

CHAPTER 1 - MISCELLANEOUS PROVISIONS**SECTION 101. TITLE**

This Ordinance shall be known and may be cited as the "Zoning Ordinance of Haring Charter Township" and may be referred to as "this Ordinance".

SECTION 102. PURPOSE

This Ordinance is based on the Haring Township Master Plan (and as amended) adopted by the Planning Commission and Township Board and is intended and designed to regulate the use of land and structures, and to accomplish all of the following objectives:

1. To promote the public health, safety, and welfare;
2. To ensure that the use of land shall be situated in appropriate locations and relationships
3. To limit the overcrowding of land and congestion of population, transportation, and other public facilities;
4. To facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility needs;
5. To encourage the use of lands and natural resources in accordance with their character and adaptability;
6. To limit the improper use of land;
7. To provide for the orderly development of the Township;
8. To provide each property owner with reasonable opportunity to use of their land;
9. To accomplish the objectives of the Township's Master Plan;
10. To reduce potential hazards to life and property; and
11. To encourage the development of land and structures in an attractive manner.

In order to effectively meet these objectives, Haring Township is divided into districts of such number, shape and area, and of such common unity of purpose, adaptability or use, that are deemed most suitable to provide for the best general civic use, protect the common rights and interests within each district and the Township as a whole, preserve the property owners right to use their land, and

to promote quality of life and business vitality. The regulations of this Ordinance accomplish the purpose and objectives as outlined above by controlling land uses within each district; acknowledging the unique impacts of special land uses through specific standards for their development in appropriate locations within selected districts; promoting quality development by limiting the location, height, bulk, occupancy and uses of buildings and other structures, defining maximum residential density, specifying the percentage of a site available for a building, providing for basic site design standards to ensure that land is developed in a functional and attractive manner, and requiring building and parking setbacks from property lines and public street right-of-way.

SECTION 102.5 PURPOSE: Sexually Oriented Business Regulation

The purpose and intent of the Sections of this Ordinance pertaining to the regulation of sexually oriented businesses is to regulate the location and operation of, but not to exclude, sexually oriented businesses within the township, and to minimize their negative secondary effects. It is recognized that sexually oriented businesses, because of their very nature, have serious effects upon nearby residential, educational, religious and other similar public and private uses. The regulation of sexually oriented businesses is necessary to ensure that their negative secondary effects will not contribute to the blighting or downgrading of surrounding areas and will not negatively impact the health, safety and general welfare of township residents. The provisions of the Ordinance are not intended to offend the guarantees of the First Amendment to the United States Constitution or to deny adults access to sexually oriented businesses and their products, or to deny sexually oriented businesses access to their intended market. Neither is it the intent of this Ordinance to legitimize activities that are prohibited by Township ordinance state or federal law. If any portion of this Ordinance relating to the regulation of sexually oriented businesses or referenced in those sections is found to be invalid or unconstitutional by a court of competent jurisdiction, the township intends said portion to be disregarded, reduced and/or revised so as to be recognized to the fullest extent possible by law. The Township further states that it would have passed and adopted what remains of any portion of this Ordinance relating to regulation of sexually oriented businesses following the removal, reduction or revision of any portion so found to be invalid or unconstitutional.

SECTION 103. SCOPE

1. Where any condition imposed by any provision of this Ordinance upon the use of any lot, building, or structure is either more restrictive or less restrictive than any comparable condition imposed by any other provision of this Ordinance or by the

provision of any ordinance or regulation adopted under any other law, the provision which is more restrictive or which imposes the higher standard or requirement shall govern.

2. This Ordinance shall not abrogate or annul any easement, covenant, or other private agreement. Where any provision of this Ordinance is more restrictive or imposes a higher standard or requirement than such easement, covenant, or other private agreement, the provision of this Ordinance shall govern.
3. Zoning applies to every building, structure, or use. No building, structure or land shall be used or occupied, and no building or structure or part thereof shall be erected, moved, placed, reconstructed, extended, enlarged, or altered except in conformity with this Ordinance.
4. No setback area or lot existing at the time of adoption of this Ordinance shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein.
5. Unless otherwise provided for by this Ordinance, any conditions attached to a lot as a result of public action taken pursuant to the application of this Ordinance shall remain in effect even though said lot may be subject to a change in ownership.
6. The regulations herein established shall be the minimum regulations for promoting and protecting the public health, safety, and welfare.

SECTION 104. AUTHORITY

This Ordinance is enacted in accordance with Act 184 of the Public Acts of 1943, as amended.

SECTION 105. VALIDITY AND SEVERABILITY

This Ordinance and the various parts, subsections, paragraphs, sentences, phrases, and clauses thereof are hereby declared to be severable. If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not specifically included in said ruling. Further, if any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular lot, use, building, or structure, such ruling shall not affect the application of said provision to any other lot, use, building, or structure not specifically included in said ruling.

SECTION 106. EFFECTIVE DATE

This Ordinance was adopted by the Haring Charter Township Board on May 12, 1997, and shall take effect of May 23, 1997.

SECTION 107. REPEAL OF PRIOR ORDINANCE

The Haring Charter Township Zoning Ordinance, Ordinance No. 3, all amendments thereto, and any prior zoning ordinances of the Township are hereby repealed effective coincident with the effective date of this Ordinance. The repeal of such ordinances and amendments shall not have the effect of releasing or relinquishing any penalty, forfeiture, or liability incurred under said ordinance or amendment, or any part thereof, and said ordinance or amendment shall be treated as still remaining in force for the purpose instituting or sustaining any proper action for the enforcement of such penalty, forfeiture or liability.

SECTION 108. REZONING OF CERTAIN PARCELS

This page left intentionally blank