

**CHARTER TOWNSHIP OF HARRISON
REGULAR BOARD MEETING
FEBRUARY 11, 2008**

PRESENT: Anthony G. Forlini, Supervisor
Darrin S. York, Treasurer
Michael H. Rice, Trustee
James A. Ulinski, Trustee

EXCUSED: Jan P. Jorgensen, CMC, Clerk
Sharon Eineman, Trustee
Robert I. Garvin, Trustee

ALSO PRESENT: Robert Huth, Township Attorney
Dave Nummer, Township Engineer
Vijay Parakh, Building Official
Adam Wit, Deputy Supervisor

BOARD FORUM

Board Members addressed individual resident concerns.

The meeting opened at 7:30 p.m. with the Pledge of Allegiance.

Motion to appoint an Acting Clerk for the February 11, 2008 Regular Board meeting due to Mrs. Jorgensen's excused absence.

Motion by Mr. York, seconded by Mr. Rice to appoint Mr. Ulinski as Acting Clerk for the Regular Board Meeting of February 11, 2008. MOTION CARRIED.

APPROVAL OF CONSENT AGENDA:

Motion by Mr. York, and seconded by Mr. Rice to approve the Consent Agenda with the Bills in the amount of \$871,468.66 as amended to include payment to Marine Salvage in the amount of \$6,000.00 that was not approved at RBM of 1-28-08. MOTION CARRIED.

APPROVAL OF THE REGULAR BOARD MEETING MINUTES OF 1/28/08

Motion by Mr. York, and seconded by Mr. Rice to approve the Regular Board Meeting Minutes of 1/28/08 as presented. MOTION CARRIED.

APPROVAL OF THE BILLS IN THE AMOUNT OF \$871,468.66

Motion by Mr. York, and seconded by Mr. Rice to approve the Bills in the amount of \$871,468.66 as amended to include payment to Marine Salvage in the amount of \$6,000.00 that was not approved at RBM of 1-28-08. MOTION CARRIED.

APPROVAL OF CUB SCOUT PACK 152 REQUEST THE USE OF THE BEAUFAIT ADDITION AND WAIVER OF FEES ON MARCH 15, 2008 FOR THEIR PINEWOOD DERBY

Motion by Mr. York, and seconded by Mr. Rice to approve Cub Scout Pack 152 request to use Beaufait Addition for their Pinewood Derby on March 15, 2008 and waive the rental fees. MOTION CARRIED.

RECEIVE AND FILE STATE'S NOTICE THAT REXVEST'S EARNED CERTIFICATION AND IS TAX EXEMPT THROUGH 2012 FOR THEIR WIND ENERGY SYSTEM AS ALTERNATIVE ENERGY PERSONAL PROPERTY

Motion by Mr. York, and seconded by Mr. Rice to Receive and File the State's notice that Rexvest's earned certification and is tax exempt through 2012 for their wind energy system as alternative energy personal property. MOTION CARRIED.

APPROVAL OF THE REGULAR AGENDA

Motion by Mr. York, and seconded by Mr. Rice to approve the Regular Agenda with the removal of items C.6 Approval to Authorize the Building Department to negotiate with MDEQ and Macomb County to assume the responsibility of Soil Erosion with the assistance of the Township Attorney, D.3 Offer Resolution regarding sending a one last time mass mailing of AV applications to establish a Permanent Absent Voter Application List, and E.1 Offer Resolution regarding PA345. MOTION CARRIED.

SUPERVISOR/BOARD ANNOUNCEMENTS

The Supervisor announced that the Mackinac Center for Public Policy is having a meeting on Tuesday, February 12, 2008, 7:45a.m. at the River Rat Restaurant on personal property rights. Relay for Life in Harrison Township is having a meeting at the L'Anse Creuse High School on Wednesday, February 13, 2008 at 6:00p.m. Anyone interested in participating is welcome to attend. The Supervisor spoke to the motion regarding funding for the landscaping for Bridgeview Bridge. He stated that he misunderstood Mr. Hoeffner at the Road Commission and that the County does not have the funding for the landscaping project, and that Community Planning would hold off on the work until there is confirmation that the project will be funded outside of the Township. Board members shared their comments on the bridge. Mr. Rice informed the Board that he spoke to the Chairman of the Venice Shores Homeowners Association and asked him if they would be interested to participate in an illuminated sign on the north side of the bridge and indicated that he would be at the next meeting. Residents shared their comments.

Motion by Mr. York, and seconded by Mr. Rice to Receive and File the Supervisor and Board Announcements as presented. MOTION CARRIED.

APPOINTMENTS

ONE REAPPOINTMENT TO BEAUTIFICATION COMMITTEE – TERM TO EXPIRE 02/24/10

Mr. James Keehn’s appointment to the Beautification Commission is set to expire on February 24, 2008. The Supervisor recommends that Mr. Keehn be reappointed for a two year term to expire 2/24/10.

Motion by Mr. York, seconded by Mr. Ulinski to approve to reappoint Mr. James Keehn to the Beautification Commission for a two year term, to expire 2/24/10. MOTION CARRIED.

BUILDING DEPARTMENT

ADOPTION OF ORDINANCE TO AMEND CHAPTER 34 ENVIRONMENT, ARTICLE IV. VEGETATION TO MAKE MINOR CHANGES FOR LANGUAGE CLARIFICATION ONLY

**ADOPTION
CHARTER TOWNSHIP OF HARRISON
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 357**

AN ORDINANCE amending the Charter Township of Harrison Code of Ordinances, Chapter 34, Article IV Vegetation, Section 34-103 and Section 34-105 to make minor changes for language clarification only.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Chapter 34, Article IV, Vegetation, Section 34-103 and Section 34-105 of the Code of Ordinances, Charter Township of Harrison, Michigan is hereby amended to read as follows:

ARTICLE IV. VEGETATION*

***State law references:** Weed control, MCL 247.61 et seq.

Sec. 34-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Noxious weeds means Canada thistle, dodders, mustard, wild carrot, bind weed, perennial sowthistle, hoary alyssum, ragweed, poison ivy, poison sumac, and any other weeds which may create a condition detrimental to the public health, safety and welfare.

(Comp. Ords. 1988, § 35.101)

Cross references: Definitions generally, § 1-2.

Sec. 34-102. Allowing growth of weeds; unlawful.

It shall be unlawful for the owner and occupant of any lot or lands, either public or private, within the township to allow or maintain on any portion of such lot or lands the growth of any noxious weeds.

(Comp. Ords. 1988, § 35.102)

Sec. 34-103. Limit on height, distance from building; shrubs, brush.

It shall be unlawful for the owner or occupant of any lot or lands, either public or private, within the township to allow or permit grass or weeds of any kind to grow upon any such lot or lands to a height of more than 12 inches from the ground or within a distance of 80 feet from any existing building on the property of another **or from the property line**. It shall be unlawful to permit the growth of shrubs, wild bushes or brush on any property in the township to a height or density which might constitute a traffic or fire hazard. The obligation of the owner or occupant of any property in the township **is** to cut down, remove or destroy any grass, weeds, shrubs, bushes or brush **that** shall extend to the center of the road fronting on the property of such owner or occupant.

(Comp. Ords. 1988, § 35.103)

Cross references: Buildings and building regulations, ch. 18.

Sec. 34-104. Violation; fine.

No person who receives an official notice to cut down, remove or destroy any grass, weeds, shrubs, bushes or brush shall neglect, refuse or otherwise fail to obey such order.

(Comp. Ords. 1988, § 35.104)

Sec. 34-105. Removal by township.

(a) Whenever it appears to the ordinance enforcement officer, the township supervisor or the person appointed by the township board as weed commissioner, either by a written complaint signed by a resident of the township or upon their own knowledge and belief, that there exists on any lot or lands situated in the township grass, noxious weeds, weeds of any kind, or in any combination, which have grown to a height of more than 12 inches from the ground, the ordinance enforcement officer or any person so appointed by the township board shall possess the authority to enter upon any premises in the township in order to cut or otherwise remove any such grass or weeds exceeding 12 inches in height.

(b) Where grass and/or weeds are cut or removed by the township in the manner set forth in subsection (a) of this section, the charges per lot sizes shall be review each year by the board of trustees to determine the amount to be charged to the landowner, such charges to be assessed pursuant to section 34-106. The amount shall be charged to the landowner as set forth in section 34-106. Performance of such work by the township under this section shall not relieve the owner or occupant of the prosecution or penalties prescribed in section 34-104.

(c) A written notice shall be sent to all vacant lots or lands by the 15th of April each year and also noticed in the newspaper. When grass or noxious weeds are sought to be removed by the township, prior to entry upon the premises by the township, written notice shall be posted on the premises or sent by mail. **If sent by mail, This notice shall be mailed to the lot or property in**

question and also to the owner at the address listed on the township tax rolls. This notice shall include a demand to remove or destroy the noxious weeds or grass present on the property within five days after receipt of the notice and that failure to perform such work in that time stated shall result in entry upon the premises by the ordinance enforcement officer or other persons so appointed by the township board to perform the work, charging the cost plus administrative costs to the landowner. These charges are to be assessed pursuant to section 34-106. (Comp. Ords. 1988, § 35.106; Ord. No. 351, § I, 3-12-2006)

Sec. 34-106. Collection of expenses.

The full amount of any charges assessed pursuant to section 34-105, with respect to each lot or parcel of land upon which grass or noxious weeds have been cut or removed pursuant to this article, shall be a special assessment to be spread against such land and property to be assessed, levied and collected at the same time and in the same manner for nonpayment. (Comp. Ords. 1988, § 35.107)

Residents shared their thoughts. A Board member stated this ordinance pertains only to noxious weeds and the Township Attorney stated that he felt that the motion was appropriate.

Motion by Mr. York, and seconded by Mr. Rice, that the aforementioned and foregoing Ordinance 357, to amend the Charter Township of Harrison's Code of Ordinances, Charter 34, Environment, Article IV, Vegetation, Section 34-103 and Section 34-105 to make minor changes for language clarification only, be adopted and ordered published for the second time. That a copy of the Ordinance as Adopted may be reviewed in the Clerk's Office 8:00 a.m. – 4:30 p.m., Monday through Friday, closing for lunch between the hours of 12:30 -1:30 p.m.

**Roll Call: Ayes: York, Rice, Ulinski, Forlini
 Nays: None
 Excused: Jorgensen, Eineman, Garvin
 MOTION CARRIED.**

ADOPTION OF ORDINANCE TO AMEND CHAPTER 42 FLOODS, ARTICLE II FLOOD PREVENTION, SECTION 42-38 COASTAL BASE FLOOD ELEVATION AND CHAPTER 94 WATERWAYS, ARTICLE III WATERFRONT CONSTRUCTION, SECTION 94-74 SEAWALLS TO CHANGE THE BASE FLOOD ELEVATION REQUIREMENT

**ADOPTION
CHARTER TOWNSHIP OF HARRISON
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 358**

AN ORDINANCE amending the Charter Township of Harrison Code of Ordinances, Chapter 42 Floods, Article II, Section 42-38, by providing for the adoption of new Coastal Base Flood Elevation and Chapter 94, Waterways, Article III, Section 94-74, by providing for the adoption of new seawalls to change the base flood elevation requirement.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Chapter 42, Floods, Article II, Section 42-38 of the Code of Ordinances, Charter Township of Harrison, Michigan is hereby amended to read as follows:

Sec. 42-38. Coastal base flood elevation.

The base flood elevation in coastal special flood hazard areas shall be ~~580.00~~ **580.2** NGVD and comply with part 323 of the Natural Resources and Environmental Protection Act (MCL 323.32301 et seq.).

(Comp. Ords. 1988, § 25.553(C))

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Chapter 94, Waterways, Article III Waterfront Construction, Section 94-74 Seawalls, of the Code of Ordinances, Charter Township of Harrison, Michigan is hereby amended to read as follows:

Sec. 94-74. Seawalls.

Seawall construction shall be in accordance with the following requirements:

(1) Top elevation shall be a minimum of ~~580.0~~ **580.2** USGS. (This is 0.4 feet above projected high water.)

(2) Construction shall be a minimum of two-inch tongue-and-groove pressure-treated wood, steel, minimum three-sixteenths inch concrete or other similar material. The wall shall be complete with waler, capping, tiebacks, three-fourths inch diameter, and deadman which shall be sufficient to maintain the wall on proper line after backfilling. All wood shall be pressure-treated.

(3) All walls shall have approximately 40 percent of the length of the sheet piling in the ground to provide stability and proper toe-in. Sheet piling in canals should be of sufficient length so that canals could be excavated to elevation 569.0. **This will leave 11.0 feet from 569.0 to ~~580.0~~ 580.2** Based on 40 percent, there would be four feet in the ground. This is a minimum; and any wall other than a simple bulkhead in a canal shall be designed to take into account weight or backfill, any surcharge due to parking, buildings, etc. This minimum is based on average ground conditions, and specific design should be required for any unusual conditions.

(Comp. Ords. 1988, § 22.743)

A resident shared his comments.

Motion by Mr. Rice, and seconded by Mr. Ulinski, that the aforementioned and foregoing Ordinance 358, to amend the Charter Township of Harrison Code of Ordinances, Chapter 42 Floods, Article II, Section 42-38, by providing for the adoption of new Coastal Base Flood Elevation and Chapter 94, Waterways, Article III, Section 94-74, by providing for the adoption of Coastal Base Flood Elevation for new seawalls, be adopted and ordered published for the second time. That a copy of the Ordinance as Adopted may be reviewed in the Clerk's Office 8:00 a.m. – 4:30 p.m., Monday through Friday, closing for lunch between the hours of 12:30 -1:30 p.m.

Roll Call:	Ayes:	Rice, Ulinski, York, Forlini
	Nays:	None

Excused: Jorgensen, Eineman, Garvin
MOTION CARRIED.

ADOPTION OF ORDINANCE 306.31 TO AMEND ARTICLE 9 OF SECTION 9.00A OF THE CHAPTER TOWNSHIP CODE OF ORDINANCES BY PROVIDING FOR THE ADOPTION OF NEW REGULATIONS REGARDING ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

**ADOPTION
CHARTER TOWNSHIP OF HARRISON
MACOMB, MICHIGAN
AMENDMENT TO ZONING ORDINANCE
ORDINANCE NO. 306.31**

AN ORDINANCE TO AMEND ARTICLE 9 OF SECTION 9.00A. OF THE CHARTER TOWNSHIP CODE OF ORDINANCES BY PROVIDING FOR THE ADOPTION OF NEW REGULATIONS REGARDING ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Section 1. Section 9.00A. shall be deleted in its entirety and is hereby replaced with the following:

Section 9.00. Provisions applicable to residential districts.

A. Accessory buildings in the **Residential Districts** shall be subject to the following regulations:

1. Accessory buildings in the **Mobile Home Park District** shall be limited and regulated as provided in Section 9.30. Multiple-Family **Residential** accessory buildings are regulated the same as principal buildings, as provided in Section 9.40.
2. Where an accessory building is structurally attached to a main building, it shall conform to all regulations of this **Ordinance** applicable to the main building.
3. All accessory farm structures for uses other than those usually incidental to the dwelling shall be located not less than **one hundred** (100') feet from any dwelling or front property line and not less than **twenty-five** (25') feet from any side or rear lot line or property boundary.
4. **Detached** accessory buildings shall not exceed **sixteen** (16') feet in height.
5. **The height of any garage door or access opening shall not exceed ten (10') feet in height.**
6. **A maximum of two (2) detached accessory buildings shall be permitted per site.**

7. Detached accessory buildings shall not occupy more than twenty-five (25%) percent of a required rear yard.
8. Detached accessory buildings shall not occupy more than forty (40%) percent of any non-required rear yard.
9. Prior to approval of detached accessory buildings, the applicant shall demonstrate compliance with maximum lot coverage and maximum impervious surface allowances of the applicable zoning district.
10. The total floor area of all accessory buildings, including attached garages, shall not exceed two-thirds (2/3) of the floor area of the principal dwelling (as defined in Section 17.01. Floor area, residential).
11. A detached accessory building incidental to the dwelling shall be located only in a rear yard, except as provided in Section 3.33.
12. When a detached accessory building or structure is located on a corner lot, the building or structure shall meet the front yard setback on all street frontages.
13. No detached accessory structure shall be located closer than ten (10') feet to any main building.

Exception: Open type structures, such as pergolas, gazebos, in-ground swimming pools and similar non-storage type structures, having a total wall area at least sixty (60%) percent open and not structurally connected to the main building.
14. No accessory building shall be located closer than two (2') feet to any side or rear lot line. In no instance shall an accessory building be located within a dedicated easement.

With respect to this Section, those premises abutting a lake, river or canal shall maintain a yard setback opposite the street of at least thirty (30') feet, anything in this Ordinance to the contrary notwithstanding.
15. No accessory building shall be constructed prior to the enclosure of the main building.
16. An accessory building, irrespective of location, shall be incidental to the principal permitted use and shall not involve any business, profession, trade or occupation. Accessory buildings intended for other than the storage of private motor vehicles and covered boat wells shall be subject to Zoning Board of Appeals review.
17. Accessory buildings shall not be of a metal clad pole barn or similar type structure.
18. The applicant shall submit recordable deed restrictions which prohibit use of the accessory buildings for business purposes or as residential dwellings.

19. Covered boat wells shall count towards the number of detached accessory structures permitted.

Exception: Covered boat wells shall not count towards the maximum allowable square footage permitted under this section. Portions of boat wells built over land shall be included in the maximum allowable square foot calculations as required in Section 3.33.

Section 2. SEVERABILITY

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this Ordinance, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. EFFECTIVE DATE

This Ordinance shall be effective thirty (30) days from the date of publication hereof.

A resident shared his comments.

Motion by Mr. York, and seconded by Mr. Rice that the aforementioned and foregoing Ordinance 306.31, to amend the Charter Township of Harrison, Chapter Zoning Ordinance, Article 9, Section 9.00 (A) Relating to Accessory Buildings in Residential Districts by providing for the adoption of new regulations regarding accessory buildings in residential districts, be adopted and ordered published for the second time. That a copy of the Ordinance as Adopted may be reviewed in the Clerk’s Office 8:00 a.m. – 4:30 p.m., Monday through Friday, closing for lunch between the hours of 12:30 -1:30 p.m.

**Roll Call: Ayes: York, Rice, Ulinski, Forlini
Nays: None
Excused: Jorgensen, Eineman, Garvin
MOTION CARRIED.**

ADOPTION OF ORDINANCE TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS PART OF THE PROPERTY MAINTENANCE CODE OF THE CHARTER TOWNSHIP OF HARRISON

**ADOPTION
CHARTER TOWNSHIP OF HARRISON
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 359**

AN ORDINANCE TO AMEND CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CHARTER TOWNSHIP OF HARRISON CODE OF ORDINANCES BY AMENDING ARTICLE I, IN GENERAL, SECTION 18-1 TO INCLUDE THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Section 18-1 (a) Adoption of the Property Maintenance Code

The International Property Maintenance Code, 2003 edition, as published by the International Code Council, be and is hereby adopted by reference as the Property Maintenance Code of the Charter Township of Harrison, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Charter Township of Harrison are hereby referred to, adopted, and made a part hereof, as if fully set out in this, with the additions, insertions, deletions and changes, if any, prescribed in Article I of this ordinance.

**Publication Summary of
Property Maintenance Code**

The Charter Township of Harrison adopted the Property Maintenance Code (the "Code"), which will be effective ten (10) days from this publication. The code is based upon the International Property Maintenance Code published by the International Code Council, Inc. A copy of the entire code may be viewed at the Harrison Township Building Department. Violations of the code are a municipal civil infraction punishable by a fine of up to \$500 plus costs. The following is a brief summary of the provisions of the Code.

The Code:

- Provides standards for the maintenance of property, structures and equipment located in the city.
- Provides notice to owners, occupants or other responsible parties of violations and requirements to correct violations.
- Provides for the appointments and outlines the duties and responsibilities of the enforcement official (city building inspector).
- Authorizes the closing of structures that are not fit for occupancy, the posting of notice of closing and prohibits occupancy of such structures.
- Authorizes the building inspector to take emergency action when there is a dangerous condition.
- Upon notice by the building inspector, requires owners or persons in control of unsafe or unsanitary structures to repair or remove the structure; allows the city to remove such structure in the event that the owner or person in control fails to do so; and authorizes the city to place a lien upon the property to recover the costs of demolition.
- Designates a board of appeals and provides the procedure for an appeal of a decision or order of the building inspector.

- Requires owners of property to maintain the exterior of such property:
 - in a safe, sanitary and clean condition.
 - graded to prevent erosion or accumulation of water.
 - by keeping sidewalks in good repair.
 - free of weeds or plant growth over 10 inches in height.
 - by preventing discharge of smoke, odor or gases to adjacent properties.
 - in good repair, including exterior surfaces and structures.
 - by limiting or prohibiting unregistered vehicles.
 - by prohibiting outside storage of vehicles in disrepair.
 - by requiring the display of house numbers.
 - by maintaining windows and doors in good repair and operable condition.
- Requires owners to maintain the interior of structures, including interior surfaces and structural members.
- Requires owners and occupants to keep exteriors and interiors neat and clean, free of accumulation of garbage or rubbish, except in approved containers.
- Requires owners and occupants to keep property free of rodents.
- Requires adequate interior and exterior lighting by windows and/or artificial lighting.
- Requires adequate ventilation by windows or mechanical exhaust systems.
- Provides for minimum dimensions of rooms in dwellings and lodging units, egress from bedrooms, accessibility to bathrooms and provides for maximum numbers of occupants in a dwelling unit.
- Requires owners to provide and maintain adequate plumbing, including required bathroom and drinking facilities for dwellings and lodging units.
- Requires adequate sanitary water supply system for all plumbing fixtures and specifies location and operation of water heaters.
- Requires all plumbing fixtures to be connected to public sanitary sewer or other approved private sewer system.
- Prohibits storm drainage that creates a public nuisance.
- Requires owners to install adequate mechanical facilities and maintain the facilities in good working order, including:
 - heating facilities in dwellings and indoor workspaces.
 - fireplaces and stoves.
 - cooking facilities.
- Requires owners to maintain electrical systems in compliance with the specifications of the code and the state electrical code, free of hazards and requires laundry and bathroom receptacles to be grounded.
- Requires elevators and escalators to be properly maintained.
- Requires owners to be responsible for fire safety by:
 - providing and maintaining unobstructed and adequate means of exit from any building.
 - providing and maintaining barriers to resist movement of smoke in certain circumstances.

- o providing and maintaining handrails for stairs with more than four steps and on porches or decks of greater than 30 inches above adjoining grade.
- o providing and maintaining proper signage of floor numbers and exits for certain buildings.
- o providing and maintaining an emergency exit from sleeping rooms.
- o prohibiting storage of combustibles, explosive or hazardous materials except in accordance with fire codes.
- o installing and maintaining fire doors and fire resistant materials as required.
- o installing and maintaining required fire suppression systems.
- o installing and maintaining smoke detectors in sleeping areas in residences and group homes.

Motion by Mr. York, and seconded by Mr. Rice, that the aforementioned and foregoing Ordinance 359, to amend the Charter Township of Harrison Code of Ordinances, Article I, In General, Section 18- 1, to adopt the International Property Maintenance Code by reference as part of the Michigan Building and Residential Code, the 2003 Michigan Building Code, be adopted and that the Publication Summary of the Harrison Township Property Maintenance Code be ordered published for the second time. That a copy of the Ordinance as Adopted may be reviewed in the Clerk's Office 8:00 a.m. – 4:30 p.m., Monday through Friday, closing for lunch between the hours of 12:30 -1:30 p.m.

**Roll Call: Ayes: York, Rice, Ulinski, Forlini
 Nays: None
 Excused: Jorgensen, Eineman, Garvin
MOTION CARRIED.**

INTRODUCTION OF AMENDMENTS TO CODE OF ORDINANCE, CHAPTER 62, OFFENSES AND MISCELLANEOUS, ARTICLE 1, GENERAL, SECTION 62-5 PARKING VEHICLES OR BOATS FOR SALE OR TRADE, MISDEMEANOR, SECTION 62-5 (d) NOTICE OF VIOLATION OF SECTION 62-5 (e) PROSECUTION OF VIOLATION

**INTRODUCTION
 CHARTER TOWNSHIP OF HARRISON
 MACOMB, MICHIGAN**

AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE 1 OF THE CHARTER TOWNSHIP OF HARRISON CODE OF ORDINANCES BY AMENDING THE PROCEDURES WHICH ENFORCE THE PROHIBITION OF PARKING VEHICLES OR BOATS FOR TRADE OR SALE.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Section 1. Article 1, Section 62-5(d) of the Code of Ordinances, Charter Township of Harrison, Michigan, is hereby amended to read as follows.

Section 62-5(d)

Notice of violation. A notice of violation shall **may** be served upon the person in violation of the provisions of this section directing the discontinuance of the illegal action or condition and abatement of the violation. **In the event a sign is posted on the private or public property stating "NO PARKING" a citation may be issued immediately to the person in violation of this article.** For purposes of **the** this notification upon a vehicle owner, it shall be sufficient to affix in a conspicuous place the notice of violation to the vehicle parked for sale or trade and mail a copy to the registered owner. Notice shall also include the towing of the vehicle at owner's expense if the parameters of this section have not met.

Section 2. Article 1, Section 62-5(e) of the Code of Ordinances, Charter Township of Harrison, Michigan, is hereby amended to read as follows.

Section 62-5(e)

Prosecution of violation. If the notice of violation is not complied with within 24 hours, a citation shall be issued to the person violating the provisions of this section. **In the event a sign is posted on the private or public property stating "NO PARKING" a citation may be issued immediately to the person in violation of this article.**

Section 3. SEVERABILITY

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this Ordinance, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. EFFECTIVE DATE

This Ordinance shall be effective thirty (30) days from the date of publication hereof.

Resident's comments were heard. The Township Attorney spoke in favor of the Ordinance and felt that the Sheriff's Department would use proper discretion before issuing citations.

Motion by Mr. York, and seconded by Mr. Rice to amend the Charter Township of Harrison's Code of Ordinances, Chapter 62, Offenses and Miscellaneous, Article I, General, Section 62-5 Parking Vehicles or Boats for Sale or Trade; Misdemeanor, Section 62-5 (d) Notice of Violation and Section 62-5 (e) Prosecution of Violation and to publish for the first time with the intent to adopt at the next regular board meeting at the Charter Township of Harrison.

Roll Call:	Ayes:	York, Rice, Ulinski, Forlini
	Nays:	None
	Excused:	Jorgensen, Eineman, Garvin

MOTION CARRIED.**CLERK'S OFFICE****REQUEST APPROVAL TO TRANSFER OWNERSHIP OF 2007 SDM LICENSED BUSINESS LOCATED AT 32895 S. RIVER ROAD FROM LANDS END MARINA, INC. TO CLINTON RIVER SDM, LLC.**

Applicants Patricia and Michael Lambert have applied to transfer ownership of a 2007 SDM License Business with Direct-Connention-2, located at 32895 S. River Road, Harrison Township, Macomb County, from Lands End Marina, Inc. All necessary paper work relative to the liquor transfer process has been completed and is in order. A resident shared his comment.

Motion by Mr. York, and seconded by Mr. Ulinski to approve to transfer ownership of the 2007 SDM License located at 32895 S. River Road from Lands End Marina, Inc. to Clinton River SDM, LLC as presented. MOTION CARRIED.

COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE UPDATE

Mr. Rice and Mr. York updated the Board on the available 2008 funding for allocation for the 2008 Community Development Block Grant Program as discussed at the CDBG Committee Meeting of 1/31/08. The CDBG Committee discussed possible funding for the Senior Citizen Transportation Program, the Macomb County Community Service Agency for the senior citizens chore services, and the remaining funds to be allocated to connect the Waterfront Park and Tucker Park with a sidewalk, hike/bike path. The committee also discussed using the B7-08-7A CDBG planning project to fund for a plan to prepare a site plan and engineering this project. It was announced that the CDBG Public Hearing will be held at our next regular board meeting of 2/25/2008 at 7:30 p.m. With regards to existing CDBG projects it was announced that as of last year, the Township has been reimbursed through the county for projects from 2002, 2003, 2004, 2006 and 2007 closing them out. To date our total funds to be spent are \$49,669.00.

Motion by Mr. Rice, and seconded by Mr. York to Receive and File the Community Development Block Grant update as presented and schedule a Public Hearing for the next regular board meeting. MOTION CARRIED.

PUBLIC COMMENTS

1. Sam Buschell, resident, spoke to a violation notice issue he has with ordinances on businesses in the township.
2. Jim Senstock, resident, spoke to the township phone service issue and informed the Board of the waste haulers failing to pick-up trash on scheduled dates and that it is the responsibility of waste haulers to notify their customers.

BOARD COMMENTS

1. Mr. Ulinski spoke to ordinances introduced, businesses that are grandfathered in regarding screening for dumpsters, economic conditions and Michigan's property values.

2. Mr. York spoke to the moratorium on the Parkway Parcel and re-zoning it to be recreational.
3. Mr. Forlini stated that he met with the DNR regarding the phragmites. The DNR will be having public meetings in the spring to educate the residents. He also spoke on phones being out of service for a few days. The problem was that one of the mainlines was corroded. The Building Official and the Waste Haulers met to discuss garbage pick-up, number of vehicles and the reduction of dates that the trash haulers would be allowed to pick up the trash in the Township. It was also mentioned that only forty (40) Metro Park passes are available.
4. Mr. Rice spoke to the removal of the ironwood trees and that the Township does not have a program to replace the trees. He also stated that because the restrooms are closed at Waterfront Park during the winter there are sanitary issues and he is not in favor of the park being open at that time.

ADJOURNMENT

Motion by Mr. York, and seconded by Mr. Ulinski to adjourn. Meeting was announced adjourned at 8:25 p.m. MOTION CARRIED.

Prepared and Submitted by,

Approved by,

**Marge Lucido, Deputy Clerk
Charter Township of Harrison**

**Anthony G. Forlini, Supervisor
Charter Township of Harrison**