



HOUSE BILL No. 4577

March 14, 1995, Introduced by Reps. DeLange, Brackenridge, McBryde, Jellema, Hammerstrom, Pitoniak and Voorhees and referred to the Committee on Local Government.

A bill to amend section 14 of Act No. 184 of the Public Acts of 1943, entitled as amended
"The township rural zoning act,"
being section 125.284 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 14 of Act No. 184 of the Public Acts of
2 1943, being section 125.284 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 14. (1) ~~Amendments or supplements~~ EXCEPT AS PROVIDED
5 IN THIS SECTION, AN AMENDMENT to the zoning ordinance may be made
6 in the same manner as provided in this act for the enactment of
7 the original ordinance.

8 (2) If an individual property or several adjacent properties
9 are proposed for rezoning, the township zoning board shall give a
10 notice of the proposed rezoning to the owner of the property in

1 question, to all persons to whom any real property within 300
2 feet of the premises in question is assessed, and to the occu-
3 pants of all single and 2-family dwellings within 300 feet. The
4 notice shall be delivered personally or by mail to the respective
5 owners and tenants at the address given in the last assessment
6 roll. If the tenant's name is not known, the term "occupant" may
7 be used. If the notice is delivered by mail, an affidavit of
8 mailing shall be filed with the zoning board before the hearing.
9 The notice shall be made not less than 8 days before the hearing
10 provided by section 9 stating the time, place, date, and purpose
11 of the hearing.

12 (3) AN AMENDMENT TO A ZONING ORDINANCE IS NOT SUBJECT TO
13 SECTION 12. INSTEAD, IF A PETITION PROTESTING A PROPOSED AMEND-
14 MENT TO A ZONING ORDINANCE IS PRESENTED TO THE TOWNSHIP CLERK,
15 PASSAGE OF THE PROPOSED AMENDMENT REQUIRES A 2/3 VOTE OF THE
16 TOWNSHIP BOARD, UNLESS A LARGER VOTE, NOT TO EXCEED A 3/4 VOTE,
17 IS REQUIRED BY ORDINANCE. THE PROTEST PETITION SHALL BE
18 PRESENTED BEFORE FINAL LEGISLATIVE ACTION ON THE AMENDMENT, AND
19 SHALL BE SIGNED BY 1 OF THE FOLLOWING:

20 (A) THE OWNERS OF AT LEAST 20% OF THE AREA OF PRIVATELY
21 OWNED LAND INCLUDED IN THE PROPOSED CHANGE.

22 (B) THE OWNERS OF AT LEAST 20% OF THE AREA OF PRIVATELY
23 OWNED LAND INCLUDED WITHIN AN AREA EXTENDING OUTWARD 100 FEET
24 FROM ANY POINT ON THE BOUNDARY OF THE LAND INCLUDED IN THE PRO-
25 POSED CHANGE.

26 (4) An amendment for the purpose of conforming a provision
27 of the zoning ordinance to the decree of a court of competent

1 jurisdiction as to any specific lands may be adopted by the
2 township board and the notice of the adopted amendment published
3 without referring the amendment to any other board or agency pro-
4 vided for in this act. SUCH AN AMENDMENT IS NOT SUBJECT TO THE
5 REQUIREMENTS OF SUBSECTION (3) OR SECTION 12. SUCH AN AMENDMENT
6 IS NOT SUBJECT TO THE REQUIREMENTS OF SUBSECTION (2) UNLESS THE
7 AMENDMENT IS TO REZONE AN INDIVIDUAL PROPERTY OR SEVERAL ADJACENT
8 PROPERTIES AND THE TOWNSHIP BOARD REFERS THE AMENDMENT TO THE
9 TOWNSHIP ZONING BOARD.