removal of all equipment, including all materials above and below ground, up to four feet in depth. The site shall be restored to a condition that reflects the specific character of the site including topography, vegetation, soils, drainage, and any unique environmental features.
 - a. The restoration shall include road repair and hazardous waste cleanup, if any, all re-grading, soil stabilization, and re-vegetation necessary to return

the subject property to a stable condition consistent with conditions existing prior to establishment of the commercial solar energy system.

- b. The restoration process shall comply with all state, county, or local erosion control, soil stabilization and/or runoff requirements or ordinances and shall be completed within one year.
- c. Extensions may be granted upon request to the Planning Commission prior to expiration of the one-year requirement for completed decommissioning.

K. Procedure for Issuance of Special Land Use Permit for all Ground-Mounted Solar Energy Collector Systems:

- 1. The development and locational standards set forth herein will be used by the Planning Commission to determine if the application for the issuance of a Special Land Use Permit for a Ground-Mounted Solar Energy System satisfies the conditions that are precedent to the approval of a Special Land Use.
- 2. An application for the issuance of a Special Land Use Permit for a Ground-Mounted Solar Energy System or a Ground-Mounted Commercial Solar Energy Collector System must be completed by the Applicant in conformance with Article 19 of the Charter Township of Mount Morris Zoning Ordinance.
- 3.
 - a. The Planning Commission must review the application for the issuance of a Special Land Use Permit for a Ground-Mounted Solar Energy Collector System; or Ground-Mounted Commercial Solar Energy Collector System and hold a public hearing to determine whether the use as set forth and described in the application for the issuance of a Special Land Use Permit for a Ground-Mounted Solar Energy Collector System or Ground-Mounted Commercial Solar Energy Collector System complies with the requirements of the Charter Township of Mount Morris Zoning Ordinance, all other Township Ordinances, as amended by this Amendment, and with statutes of the State of Michigan.
 - b. If compliance with the above is established a special use permit may be granted.

L. Zoning Standards: All Solar Energy Collector Systems must conform to all standards of the zoning district in which they are located.

M. Other Standards: All Solar Energy Collector Systems must meet all applicable written and duly promulgated standards of the Township and of other governments or governmental agencies having jurisdiction over this subject matter.

N. Compliance: At all times all Solar Energy Collector Systems in The Township must comply with all Federal, State, and local the rules, regulations, and ordinances.

O. Violations:

1. **Violations:** Any person, firm or corporation who violates any provision of this ordinance shall be responsible for a municipal civil infraction and be subject to the following:
 - a. First Offense: The civil fine for a first offense infraction shall be no less than One Hundred Fifty Dollars (\$150.00):
 - b. Second Offense: The civil fine for a second offense infraction shall be no less than Two Hundred Fifty Dollars (\$250.00);
 - c. Repeat Offense: The civil fine for any infraction which is a third or greater offense shall be no less than Five Hundred Dollars (\$500.00).[MCL 125.3407]
 - d. Each day a violation exists and/or occurs will be deemed to be a separate violation, subjecting any person, firm, or corporation who violates any provision of this Ordinance to multiple enforcement actions and/or penalties.
 - e. In addition to the above civil fines, upon an admission or finding of responsibility for a municipal civil infraction, the Township shall also be entitled to reimbursement for all costs, expenses, and/or charges incurred by the Township in the cleanup and/or abatement of a municipal civil infraction violation.
 - f. If the municipal civil infraction affects real property and the owner of said property is found responsible for said municipal civil infraction, the court may order the owner to abate the violation. If the owner of said real property fails to abate the violation in the time allowed by the court, the Township shall have the right to enter upon the land to abate the municipal civil infraction violation and shall have the right and power to add any and all costs incurred by the Township for the abatement and cleanup of the violation to the tax roll of the property upon which the violation was located and to levy and collect such costs in the same manner as provided for the levy and collection of ad valorem real property taxes against said property.
 - g. THE TOWNSHIP adopts by reference Chapter 600 of the Revised Judicature Act of 1961, Subchapter 87 being MCLA §§ 600.8701—600.8735 as amended [MCL 42.23] and may utilize all sanctions provided for in said subchapter 87 in prosecuting municipal civil infraction violations. Copies of Subchapter 87 may be obtained from THE TOWNSHIP's webpage or at THE TOWNSHIP offices located at 5447 Bicentennial Drive Mt. Morris, MI 48458.

- h. A municipal civil infraction action brought for any violation of this chapter shall follow the procedures set forth in Chapter 600 of the Revised Judicature Act of 1961, including Subchapter 87 therein, specifically MCLA §600.8701 through §600.8735, as amended.
- i. Failure of an alleged violator to appear within the time specified in a municipal civil infraction citation or at the time scheduled for hearing or appearance shall be a misdemeanor and the penalty shall be a fine not to exceed \$500.00, or imprisonment in the Genesee County Jail for a term not exceeding 90 days, or both fine and imprisonment.

P. Rights and Remedies are Cumulative

- 1. The rights and remedies provided in this Ordinance are cumulative and are in addition to any other remedy provided by law.

Q. Severability:

- 1. The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section, or subsection is declared void or inoperable for any reason, it will not affect any other part or portion thereof.

R. Repeal:

- 1. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

S. Effective Date:

- 1. This Ordinance becomes effective 8 days after publication of the notice of this Ordinance’s adoption in a local newspaper circulating within the Charter Township of Mt. Morris, Genesee County, Michigan.

Introduction:

Thursday, November 17, 2022

First Publication:

Wednesday, November 2, 2022

Adoption:

Second Publication:

CERTIFICATION:

We, the undersigned, being respectively the Township Supervisor and Township Clerk of the Charter Township of Mt. Morris, Genesee County, Michigan, do hereby certify that the above Ordinance was duly adopted by the Township Board of the Charter Township of Mt. Morris at which meeting a quorum was present.

Jolena Sims

Supervisor

Charter Township of Mount Morris

DeWayne Allen

Clerk

Charter Township of Mount Morris