

**CHARTER TOWNSHIP OF COMSTOCK
KALAMAZOO COUNTY, MICHIGAN**

ORDINANCE NO. 504

ADOPTED: _____

EFFECTIVE: _____

An Ordinance to repeal a limited moratorium on the development of agricultural labor housing and other housing types as authorized in Ordinance 499, to provide an effective date and to repeal all ordinances in conflict therewith.

**THE CHARTER TOWNSHIP OF COMSTOCK
KALAMAZOO COUNTY, MICHIGAN**

ORDAINS:

SECTION 1
FINDINGS

A. Pursuant to information received from the Michigan Department of Civil Rights, and during a period of a limited moratorium enacted pursuant to Ordinance 499, the Township Planning Commission and Township Board undertook the review of the Zoning Ordinance provisions regulating the development and use of agricultural labor housing in the Township, in an effort to insure that the zoning ordinance regulations did not have the unintended effect of favoring one type of agricultural labor.

B. The Township Planning Commission reviewed the draft revisions prepared by the Township Attorney, took public comment on the proposed revisions at Planning Commission meetings on February 28, 2019 and March 14, 2019, deliberated at the Planning Commission meetings on February 28, 2019 and March 14, 2019 and recommended approval of the proposed zoning ordinance revisions at the Planning Commission meeting of March 14, 2019.

C. As a part of the Planning Commission's review of the proposed zoning ordinance text amendments, the proposed amendments were forwarded to the Michigan Department of Civil Rights for input. A response from the MDCR was provided to the Township Planning Commission for consideration at the Planning Commission meeting on March 14, 2019

D. Thereafter, the Township Board approved the zoning ordinance text amendments that regulate and authorize agricultural labor housing in order to clarify the Township's intent that agricultural labor housing may not be constructed and/or operated in a manner that has a

negative impact on labor force housing options or favors one type of agricultural labor over any other type of agricultural labor.

D. The Township Board now determines that there is no longer a need for a limited moratorium prohibiting the authorization and/or development of agricultural labor, as allowed per the Township Zoning Ordinance, in Comstock Township.

SECTION 2
MORATORIUM

The limited moratorium upon the Township's acceptance and/or processing of any applications for approval of agricultural labor housing and other housing types authorized per Ordinance 497, approval of and/or development of agricultural labor housing and other housing types authorized per Ordinance 497, issuance of any/all Township permits, licenses and approvals including but not limited to building permits, land use permits, certificates of occupancy and zoning permits for agricultural labor housing and other housing types authorized per Ordinance 497 is hereby repealed.

SECTION 3
SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason, by any court of competent jurisdiction, it shall not affect any portion of the ordinance other than said part or portion thereof.

SECTION 4
SANCTIONS

Any person, firm, association, partnership, corporation or entity that violates any of the provisions of this ordinance shall be deemed responsible for a municipal civil infraction as defined by Michigan statutes which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1 st . Offense	- \$75.00	\$500.00
- 2 nd Offense	- \$150.00	\$500.00
- 3 rd Offense	- \$325.00	\$500.00
- 4 th Offense	- \$500.00	\$500.00

Additionally, the violator shall pay costs, which may include all expenses, direct and indirect, to which Comstock Charter Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 be ordered. In addition, the

Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that violation of this Ordinance continues to exist shall constitute a separate violation of this Ordinance.

SECTION 5
EFFECTIVE DATE

This Ordinance shall take effect immediately upon publication following adoption. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Michelle Mohney
Clerk
Charter Township of Comstock