

CROTON TOWNSHIP
NEWAYGO COUNTY, MICHIGAN

At a regular meeting of the Township Board of Croton Township, Newaygo County, Michigan, held at Township Hall on November 12, 2007, at 7:00 PM, Township Board Member Howarth moved to adopt the following ordinance amendment, which motion was seconded by Township Board Member Hadley.

**AN ORDINANCE TO AMEND THE CROTON TOWNSHIP
ZONING ORDINANCE, AS AMENDED, REGARDING
CERTAIN NONCONFORMING SIGNS.**

THE TOWNSHIP OF CROTON (“Township”) ORDAINS:

Article 1. A new and additional Subsection 14.90(F) is hereby added to the Croton Township Zoning Ordinance, as amended, to read in full as follows:

- F. Notwithstanding subsection A. above, a commercial sign located outdoors Within the Township shall be deemed to be a lawful nonconforming structure as of September 1, 2007, so long as all of the following requirements are met:
1. The sign must have existed as of September 1, 2007.
 2. The sign was commercial in nature before September 1, 2007 and remains so.
 3. The owner of the sign has provided the Township with a written certification of the exact height, location, nature, and dimensions of the sign as of September 1, 2007 (and any other information required by the Township) as specified in subsection 5, below.
 4. The business or commercial use which the sign references or advertises (as well as any and all uses on the property where the sign is located) fully complies with the Zoning Ordinance and other applicable Township ordinances.
 5. The owner of the sign must have completed, sign (as an affidavit) and filed with the Township a fully-completed certification form (on a form as provided by the Township and providing all information required by the Township) no later than May 1, 2008. The certification form shall not be deemed filed with the Township until counter-signed by the Zoning Administrator. The Township Zoning Administrator may assist the owner of the sign in filling out or preparing the certification form.

If the owner of a sign has not fully complied with subsections 1 through 5, above, a rebuttable presumption will arise that the sign involved is not a lawful nonconforming sign, which sign is subject to removal and any enforcement provisions or remedies accorded to the Township by law.

For any sign which qualifies as a lawful nonconforming sign pursuant to this Subsection F, no such sign can be expanded, or extended unless there is full compliance with all of the then-applicable sign regulations and requirements of the Croton Township Zoning Ordinance, as amended, and any other applicable Croton Township ordinances.

Article 2. Severability. Should a court of competent jurisdiction ever find any provision, clause, or portion of this ordinance amendment to be valid, the balance or remainder of this ordinance amendment shall remain valid and in full force and effect and shall be deemed “severable” from the portion, clause, or provision deemed to be invalid by the court.

Article 3. Effective date. This ordinance amendment shall become effective seven (7) days after this ordinance amendment (or a summary thereof) is published in the newspaper as provided by law.

Article 4. Except as expressly amended by this ordinance amendment, the balance of the Croton Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

Ayes: Howarth, Hadley, Goerke, Harroun.

Nays: Hatkowski.

Absent/Abstain: none.

ORDINANCE AMENDMENT DECLARED ADOPTED.

Dated: November 13, 2007

Sharey J. Goerke, Croton Township Clerk

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance amendment adopted by the croton township board at a meeting held on November 12, 2007, pursuant to the required statutory procedures.

Respectfully submitted, by:

Dated: November 13, 2007

Sharey J. Goerke, Croton Township Clerk