

**SHERMAN TOWNSHIP
NEWAYGO COUNTY, MICHIGAN
(ORDINANCE NO. 45)**

At a regular meeting of the Township Board for Sherman Township held at the Township offices October 7th, 2013, beginning at 7:00 p.m., the following Ordinance was offered for adoption by Township Board Member K Smalligan and was seconded by Township Board Member Berens:

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ESTABLISHMENT OR CREATION OF ANY LAKE ACCESS OR USE EASEMENTS, KEYHOLE DEVELOPMENTS OR SIMILAR MATTERS (AND ON THE ISSUANCE OF ANY TOWNSHIP PERMITS, LICENCES OR APPROVALS FOR ANY SUCH EASEMENTS OR DEVELOPMENTS) WITHIN THE TOWNSHIP DURING THE TIME THAT THE MORATORIUM ORDINANCE IS IN EFFECT

THE TOWNSHIP OF SHERMAN (the “Township”) ORDAINS:

Section 1. Findings. In accordance with Act No. 110 of the Public Acts of 2006, as amended, and MCL 41.181 *et seq.*, as amended, Sherman Township has determined that:

1. The provisions within the Sherman Township Zoning Ordinance (the “Zoning Ordinance”) need to be updated regarding new or expanded lake access and usage easements, funnel developments and similar matters.
2. It is within the rights and authority of Sherman Township to establish reasonable regulations to protect the public health, safety and welfare, particularly with regard to the use of land and lakes (including lake activities) within the Township.
3. Imposing a moratorium, on a limited temporary basis, is reasonable and necessary in order to allow time for review of and potential amendments to the Zoning Ordinance.
4. During this moratorium period, the Township Board and Planning Commission will investigate potential modifications to the Zoning Ordinance that will establish reasonable regulations and controls regarding lake access and use easements, funnel developments and similar activities land uses.

Section 2. Administrative Action. A moratorium is hereby imposed upon the issuance of any Township permit, license, variance, or similar approval regarding the establishment or creation of any new or expanded lake access or use easement, funnel development, or similar activity or land use within Sherman Township so long as this Ordinance is in effect. During the moratorium term as specified in this Ordinance, no Township official, employee, body or agent shall issue any such permit, license, variance or other approval.

Section 3. Prohibition on Any New Lake Access or Usage Easement or Funnel Development. No lake access or use easement, funnel development, multifamily use or similar land use or activity shall commence, be created, be established or granted or be attempted with regard to any lake within the Township while the moratorium imposed by this Ordinance is in effect. This moratorium includes, but is not limited to, easements, activities and uses pursuant to Section 3.24 of the Zoning Ordinance.

Section 4. Term of This Ordinance. The moratorium imposed by this Ordinance shall remain in effect for six months following the effective date of this Ordinance or until amendments to the Zoning Ordinance are effective regarding lake access or use easements, funnel developments or similar activities or land uses. Prior to the expiration of the six-month moratorium, Sherman

Township may extend the moratorium for an additional six months to allow sufficient time to complete any such amendments to the Zoning Ordinance.

Section 5. Effective Date. This Ordinance is declared to be an emergency ordinance and shall become effective the day following its publication (or a summary hereof) in a newspaper of general circulation within the Township.

The vote in favor of this Ordinance was as follows:

YEAS: Berens, K Smalligan, Stocking, Sullivan

NAYS: None

ABSENT: Warren Stroven

Signed: Murry D Stocking, clerk

Murry D Stocking

CERTIFICATION

I hereby certify that the above is a true copy of an emergency Ordinance adopted by the Township Board for Sherman Township at the time, date, and place specified above pursuant to the required statutory procedures.

Murry D Stocking, Clerk

October 7th, 2013
