

HOUSE BILL No. 5852

May 20, 1992, Introduced by Reps. Horton, Jondahl, Harder, Bandstra, Ciaramitaro, Clack, Dalman, McBryde, Trim, Walberg, Pitoniak, Perry Bullard, Bobier and Dresch and referred to the Committee on Towns and Counties.

A bill to amend Act No. 184 of the Public Acts of 1943,
entitled as amended
"The township rural zoning act,"
as amended, being sections 125.271 to 125.301 of the Michigan
Compiled Laws, by adding section 1a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 184 of the Public Acts of 1943, as
2 amended, being sections 125.271 to 125.301 of the Michigan
3 Compiled Laws, is amended by adding section 1a to read as
4 follows:

5 SEC. 1A. (1) A ZONING ORDINANCE ADOPTED UNDER THIS ACT
6 SHALL NOT EXCLUDE A HOUSE OF PUBLIC WORSHIP FROM A RESIDENTIAL
7 ZONE.

8 (2) A ZONING ORDINANCE ADOPTED UNDER THIS ACT SHALL NOT
9 PROHIBIT THE USE OF A RELIGIOUS FACILITY IN A RESIDENTIAL ZONE AS

1 A CHARITABLE SERVICE FACILITY. THE MANNER OF OPERATION OF SUCH A
2 CHARITABLE SERVICE FACILITY SHALL NOT ENDANGER HEALTH OR SAFETY
3 OF RESIDENTS OF THE NEIGHBORHOOD.

4 (3) AS USED IN THIS SECTION:

5 (A) "CHARITABLE SERVICE FACILITY" MEANS A FACILITY OPERATED
6 BY A RELIGIOUS SOCIETY OF THIS STATE ON A NONPROFIT BASIS FOR
7 CHARITABLE PURPOSES ARISING FROM THE BELIEFS OF THE RELIGIOUS
8 SOCIETY. CHARITABLE SERVICE FACILITY INCLUDES, BUT IS NOT
9 LIMITED TO, A HOMELESS SHELTER, HOSPICE, SOUP KITCHEN, SHELTER
10 FOR BATTERED SPOUSES, SHELTER FOR UNWED MOTHERS, CHILD CARE
11 CENTER, OR SENIOR CENTER.

12 (B) "CHILD CARE CENTER" MEANS THAT TERM AS DEFINED IN SEC-
13 TION 1 OF ACT NO. 116 OF THE PUBLIC ACTS OF 1973, BEING
14 SECTION 722.111 OF THE MICHIGAN COMPILED LAWS.

15 (C) "HOUSE OF PUBLIC WORSHIP" MEANS A STRUCTURE OWNED OR
16 LEASED BY A RELIGIOUS SOCIETY OF THIS STATE AND USED PREDOMI-
17 NANTLY FOR THE RELIGIOUS SERVICES OF OR FOR TEACHING THE BELIEFS
18 OF THE RELIGIOUS SOCIETY.

19 (D) "RELIGIOUS FACILITY" MEANS A STRUCTURE THAT MEETS 1 OF
20 THE FOLLOWING REQUIREMENTS:

21 (i) IS A HOUSE OF PUBLIC WORSHIP.

22 (ii) IS A FACILITY OWNED OR LEASED BY A RELIGIOUS SOCIETY OF
23 THIS STATE AND LOCATED ON THE SAME PROPERTY AS A HOUSE OF PUBLIC
24 WORSHIP, ON ADJACENT PROPERTY, OR ON CONTIGUOUS PROPERTY.