

**ORDINANCE # 71  
AMENDMENT TO ZONING  
ORDINANCE**

MARTIN TOWNSHIP ZONING BOARD

RECOMMENDATION resulting from:

- A: Public hearing held: February 2, 1999
- B: Subsequent meeting or meetings held: \_\_\_\_\_

*This should be forwarded to you Zoning Board.*

The Martin Township Zoning Board hereby recommends APPROVAL of the proposed Telecommunications Ordinance attached hereto.

MARTIN TOWNSHIP ZONING BOARD

By: *John K. Lohrstorfer*  
John K. Lohrstorfer

The Allegan Metropolitan County Planning Commission, having duly considered the foregoing recommendation of the Martin Township Zoning Board, hereby (circle one) approves - disapproves the same for consideration by the Martin Township Board, subject to the following:

DATED: \_\_\_\_\_

ALLEGAN METROPOLITAN COUNTY PLANNING COMMISSION

By: \_\_\_\_\_

Its \_\_\_\_\_

FINAL ACTION BY MARTIN TOWNSHIP BOARD:

- Enacted through Ordinance No: 71
- Denied on \_\_\_\_\_
- Referred back to Zoning Board on \_\_\_\_\_

MARTIN TOWNSHIP ORDINANCE NO. 71

AMENDMENT TO MARTIN TOWNSHIP ZONING ORDINANCE

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

An ordinance to regulate telecommunications towers within the Township, to provide for an effective date of said Ordinance; and to repeal all ordinances or parts of ordinances in conflict herewith.

THE MARTIN TOWNSHIP BOARD

ALLEGAN COUNTY, MICHIGAN

ORDAINS:

SECTION I

PURPOSE

To regulate commercial wireless communication service towers in order to protect the public health, safety and welfare while meeting the communication needs of the public. The intent of this Ordinance is to minimize adverse visual effects of towers and avoid damage to adjacent properties while adequately serving the community.

SECTION II

DEFINITION

A tower or communication tower shall be defined as a guyed, monopole, self-supported tower, or other structure, whether free standing or on a building or other structure, which structure contains one or more antennas intended for transmitting or receiving television, radio, digital, microwave, cellular, telephone or other forms of electronic communication other than those customarily accessory to residential dwellings, such as television antennas, ham radio antennas, etc.

SECTION III

PERMITTED USES

Towers shall be permitted as a special exception use in all Industrial, Commercial, and Agricultural Districts.

## **SECTION IV**

### **DESIGN STANDARDS**

1. All steel towers and antenna supporting structures shall be designed to meet the current structural standards of the Telecommunications Industry Association and Electronic Industries Association known as TIA/EIA-222 or its successor. Additionally, all towers must meet the standards of the Federal Aviation Administration and the Federal Communications Commission.

2. The height of a tower shall be determined by measuring the vertical distance from the tower's point of contact with the ground or rooftop to the highest point of the tower, including all antennas or other attachments. When towers are mounted upon other structures, the height shall be considered with the combined height of the structure, tower and projecting antennas. The height of the ~~tower~~ <sup>tower</sup> shall not exceed two hundred (200') feet from grade.

3. Towers shall be setback from all property lines and street rights of way a minimum of the total height of the structure, shall include any antennae projecting above the top of the tower. Required setback shall be measured from the outer perimeter of the base of the tower, not its center point, to property lines or rights of way. When a tower is to be mounted on another structure, the total height shall be the combined heights of the structure, tower and projecting antennas.

## **SECTION V**

### **CO-LOCATION AND SEPARATION REQUIREMENTS**

1. To minimize the proliferation of towers within the Township, all commercial wireless telecommunication towers erected, constructed or located within the Township shall comply with the following requirements:

- a. A new commercial wireless telecommunications tower shall not be approved unless the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one mile search radius of the proposed tower, due to structural inadequacies, impact on other communication devices or services, insufficient height or other verifiable reason.
- b. Any proposed commercial wireless telecommunications service tower shall be designed to accommodate both the applicant's equipment and that of at least two other users.
- c. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to the site

plan, of the proposed tower. The separation distances shall be three (3) miles.

2. **Antennas.** The placement of antennas on roofs, walls and existing towers may be approved by the reviewing body, provided the antennas meet the requirements of this section, after submittal of 1) a site plan; and 2) a report prepared by a qualified professional engineer.

3. **Accessory structures.** Accessory structures are limited to uses associated with the operation of the tower and may not be located any closer to any property line than thirty (30) feet. Nothing shall prevent an applicant from applying to the Board of Appeals for a setback variance.

4. **Lighting.** Towers shall not be illuminated by artificial means and shall not display strobe lights or other warning lights unless specifically required by the Federal Aviation Administration, or other federal or state agency having authority over a particular tower. Towers shall be painted to conform with FAA guidelines which minimize the use of strobe lights.

5. **Signs:** The use of any portion of a tower for signs other than warning or equipment information is prohibited.

6. **Removal of Unused Towers or Portions of Towers:** Abandoned or unused towers or portions of towers and associated facilities shall be removed within twelve (12) months of the cessation of the operations at the site unless a time extension is approved by the Township Zoning Board of Appeals. At the time an application for construction of a tower is made, a copy of an agreement requiring the applicant to remove the tower and associated facilities upon cessation of operations shall be submitted along with other relative documents, such as a signed lease, deed or land contract. In the event a tower is not removed within the time period stated above (or as extended by the ZBA) the tower and associated facilities may be removed by the Township and the costs of the removal assessed against the real property.

7. **Interference Prohibition.** Towers shall be located so that they do not interfere with reception in nearby residential areas or with public safety signals.

8. **Radiation.** Structures shall be subject to any state and federal regulations concerning the monitoring of electromagnetic radiation.

9. **Electrical.** Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.

## **SECTION VI**

### **SITE PLAN REVIEW**

1. **Application Requirements:** Application must be made for a zoning permit, and the following information must be submitted:

- a. **Site plan of the proposed tower location showing all existing and proposed features of the site.**

- b. Elevations of the proposed tower height above grade, and any other improvements.
  - c. Documentation of the purpose of the tower, the number and type of joint users to be served at this site, Federal Aviation Administration approval and an engineer's certification of structural and electrical safety. The Township may request that any information submitted be certified by a licensed professional engineer.
2. The applicant shall incur all costs associated with a review by the Township Engineer and for site plan review.
3. Application Process. Each tower shall be reviewed in the following stages:
- a. For a request for a variance from the height restrictions, the Zoning Board of Appeals;
  - b. For special exception use approval, the Zoning Board ;
  - c. For site plan review in compliance with the Martin Township Ordinance, the Zoning Board .
4. In addition to the information required for site plan review and special exception use review, applications for towers shall include the following supplemental information:
- a. Tower plans and a report from a qualified and licensed professional engineer which provide tower height and design, including a cross section and elevation; mounting positions and the minimum separation distance between antennas; the tower's capacity; what steps the applicant will take to avoid interference; an engineer's stamp and registration number; proof of compliance with FCC and FAA regulations; information showing compliance with building, electrical and other applicable Township ordinances; and other information necessary to evaluate the request.
  - b. A letter of intent committing the tower owner and his/her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.

**EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**

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Tracie L. Moored, Clerk  
1850 10<sup>th</sup> Street  
Martin, MI 49070-9732

**MARTIN TOWNSHIP ORDINANCE NO. 71**

**AMENDMENT TO MARTIN TOWNSHIP ZONING ORDINANCE**

Adopted: May 12, 1999

Effective: June 1, 1999

An ordinance to regulate telecommunications towers within the Township, to provide for an effective date of said Ordinance; and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE MARTIN TOWNSHIP BOARD**

**ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**PURPOSE**

To regulate commercial wireless communication service towers in order to protect the public health, safety and welfare while meeting the communication needs of the public. The intent of this Ordinance is to minimize adverse visual effects of towers and avoid damage to adjacent properties while adequately serving the community.

**SECTION II**

**DEFINITION**

A tower or communication tower shall be defined as a guyed, monopole, self-supported tower, or other structure, whether free standing or on a building or other structure, which structure contains one or more antennas intended for transmitting or receiving television, radio, digital, microwave, cellular, telephone or other forms of electronic communication other than those customarily accessory to residential dwellings, such as television antennas, ham radio antennas, etc.

**SECTION III**

**PERMITTED USES**

Towers shall be permitted as a special exception use in all Industrial, Commercial, and Agricultural Districts.

**SECTION IV**

**DESIGN STANDARDS**

1. All steel towers and antenna supporting structures shall be designed to meet the current structural standards of the Telecommunications Industry Association and Electronic Industries Association known as TIA/EIA-222 or its successor. Additional, all towers must meet

the standards of the Federal Aviation Administration and the Federal Communications Commission.

2. The height of a tower shall be determined by measuring the vertical distance from the tower's point of contact with the ground or rooftop to the highest point of the tower, including all antennas or other attachments. When towers are mounted upon other structures, the height shall be considered with the combined height of the structure, tower and projecting antennas. The height of the tower shall not exceed two hundred (200') feet from grade.

3. Towers shall be setback from all property lines and street rights of way a minimum of the total height of the structure, shall include any antennae projecting above the top of the tower. Required setback shall be measured from the outer perimeter of the base of the tower, not its center point, to property lines or rights of way. When a tower is to be mounted on another structure, the total height shall be the combined heights of the structure, tower and projecting antennas.

## SECTION V

### CO-LOCATION AND SEPARATION REQUIREMENTS

1. To minimize the proliferation of towers within the Township, all commercial wireless telecommunication towers erected, constructed or located within the Township shall comply with the following requirements:

- a. A new commercial wireless telecommunications tower shall not be approved unless the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one mile search radius of the proposed tower, due to structural inadequacies, impact on other communication devices or services, insufficient height or other verifiable reason.
- b. Any proposed commercial wireless telecommunications service tower shall be designed to accommodate both the applicant's equipment and that of at least two other users.
- c. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to the site plan, of the proposed tower. The separation distances shall be three (3) miles.

2. Antennas. The placement of antennas on roofs, walls and existing towers may be approved by the reviewing body, provided the antennas meet the requirements of this section, after submittal of 1) a site plan; and 2) a report prepared by a qualified professional engineer.

3. Accessory structures. Accessory structures are limited to uses associated with the operation of the tower and may not be located any closer to any property line than thirty (30) feet. Nothing shall prevent an applicant from applying to the Board of Appeals for a setback variance.



4. **Lighting.** Towers shall not be illuminated by artificial means and shall not display strobe lights or other warning lights unless specifically required by the Federal Aviation Administration, or other federal or state agency having authority over a particular tower. Towers shall be painted to conform with FAA guidelines which minimize the use of strobe lights.

5. **Signs:** The use of any portion of a tower for signs other than warning or equipment information is prohibited.

6. **Removal of Unused Towers or Portions of Towers:** Abandoned or unused towers or portions of towers and associated facilities shall be removed within twelve (12) months of the cessation of the operations at the site unless a time extension is approved by the Township Zoning Board of Appeals. At the time an application for construction of a tower is made, a copy of an agreement requiring the applicant to remove the tower and associated facilities upon cessation of operations shall be submitted along with other relative documents, such as a signed lease, deed or land contract. In the event a tower is not removed within the time period stated above (or as extended by the ZBA) the tower and associated facilities may be removed by the Township and the costs of the removal assessed against the real property.

7. **Interference Prohibition.** Towers shall be located so that they do not interfere with reception in nearby residential areas or with public safety signals.

8. **Radiation.** Structures shall be subject to any state and federal regulations concerning the monitoring of electromagnetic radiation.

9. **Electrical.** Antennae and metal towers shall be grounded for protection against a direct strike by lightning and shall comply as to electrical wiring and connections with all applicable local statutes, regulations and standards.

## SECTION VI

### SITE PLAN REVIEW

1. **Application Requirements:** Application must be made for a zoning permit, and the following information must be submitted:

- a. Site plan of the proposed tower location showing all existing and proposed features of the site.
- b. Elevations of the proposed tower height above grade, and any other improvements.
- c. Documentation of the purpose of the tower, the number and type of joint users to be served at this site, Federal Aviation Administration approval and an engineer's certification of structural and electrical safety. The Township may request that any information submitted be certified by a licensed professional engineer.

2. The applicant shall incur all costs associated with a review by the Township Engineer and for site plan review.

3. Application Process. Each tower shall be reviewed in the following stages:
- a. For a request for a variance from the height restrictions, the Zoning Board of Appeals;
  - b. For special exception use approval, the Zoning Board;
  - c. For site plan review in compliance with the Martin Township Ordinance, the Zoning Board .

4. In addition to the information required for site plan review and special exception use review, applications for towers shall include the following supplemental information:

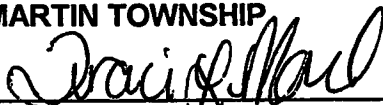
- a. Tower plans and a report from a qualified and licensed professional engineer which provide tower height and design, including a cross section and elevation; mounting positions and the minimum separation distance between antennas; the tower's capacity; what steps the applicant will take to avoid interference; an engineer's stamp and registration number; proof of compliance with FCC and FAA regulations; information showing compliance with building, electrical and other applicable Township ordinances; and other information necessary to evaluate the request.
- b. A letter of intent committing the tower owner and his/her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.

## SECTION VII

### EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

MARTIN TOWNSHIP



Tracie L. Moore, Clerk  
1850 10<sup>th</sup> Street  
Martin, MI 49070-9732

**CLERK'S CERTIFICATE**

I, TRACIE L. MOORED, the Township Clerk of Martin Township, Allegan County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Martin Township Board held on May 12, 1999, commencing at 7:30 o'clock p.m. at the Martin Township Hall, located within the Village of Martin, at which the following members were present, the Board enacted and passed Ordinance No. 71, hereinbefore recorded, to become effective on June 1, 1999, or upon such later date as the Ordinance is approved by the State Construction Code Commission, and that the members of said Board present at said meeting voted on the adoption of said Ordinance as follows:

I do further certify that a summary of Ordinance No. 71 was published in the Penasee Globe, a newspaper printed in Wayland, Michigan, and circulated in Martin Township, on May 24, 1999; that said Ordinance No. 71 was recorded in the official Ordinance Book on the 25 day of May; and that an attested copy of said Ordinance was filed with the Allegan County Clerk on the 25 day of May, 1999.


Date: 5/25/99

  
\_\_\_\_\_  
Tracie L. Moored, Clerk  
Martin Township

MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN  
AFFIDAVIT OF POSTING

STATE OF MICHIGAN     )  
                                  )ss  
COUNTY OF ALLEGAN    )

I, Tracie L. Moored, Martin Township Clerk, being first duly sworn, depose and states that on May 12 1999, I conspicuously posted at the Martin Township Hall a full and complete copy of Ordinance No. 71 within 7 days preceding publication of a synopsis of the Ordinance.

  
\_\_\_\_\_  
Tracie L. Moored

Subscribed and sworn to before me on May \_\_\_\_, 1999.

\_\_\_\_\_  
, Notary Public  
Allegan County, Michigan  
My Commission Expires:\_\_\_\_\_

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF ADOPTION OF ORDINANCE**

**TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF MARTIN,  
ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:**

**PLEASE TAKE NOTICE** that at a meeting of the Martin Township Board on May 12, 1999, the Board adopted an ordinance to regulate telecommunications towers, and to repeal all ordinances or parts of ordinances in conflict herewith. A summary of the Ordinance is as follows:

**ORDINANCE NO. 71**

**Section I. Purpose.** Sets forth the purpose for regulating commercial wireless communication service towers in order to protect the public health, safety and welfare while meeting the communication needs of the public. The intent of this Ordinance is to minimize adverse visual effects of towers and avoid damage to adjacent properties while adequately serving the community.

**Section II. Definition.** Defines a tower or communication tower.

**Section III. Permitted Uses.** Towers are permitted as a special exception in the Industrial, Commercial and Agricultural Districts.

**Section IV. Design Standards.** Sets forth the design standards which include the fact that they must meet the current structural standards of the Telecommunications Industry Association and Electronic Industries Association; height cannot exceed two hundred (200') feet from grade and set back from property lines are established.

**Section V. Co-Location and Separation Requirements.** Addresses the attempt to minimize the number of towers within the Township and provides that all towers must be designed to accommodate both an owner and at least two other users. Separation distance requirements are also set forth. This section also addresses antennas, accessory structures, lighting, signs, the removal of unused towers, the prohibition of interference with reception and other issues.

**Section VI. Site Plan Review.** Sets forth the application requirements and all information for proper site plan review and approval.

**Section VII. Effective Date.** The Ordinance takes effect eight (8) days following proper publication and pursuant to P.A. 297 of 1996.

**PLEASE TAKE FURTHER NOTICE** that a complete copy of the Ordinance is available from the Township Clerk.

**MARTIN TOWNSHIP  
Tracie Moored, Clerk  
1850 10<sup>th</sup> Street  
Martin, MI 49070-9732  
616-672-5027**

**BAUCKHAM, SPARKS, ROLFE & THOMSEN, P.C.**

ATTORNEYS AT LAW  
458 WEST SOUTH STREET

KALAMAZOO, MICHIGAN 49007-4621

TELEPHONE (616) 382-4500

FAX (616) 382-2040

HARRY F. SMITH  
1906-1972

JOHN H. BAUCKHAM  
KENNETH C. SPARKS  
CRAIG A. ROLFE  
LYNDA E. THOMSEN  
JOHN K. LOHRSTORFER  
ROBERT E. THALL  
ROXANNE C. SEEBER  
JAMES W. PORTER

**May 14, 1999**

Tracie L. Moored, Clerk  
Martin Township  
1850 10<sup>th</sup> Street  
Martin, MI 49070-9732

**Re: Clerk's Certificate and Affidavit of Posting**

**Dear Ms. Moored:**

Enclosed find the original Ordinance No. 71, the Clerk's Certificate and Affidavit of Posting. After the Affidavit and Clerk's Certificate is fully executed, please send me a copy for my files. Thank you.

Yours truly,

**BAUCKHAM, SPARKS, ROLFE &  
THOMSEN, P.C.**

  
John K. Lohrstorfer

JKL:pau  
Enc.

cc: Margaret Smith, (w/enc.)

**BAUCKHAM, SPARKS, ROLFE & THOMSEN, P.C.**

**ATTORNEYS AT LAW**

458 WEST SOUTH STREET

**KALAMAZOO, MICHIGAN 49007-4621**

TELEPHONE (616) 382-4500

FAX (616) 382-2040

**HARRY F. SMITH**  
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**JOHN H. BAUCKHAM**  
**KENNETH C. SPARKS**  
**CRAIG A. ROLFE**  
**LYNDA E. THOMSEN**  
**JOHN K. LOHRSTORFER**  
**ROBERT E. THALL**  
**ROXANNE C. SEEBER**  
**JAMES W. PORTER**

**May 14, 1999**

**Penasee Globe**  
**133 East Superior**  
**Wayland, MI 49348**

**Re: Legal Notice for Martin Township**

**Ladies:**

**Please publish the enclosed Notice for Martin Township on Monday, May 24, 1999.**

**Please forward one Affidavit of the publication to this office, and one Affidavit and your bill to the Martin Township Clerk: Tracie Moored, 114 Templeton, Martin, Michigan 49070.**

Sincerely,

**BAUCKHAM, SPARKS, ROLFE &  
THOMSEN, P.C.**

  
**John K. Lohrstorfer**

**JKL/pau**

**Enc.**

**cc: Tracie L. Moored, Clerk (w/enc.)**  
**Margaret Smith, Zoning Board Chairman (w/enc.)**

**ORDINANCE #74**

**ORDINANCE TO DESIGNATE THE ENFORCER  
OF THE STATE BUILDING, MECHANICAL,  
ELECTRICAL, AND PLUMBING CODES  
IN THE TOWNSHIP OF MARTIN**



**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**ORDINANCE NO. 74**

**ORDINANCE TO ENFORCE THE STATE  
BUILDING, ELECTRICAL, MECHANICAL AND PLUMBING CODES**

Adopted: June 14, 2000

Effective: June 19, 2000

An ordinance to designate an enforcing agency to discharge the responsibility of the Township of Martin under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

**THE TOWNSHIP OF MARTIN  
ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**AGENCY DESIGNATED**

Pursuant to the provisions of the Michigan Building, Electrical, Mechanical and Plumbing Code, and in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Building, Electrical, Mechanical and Plumbing Official of the Township of Martin is hereby designated as the enforcing agency to discharge the responsibility of Martin Township under Act 230, of the Public Acts of 1972, as amended, State of Michigan. Martin Township assumes responsibility for the administration and enforcement of said Act throughout its Township limits.

**SECTION II**

**EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect immediately upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**  
Tracie L. Moored, Clerk  
1850 10<sup>th</sup> Street  
Martin, MI 49070-9732  
616-672-5027

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF ADOPTION OF ORDINANCE NO 74**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF MARTIN,  
ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

**PLEASE TAKE NOTICE** that at a meeting of the Martin Township Board on June 14, 2000, the Board adopted an ordinance to enforce the state building, electrical, mechanical and plumbing codes, and to repeal all ordinances or parts of ordinances in conflict herewith. The full Ordinance is as follows:

**ORDINANCE TO ENFORCE THE STATE** †  
**BUILDING, ELECTRICAL, MECHANICAL AND PLUMBING CODES**

**SECTION I AGENCY DESIGNATED**

Pursuant to the provisions of the Michigan Building, Electrical, Mechanical and Plumbing Code, and in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Building, Electrical, Mechanical and Plumbing Official of the Township of Martin is hereby designated as the enforcing agency to discharge the responsibility of Martin Township under Act 230, of the Public Acts of 1972, as amended, State of Michigan. Martin Township assumes responsibility for the administration and enforcement of said Act throughout its Township limits.

**SECTION II EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect immediately upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**  
Tracie Moored, Clerk  
1850 10<sup>th</sup> Street  
Martin, MI 49070-9732  
616-672-5027

**CLERK'S CERTIFICATE**

I, TRACIE L. MOORED, the Township Clerk of Martin Township, Allegan County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Martin Township Board held on June 15, 2000, commencing at 7:30 o'clock p.m. at the Martin Township Hall, located within the Village of Martin, at which the following members were present, the Board enacted and passed Ordinance No. 74, hereinbefore recorded, to become effective on June 19, 2000, and that the members of said Board present at said meeting voted on the adoption of said Ordinance as follows:

I do further certify that the full Ordinance No. 74 was published in the Penasee Globe, a newspaper circulated in Martin Township, on June 19, 2000; 2000; that said Ordinance No. 74 was recorded in the official Ordinance Book on the \_\_\_\_ day of \_\_\_\_\_, 2000; and that an attested copy of said Ordinance was filed with the Allegan County Clerk on the \_\_\_\_ day of \_\_\_\_\_, 2000.

Date: \_\_\_\_\_

\_\_\_\_\_  
Tracie L. Moored, Clerk  
Martin Township



**TOWNSHIP OF MARTIN  
ALLEGAN COUNTY, MICHIGAN**

**—NOTICE—  
OF ADOPTION OF  
ORDINANCE NO. 74**

**TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF MARTIN, ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:**

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**ORDINANCE TO ENFORCE THE STATE BUILDING,  
ELECTRICAL, MECHANICAL AND PLUMBING CODES**

**SECTION 1 AGENCY DESIGNATED**

Pursuant to the provisions of the Michigan Building, Electrical, Mechanical and Plumbing Code, and in accordance with Section 8B(6) of Act 230, of the Public Acts of 1972, as amended, the Building, Electrical, Mechanical and Plumbing Official of the Township of Martin is hereby designated as the enforcing agency to discharge the responsibility of Martin Township under Act 230, of the Public Acts of 1972, as amended, State of Michigan. Martin Township assumes responsibility for the administration and enforcement of said Act throughout its Township limits.

**SECTION 2 EFFECTIVE DATE AND REPEAL OF  
CONFLICTING ORDINANCES**

This ordinance shall take effect immediately upon publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP ZONING BOARD**

Tracie Moored, Clerk  
1850 10th Street  
Martin, Michigan 49070-9732  
616-672-5027



*THROUGH THE GLASS*

**Hardba  
on scho**

Wayland's O-K Gold (champ and district-king saw its season end in the sion II regional at Sturgi. Stevensville-Lakesh

BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.  
ATTORNEYS AT LAW

458 WEST SOUTH STREET

KALAMAZOO, MICHIGAN 49007-4621

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ROBERT E. THALL  
JAMES W. PORTER  
ROXANNE C. SEEBER

HARRY F. SMITH  
1906-1972  
RICHARD L. LANG  
OF COUNSEL

June 15, 2000

Penasee Globe  
133 East Superior  
Wayland, MI 49348

Re: Legal Notice for Martin Township

Ladies:

Please publish the enclosed Notice of Adoption for Martin Township on **Monday, June 19, 2000.**

Please forward one Affidavit of the publication to this office, and one Affidavit and your bill to the Martin Township Clerk: Tracie Moored, 114 Templeton, Martin, Michigan 49070.

Sincerely,

BAUCKHAM, SPARKS, ROLFE,  
LOHRSTORFER & THALL, P.C.



John K. Lohrstorfer

JKL/paj

Enc.

cc: Tracie L. Moored, Clerk (w/enc.)  
Margaret Smith, Zoning Board Chairman (w/enc.)

COPIES

**ORDINANCE #75**

**ORDINANCE TO REZONE PROPERTY  
IN THE SOUTHEAST QUARTER  
OF SECTION ONE**

**TOWNSHIP OF MARTIN**  
**COUNTY OF ALLEGAN, STATE OF MICHIGAN**

**MARTIN TOWNSHIP ORDINANCE NO. 75**

**ADOPTED: June 12, 2002**

**EFFECTIVE: July 2, 2002**

**REZONING OF PROPERTY IN SOUTHEAST QUARTER OF SECTION 1**

An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property located in the southeast quarter of Section 1 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE TOWNSHIP OF MARTIN**  
**ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**REZONING OF PROPERTY IN THE SOUTHEAST QUARTER OF SECTION 1**

The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone approximately 100 acres located in the southeast quarter of Section 1 between Patterson Road and 122<sup>nd</sup> Ave. from the "AG" Agricultural District zoning classification to the "R-2" Low Density Residential District zoning classification, Parcel Nos. 315-001-016-00, 315-001-017-00 and 315-001-018-00, being the following described property:

That part of the Southeast 1/4 of Section 1, Town 2 North, Range 11 West, Martin Township, Allegan County, Michigan, described as: Commencing at the East 1/4 corner of said Section; thence South 00 degrees 59' 14" West 31.19 feet along the East line of said Southeast 1/4 to the place of beginning; thence South 00 degrees 59' 14" West 455.81 feet along said East line; thence North 89 degrees 58' 01" West 52.00 feet along the center of Gun River; thence South 31 degrees 08' 18" West 87.80 feet along said centerline; thence South 49 degrees 33' 51" West 883.50 feet along said centerline; thence South 09 degrees 37' 22" West 164.42 feet along said centerline; thence North 88 degrees 28' 40" West 967.74 feet along the South line of the North 1/2 of said Southeast 1/4; thence South 00 degrees 26' 29" West 1320.10 feet; thence North 88 degrees 32' 05" West 920.86 feet along the South line of said Southeast 1/4; thence North 00 degrees 06' 11" West 2642.62 feet



along the West line of said Southeast 1/4; thence South 88 degrees 25' 18" East 1354.82 feet along the North line of said Southeast 1/4; thence South 00 degrees 26' 59" West 32'52 feet along the West line of the Northeast 1/4 of said Southeast 1/4; thence South 88 degrees 28' 40" East 1354.50 feet along the North line of the South 1287 feet of the Northeast 1/4 of said Southeast 1/4 to the place of beginning.

## **SECTION II**

### **EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**  
Carrie McBride, Clerk  
Martin Township  
968 ½ E. Allegan St.  
Martin, Michigan 49070-9797  
616-672-5027

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF ADOPTION OF ORDINANCES**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF MARTIN,  
ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

**PLEASE TAKE NOTICE** that at a meeting of the Martin Township Board on June 12, 2002, the Board adopted two ordinances rezoning property in Sections 1 and 30, and to repeal all ordinances or parts of ordinances in conflict herewith. A summary of the Ordinance are, as follows:

**ORDINANCE NO. 75**

**REZONING OF PROPERTY IN SOUTHEAST QUARTER OF SECTION 1** An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property located in the southeast quarter of Section 1 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**SECTION I REZONING OF PROPERTY IN THE SOUTHEAST QUARTER OF SECTION 1.** The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone approximately 100 acres located in the southeast quarter of Section 1 between Patterson Road and 122<sup>nd</sup> Ave. from the "AG" Agricultural District zoning classification to the "R-2" Low Density Residential District zoning classification, Parcel Nos. 315-001-016-00, 315-001-017-00 and 315-001-018-00.

**SECTION II EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES.** This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**ORDINANCE NO. 76**

**REZONING OF PROPERTY IN SECTIONS 30** An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property in Sections 30 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**SECTION I REZONING OF PROPERTY IN SECTION 30** The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone property in Section 30 of approximately 42.5 acres located between 12<sup>th</sup> Street and U.S. 131, Parcel No. 03-15-030-016-40 from an "R-2" Low Density classification to a "C-2" General Business classification.

**SECTION II EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES.** This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**  
Carrie McBride, Clerk  
Martin Township  
968 ½ E. Allegan St.  
Martin, Michigan 49070-9797  
616-672-5027

**CLERK'S CERTIFICATE**

I, CARRIE MCBRIDE, the Township Clerk of Martin Township, Allegan County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Martin Township Board held on June 12, 2002, commencing at 7:30 o'clock p.m. at the Martin Township Hall, located within the Village of Martin, at which the following members were present, the Board enacted and passed Ordinance No. 75, hereinbefore recorded, to become effective on July 2, 2002, and that the members of said Board present at said meeting voted on the adoption of said Ordinance, as follows:

I do further certify that the full Ordinance No. 75 was published in the Penasee Globe, a newspaper circulated in Martin Township, on June 24, 2002; that said Ordinance No. 75 was recorded in the official Ordinance Book on the \_\_\_\_ day of \_\_\_\_\_, 2002; and that an attested copy of said Ordinance was filed with the Allegan County Clerk on the \_\_\_\_ day of \_\_\_\_\_, 2002.

Date: \_\_\_\_\_, 2002.

\_\_\_\_\_  
Carrie McBride, Clerk  
Martin Township

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF ADOPTION OF ORDINANCES**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF MARTIN,  
ALLEGAN COUNTY, MICHIGAN AND ANY OTHER INTERESTED PERSONS.

**PLEASE TAKE NOTICE** that at a meeting of the Martin Township Board on June 12, 2002, the Board adopted two ordinances rezoning property in Sections 1 and 30, and to repeal all ordinances or parts of ordinances in conflict herewith, A summary of the Ordinance are, as follows:

**ORDINANCE NO. 75**

**REZONING OF PROPERTY IN SOUTHEAST QUARTER OF SECTION 1** An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property located in the southeast quarter of Section 1 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**SECTION I REZONING OF PROPERTY IN THE SOUTHEAST QUARTER OF SECTION 1.** The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone approximately 100 acres located in the southeast quarter of Section 1 between Patterson Road and 122nd Ave. from the "AG" Agricultural District zoning classification to the "R-2" Low Density Residential District zoning classification, Parcel Nos. 315-001-016-00, 315-001-017-00 and 315-001-018-00.

**SECTION II EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES.**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**ORDINANCE NO. 76**

**REZONING OF PROPERTY IN SECTIONS 30.** An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property in Sections 30 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**SECTION I REZONING OF PROPERTY IN SECTION 30.** The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone property in Section 30 of approximately 42.5 acres located between 12th Street and U.S. 131, Parcel No. 03-15-030-016-40 from an "R-2" Low Density classification to a "C-2" General Business classification.

**SECTION II EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES.**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

MARTIN TOWNSHIP  
Carrie McBride, Clerk  
Martin Township  
968 1/2 E. Allegan St.  
Martin, Michigan 49070-9797  
616-672-5027

State of Michigan, County of Allegan

In the Matter of Legal Notice for Martin Township

Ordinances Nos. 75 and 76

COUNTY OF ALLEGAN—ss.

RONALD W. CARLSON, being duly sworn, says: I am the co-publisher of The Penasee/Globe, a weekly newspaper printed and circulated in said county. The annexed is a printed copy of a notice which was published in said paper on the following dates, to wit:

6/24 A.D. 20 02 \_\_\_\_\_ A.D. 20 \_\_\_\_\_

\_\_\_\_\_ A.D. 20 \_\_\_\_\_ \_\_\_\_\_ A.D. 20 \_\_\_\_\_

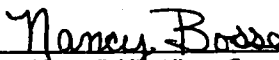
\_\_\_\_\_ A.D. 20 \_\_\_\_\_ \_\_\_\_\_ A.D. 20 \_\_\_\_\_



(Ron Carlson)

Subscribed and sworn before

me this 24th day of June A.D. 20 02



(Nancy Bosse)

Notary Public, Allegan County, Michigan

My Commission Expires November 15, A.D. 2002.

**BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.**  
**ATTORNEYS AT LAW**

458 WEST SOUTH STREET

KALAMAZOO, MICHIGAN 49007-4621

TELEPHONE (616) 382-4500

FAX (616) 382-2040

JOHN H. BAUCKHAM  
KENNETH C. SPARKS  
CRAIG A. ROLFE  
JOHN K. LOHRSTORFER  
ROBERT E. THALL  
JAMES W. PORTER  
ROXANNE C. SEEBER

HARRY F. SMITH  
1906-1972  
RICHARD L. LANG  
OF COUNSEL  
NORTHPORT, MI  
OFFICE

June 14, 2002

**FAXED**

Penasee Globe  
133 East Superior  
Wayland, MI 49348

Re: Legal Notice for Martin Township  
Ordinances Nos. 75 and 76

Dear Nancy:

Please publish the enclosed Notices of Adoption for Martin Township on **Monday, June 24, 2002.**

Please forward two Affidavits of the publication to this office, and two Affidavits and your bill to the Martin Township Clerk, Carrie McBride, Clerk, Martin Township, 968 ½ E. Allegan St., Martin, Michigan 49070-9797.

Sincerely,

**BAUCKHAM, SPARKS, ROLFE,  
LOHRSTORFER & THALL, P.C.**

  
John K. Lohrstorfer

JKL/paj  
Enc.  
cc: Carrie McBride, Clerk

**COPY**

**ORDINANCE #76**

**ORDINANCE TO REZONE  
PROPERTY IN SECTION 30**

**TOWNSHIP OF MARTIN**  
**COUNTY OF ALLEGAN, STATE OF MICHIGAN**  
**MARTIN TOWNSHIP ORDINANCE NO. 76**

**ADOPTED: June 12, 2002**

**EFFECTIVE: July 2, 2002**

**REZONING OF PROPERTY IN SECTIONS 30**

An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property in Sections 30 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE TOWNSHIP OF MARTIN**  
**ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**REZONING OF PROPERTY IN SECTION 30**

The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone property in Section 30 of approximately 42.5 acres located between 12<sup>th</sup> Street and U.S. 131, Parcel No. 03-15-030-016-40 from an "R-2" Low Density classification to a "C-2" General Business classification.

**SECTION II**

**EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**  
Carrie McBride, Clerk  
Martin Township  
968 ½ E. Allegan St.  
Martin, Michigan 49070-9797  
616-672-5027



**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF ADOPTION OF ORDINANCES**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF MARTIN,  
ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

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**CLERK'S CERTIFICATE**

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I do further certify that the full Ordinance No. 76 was published in the Penasee Globe, a newspaper circulated in Martin Township, on June 24, 2002; that said Ordinance No. 76 was recorded in the official Ordinance Book on the \_\_\_\_ day of \_\_\_\_\_, 2002; and that an attested copy of said Ordinance was filed with the Allegan County Clerk on the \_\_\_\_ day of \_\_\_\_\_, 2002.

Date: \_\_\_\_\_, 2002

\_\_\_\_\_  
Carrie McBride, Clerk  
Martin Township

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF ADOPTION OF ORDINANCES**

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MARTIN TOWNSHIP  
Carrie McBride, Clerk  
Martin Township  
968 1/2 E. Allegan St.  
Martin, Michigan 49070-9797  
616-672-5027

State of Michigan, County of Allegan

In the Matter of Legal Notice for Martin Township  
Ordinances Nos. 75 and 76

COUNTY OF ALLEGAN—ss.

RONALD W. CARLSON, being duly sworn, says: I am the co-publisher of The Penasee/Globe, a weekly newspaper printed and circulated in said county. The annexed is a printed copy of a notice which was published in said paper on the following dates, to wit:

6/24 A.D. 20 02 \_\_\_\_\_ A.D. 20 \_\_\_\_\_  
\_\_\_\_\_ A.D. 20 \_\_\_\_\_ \_\_\_\_\_ A.D. 20 \_\_\_\_\_  
\_\_\_\_\_ A.D. 20 \_\_\_\_\_ \_\_\_\_\_ A.D. 20 \_\_\_\_\_

 \_\_\_\_\_ (Ron Carlson)

Subscribed and sworn before  
me this 24th day of June A.D. 20 02.

 \_\_\_\_\_ (Nancy Bosse)  
Notary Public, Allegan County, Michigan

My Commission Expires November 15, A.D. 2002.

**BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.**

**ATTORNEYS AT LAW  
458 WEST SOUTH STREET**

**KALAMAZOO, MICHIGAN 49007-4621**

**TELEPHONE (616) 382-4500**

**FAX (616) 382-2040**

**JOHN H. BAUCKHAM  
KENNETH C. SPARKS  
CRAIG A. ROLFE  
JOHN K. LOHRSTORFER  
ROBERT E. THALL  
JAMES W. PORTER  
ROXANNE C. SEEBER**

**HARRY F. SMITH  
1906-1972  
RICHARD L. LANG  
OF COUNSEL  
NORTHPORT, MI  
OFFICE**

**June 14, 2002**

**Penasee Globe  
133 East Superior  
Wayland, MI 49348**

**Re: Legal Notice for Martin Township  
Ordinances Nos. 75 and 76**

**Dear Nancy:**

**Please publish the enclosed Notices of Adoption for Martin Township on Monday, June 24, 2002.**

**Please forward two Affidavits of the publication to this office, and two Affidavits and your bill to the Martin Township Clerk, Carrie McBride, Clerk, Martin Township, 968 ½ E. Allegan St., Martin, Michigan 49070-9797.**

**Sincerely,**

**BAUCKHAM, SPARKS, ROLFE,  
LOHRSTORFER & THALL, P.C.**

  
**John K. Lohrstorfer**

**JKL/paj  
Enc.**

**cc: Carrie McBride, Clerk**

## **NOTICE OF ORDINANCE ADOPTION**

### **MARTIN TOWNSHIP ALLEGAN COUNTY, MICHIGAN**

TO: THE RESIDENTS AND PROPERTY OWNERS OF MARTIN TOWNSHIP,  
ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

**PLEASE TAKE NOTICE** that the following is a summary of an Ordinance, being Ordinance No. 77, which was adopted by the Township Board of Martin Township at its meeting held June 11, 2003, said Ordinance to take effect 30 days after the publication of the following summary of said Ordinance.

#### **CEMETERY ORDINANCE**

- SECTION 1**      **TITLE.** The ordinance is titled "Martin Township Cemetery Ordinance".
- SECTION 2**      **DEFINITIONS OF CEMETERY LOTS AND BURIAL SPACES.** Defines the term "cemetery lot" as used in the Ordinance and establishes measurements for adult and infant burial spaces.
- SECTION 3**      **SALE OF LOTS OR BURIAL SPACES.** Indicates that burial rights are non-transferrable, but that the same may be surrendered to the Township and the purchase price returned to the purchaser. Provides that burial rights may be purchased from the Township Sexton. Permits the Township Board to establish fees via resolution and provides a transfer fee of \$50.00.
- SECTION 4**      **PURCHASE PRICE AND TRANSFER FEES.** Provides that residents or non-residents may purchase lots or spaces. Residents may purchase on behalf of next-of-kin at resident rates. No sales to funeral directors are permitted. Specifies a \$100.00 resident price and a \$750.00 non-resident prices. Defines "resident" for ordinance purposes. Permits the Township Board to alter the fees by resolution.
- SECTION 5**      **GRAVE OPENING CHARGES.** Indicates that the Township Board specifies grave opening charges by resolution. The Township Sexton supervises burial space openings and closings. The local health department supervises any removal and reinternment of bodies and remains.
- SECTION 6**      **MARKERS OR MEMORIALS.** Sets forth material, time and numeric regulations for markers and foundations.
- SECTION 7**      **INTERMENT REGULATIONS.** Provides regulations for internment. Requires not less than 48 hours notice to the Township Sexton for opening of burial spaces. Requires the presentation of particular information and paperwork to the Township Sexton prior to internment.
- SECTION 8**      **GROUND MAINTENANCE.** Regulates the types of ornamental items that can be utilized within the cemetery. Prohibits grading, leveling

and mounting on grave surfaces. Sets forth a maintenance schedule. Sets forth conditions under which the Sexton can remove ornaments. Prohibits surfaces other than earth or sod.

SECTION 9

FORFEITURE OF VACANT CEMETERY LOTS OR BURIAL SPACES. Sets forth the conditions under which lots or spaces are deemed forfeited to the Township for non-use after 40 years.

SECTION 10

REPURCHASE OF LOTS OR BURIAL SPACES. The Township will repurchase lots or burial space for its original price up to \$500.00.

SECTION 11

RECORDS. Provides that the Sexton shall maintain particular cemetery records.

SECTION 12

VAULT. Requires burial within a vault.

SECTION 13

CEMETERY HOURS. Specifies open hours and denies access during closed hours unless the permission of the Sexton or Township Board is obtained.

SECTION 14

RULES OF CONDUCT. Sets forth rules regarding conduct on the cemetery grounds for pedestrians, funerals, motor vehicles, and visitors. Prohibits advertising signs and promotional materials. Indicates that financial responsibility for property damage to monuments is not that of the Township.

SECTION 15

PENALTIES. Violation of the ordinance constitutes a misdemeanor, punishable by a fine and/or imprisonment for up to 90 days.

SECTION 16

EFFECTIVE DATE. The effective date of the ordinance is 30 days after publication. Repeals conflicting ordinances and ordinance provisions.

**PLEASE TAKE FURTHER NOTICE** that the full text of this Ordinance may be examined or obtained at the Martin Township Hall or by requesting the same from the Township Clerk, Carrie McBride at (269) 672-9387.

**MARTIN TOWNSHIP**  
Carrie Coburn, Clerk  
968 ½ E. Allegan St.  
Martin, MI 49070-9797  
(269) 672-7663

**BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.**

**ATTORNEYS AT LAW**

458 WEST SOUTH STREET

**KALAMAZOO, MICHIGAN 49007-4621**

TELEPHONE (616) 382-4500

FAX (616) 382-2040

HARRY F. SMITH

1906-1972

RICHARD L. LANG  
OF COUNSEL

JOHN H. BAUCKHAM  
KENNETH C. SPARKS  
CRAIG A. ROLFE  
JOHN K. LOHRSTORFER  
ROBERT E. THALL  
JAMES W. PORTER  
ROXANNE C. SEEBER

August 7, 2003

Carrie Coburn, Clerk  
Martin Township  
P.O. Box 27,  
958 Lee St.  
Martin, MI 49070

Re: Cemetery Ordinance

Dear Carrie:

Enclosed for your files is the original Cemetery Ordinance.

Very truly yours,

**BAUCKHAM, SPARKS, ROLFE,  
LOHRSTORFER & THALL, P.C.**



John K. Lohrstorfer

JKL:paj  
Enc.



**TOWNSHIP OF MARTIN  
ALLEGAN COUNTY**

**ORDINANCE NO. 77**

**CEMETERY ORDINANCE**

**ADOPTED: June 11, 2003**

**EFFECTIVE: August 6, 2003**

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control and management of cemeteries owned by the Township of Martin, Allegan County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

**THE TOWNSHIP OF MARTIN  
COUNTY OF ALLEGAN, MICHIGAN**

**ORDAINS:**

**SECTION I**

**TITLE**

This ordinance shall be known and cited as the Martin Township Cemetery Ordinance.

**SECTION II**

**DEFINITIONS OF CEMETERY LOTS AND BURIAL SPACES**

- A. A cemetery lot shall consist of burial spaces sufficient to accommodate from one to eight burial spaces.
- B. An adult burial space shall consist of a land area four (4) feet wide and eight (8) feet in length.
- C. An Infant burial space shall consist of a land area four (4) feet wide and four (4) feet in length.

**SECTION III**

**SALE OF LOTS OR BURIAL SPACES**

- A. Assignment of burial rights may be purchased from the Township Sexton for the purpose of burial. The assignment of the burial space is for the exclusive use of the individual named as assignee.

- D. All such sales shall be made on a form approved by the Township Board, which grants a right of burial only and does not convey any other title to the lot or burial space.
- E. All fees shall be established by resolution of the Township Board.
- F. Burial rights are non-transferable but may be surrendered to the Township Board and refunded for the original purchase price.
- G. Any transfer of one or more burial spaces from an original purchaser to assignee shall cost \$50.00.

#### **SECTION IV**

##### **PURCHASE PRICE AND TRANSFER FEES**

- A. Cemetery lots or burial spaces may be sold to residents or non-residents of Martin Township. However, a purchaser-resident may purchase on behalf of himself or herself or of his heirs at law or next of kin at the resident rate. No sale may be made to funeral directors. The sexton, however, is granted authority to vary the restrictions where the purchaser discloses that the burial is for a previous resident in Martin Township.
- B. Definition of a resident is as follows. An individual who has lived in Martin township for two (2) years with proof except for infants less than two (2) years old.
- C. Each adult burial space shall cost the sum of \$100.00 for residents and \$750.00 for non-residents.
- D. The township board by resolution may periodically alter the foregoing fees to accommodate increased cost and needed reserve funds for cemetery maintenance and acquisition.

#### **SECTION V**

##### **GRAVE OPENING CHARGES**

- A. The opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined from time to time by resolution of the township board, payable to the township.
- B. No burial spaces shall be opened and closed except under the direction and control of the cemetery sexton. This provision shall not apply to proceedings for the removal and reinterment of bodies and remains, which matters are under the supervision of the local health department.

## **SECTION VI**

### **MARKERS OR MEMORIALS**

- A. All markers or memorials must be of stone or other equally durable composition. Slate sandstone, cement, artificial stone, wood or iron in any form is not permitted to be used as memorials.
- B. Only one marker or monument shall be permitted per burial space.
- C. Each grave must have a marker or monument within one year.
- D. The township will not assume responsibility for maintenance or destruction to markers, memorials or monuments due to vandalism or natural causes.
- E. All foundations for monumental structures must be built of solid masonry and the depth and size approved by the Sexton. The Sexton shall govern the location of all monumental work. The foundation shall be constructed by the township at a cost to the assignee. Fees shall be established by resolution of the Township Board.
- F. Foundations remaining unoccupied for a period of nine months shall be declared vacated and removed. The assignee shall be responsible for any additional cost.

## **SECTION VII**

### **INTERMENT REGULATIONS**

- A. Only one person may be buried in a burial space except for a parent and infant, two children buried at the same time or two cremations.
- B. Not less than 48 hours notice shall be given in advance of any time of any funeral to allow for opening of burial spaces. All fees must be paid in advance of any grave opening.
- C. The appropriate certificate for burial space involved, together with appropriate identification of the person to be buried therein, where necessary, shall be presented to the cemetery sexton prior to interment. Where such certificate has been lost or destroyed, the township clerk or sexton shall be satisfied, from records, that the person to be buried in the burial space is authorized and the appropriate one before any interment is commenced. Under no condition will the Township assume responsibility for errors in opening graves when orders are given by telephone and the party will be expected to compensate the township for additional cost.
- D. All graves shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

## **SECTION VIII**

### **GROUND MAINTENANCE**

The beautification of any grave which then requires above normal maintenance and hand trimming shall be maintained by the individual having done so. If the grave becomes unsightly from lack of maintenance, the cemetery sexton will be instructed to return the grave to its original state. The Martin Township Board sets forth the following regulations to be followed by everyone in regards to the appearance and maintenance of graves.

- A. No grading, leveling, or excavating upon a burial space shall be allowed without the permission of the cemetery sexton or the township clerk.
- B. No glass containers shall be allowed on cemetery property.
- C. No decorative or loose stones are to be placed around footers or in flower beds.
- D. There will be a spring cleanup sometime during April and a fall cleanup sometime during October each year. All deteriorated decorations will be thrown away.
- E. Only miniature shrubs may be planted on graves and may not exceed the forty inch width. If they do not receive yearly upkeep, they will be removed from the cemetery.
- F. The township board reserves the right to remove or trim any tree, plant or shrub located within the cemetery in the interest of maintaining proper appearance and the use of the cemetery.
- G. Mounds which hinder the free use of a lawn mower or other gardening apparatus are prohibited.
- H. Surfaces other than earth or sod are prohibited.
- I. The cemetery sexton shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers, that through decay, deterioration, damage or otherwise becoming unsightly, a source of litter, or a maintenance problem.

## **SECTION IX**

### **FORFEITURE OF VACANT CEMETERY LOTS OR BURIAL SPACES**

Cemetery lots or burial spaces sold after the effective date of the ordinance and remaining vacant 40 years from the date of their sale shall automatically revert to the township upon occurrence of the following events:

- A. Notice shall be sent by the township clerk by first class mail to the last known address of the last owner of record informing him or her of the expiration of the

40 year period and that all rights with respect to said lots or spaces will be forfeited if he or she does not affirmatively indicate in writing to the township clerk within 60 days from the date of mailing of the within notice his or her desire to retain said burial rights.

- B. No written response to said notice indicating a desire to retain the cemetery lots or burial spaces, or his or her legal heirs or legal representative, within 60 days from the date of mailing of said notice.

## **SECTION X**

### **REPURCHASE OF LOTS OR BURIAL SPACES**

The township will repurchase any cemetery lots or burial space from the owner for the original price paid to a maximum of \$500.00 by the township upon written request of said owner or his or her legal heirs or representatives.

## **SECTION XI**

### **RECORDS**

The sexton shall maintain records concerning all burials, issuance of burial permits, and any perpetual care fund, separate and apart from any other records of the township and the same shall be open to public inspection at all reasonable business hours.

## **SECTION XII**

### **VAULT**

All burials shall be within a standard concrete vault installed or constructed in each burial space before interment.

## **SECTION XIII**

### **CEMETERY HOURS**

- A. The cemetery shall be open to the public from dawn to dusk of each day.
- B. No person shall be permitted in the township cemeteries at any time other than the foregoing hours, except upon permission of the township board or the sexton of the cemetery.

## **SECTION XIV**

### **RULES OF CONDUCT**

- A. All cemetery property is considered sacred ground and visitors need to be considerate and act respectful at all times. The Sexton shall monitor the

behavior of patrons and have authority to establish temporary rules not covered in this ordinance.

- B. The removal of any object whatsoever without permission is prohibited. This includes, but not limited to, the picking of wild or cultivated flowers or any way disturbing birds, trees, plants, shrubs, sod, monuments, vaults, ornaments, or other structure or property within the jurisdiction of the cemetery.
- C. Cemeteries are not intended for recreation. Persons having children in their charge will be held responsible for the conduct, and under no circumstances will anyone be permitted to run over graves. Camping, picnics, parties, fires, the operation of recreation vehicles, animals, and other inappropriate activities are prohibited.
- D. Vehicles must travel on the roadways and never drive on lots or alleys. Speed shall never exceed 10MPH. Persons in charge of heavy loads entering the cemetery grounds will be required to protect roads whenever in the opinion of the Sexton it is advisable to do so, and to pay damages sustained by the cemetery street, resulting from such loads.
- E. All funeral processions while in the cemetery shall be under the direction and control of the Sexton.
- F. No promotional material will be allowed in the cemetery. This includes business cards, advertisements, signs, insignias or any other similar items.
- G. No person shall deface, injure or write upon any monument, articles, or structure in the cemetery.
- H. The township will use reasonable precaution to protect the property of assignees and diligently seek enforcement of all applicable laws related to the protection of said property. The township will not hold itself financially responsible for the acts of thieves or vandals, Assignees are urged to contact their insurance company regarding coverage for monuments.

## **SECTION 15**

### **PENALTIES**

Any person, firm or corporation who violates any of the provisions of the within ordinance shall be guilty of a misdemeanor and shall be subject to the maximum fine allowed by law and/or imprisonment for up to 90 days in jail as may be determined by a court of competent jurisdiction. Each day that a violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall not prevent civil proceedings for abatement and termination of the activity complained of.

**SECTION XVI**

**SEVERABILITY**

The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such a decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

**SECTION XVII**

**EFFECTIVE DATE**

This ordinance shall take effect within 30 days of publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**

Carrie Coburn, Clerk

Martin Township

958 Lee St.

Martin, Michigan 49070-9797

269-672-7663





## PUBLIC NOTICE

### Because the People Want to Know

# MONTEREY TWP.

## APPLICATIONS FOR DEFERMENT OF SUMMER 2003 TAXES

The Township of Monterey is currently accepting applications for summer 2003 tax deferments.

To qualify, a household income cannot exceed \$25,000. The applicant must also be 62 years of age or older, paraplegic, quadriplegic, eligible service person, veteran, widow or widower, blind, or totally and permanently disabled.

Those that farm agricultural property may also qualify. Please call for more information.

The deferment applications can be obtained at the Monterey Township Treasurer, 3047 30th Street or by telephoning 793-4961.

Lois Commons

Monterey Township Treasurer

AS PUBLISHED IN THE PENASEE GLOBE 6/30/03 - 301641

## NOTICE OF ORDINANCE ADOPTION

### MARTIN TOWNSHIP

## ALLEGAN COUNTY, MICHIGAN

To: The residents and property owners of Martin Township, Allegan County, Michigan, and any other interested persons:

PLEASE TAKE NOTICE that the following is a summary of an Ordinance, being Ordinance No. 77, which was adopted by the Township Board of Martin Township at its meeting held June 11, 2003, said Ordinance to take effect 30 days after the publication of the following summary of said Ordinance.

#### CEMETERY ORDINANCE

**SECTION 1 TITLE.** The ordinance is titled "Martin Township Cemetery Ordinance."

**SECTION 2 DEFINITIONS OF CEMETERY LOTS AND BURIAL SPACES.** Defines the term "cemetery lot" as used in the Ordinance and establishes measurements for adult and infant burial spaces.

**SECTION 3 SALE OF LOTS OR BURIAL SPACES.** Indicates that burial rights are non-transferable, but that the same may be surrendered to the Township and the purchase price returned to the purchaser. Provides that burial rights may be purchased from the Township Sexton. Permits the Township Board to establish fees via resolution and provides a transfer fee of \$50.00.

**SECTION 4 PURCHASE PRICE AND TRANSFER FEES.** Provides that residents or non-residents may purchase lots or spaces. Residents may purchase on behalf of next-of-kin at resident rates. No sales to funeral directors are permitted. Specifies a \$100.00 resident price and a \$750.00 non-resident price. Defines "resident" for ordinance purposes. Permits the Township Board to alter the fees by resolution.

**SECTION 5 GRAVE OPENING CHARGES.** Indicates that the Township Board specifies grave opening charges by resolution. The Township Sexton supervises burial space openings and closings. The local health department supervises any removal and reinterment of bodies and remains.

**SECTION 6 MARKERS OR MEMORIALS.** Sets forth material, time and numeric regulations for markers and foundations.

**SECTION 7 INTERMENT REGULATIONS.** Provides regulations for interment. Requires not less than 48 hours notice to the Township Sexton for opening of burial spaces. Requires the presentation of particular information and paperwork to the Township Sexton prior to interment.

**SECTION 8 GROUND MAINTENANCE.** Regulates the types of ornamental items that can be utilized within the cemetery. Prohibits grading, leveling and mounting on grave surfaces. Sets forth a maintenance schedule. Sets forth conditions under which the Sexton can remove ornaments. Prohibits surfaces other than earth or sod.

**SECTION 9 FORFEITURE OF VACANT CEMETERY LOTS OR BURIAL SPACES.** Sets forth the conditions under which lots or spaces are deemed forfeited to the Township for non-use after 40 years.

**SECTION 10 REPURCHASE OF LOTS OR BURIAL SPACES.** The Township will purchase lots or burial space for its original price up to \$500,000.

**SECTION 11 RECORDS.** Provides that the Sexton shall maintain particular cemetery records.

**SECTION 12 VAULT.** Requires burial within a vault.

**SECTION 13 CEMETERY HOURS.** Specifies open hours and denies access during closed hours unless the permission of the Sexton or Township Board is obtained.

**SECTION 14 RULES OF CONDUCT.** Sets forth rules regarding conduct on the cemetery grounds for pedestrians, funerals, motor vehicles, and visitors. Prohibits advertising signs and promotional materials. Indicates that financial responsibility for property damage to monuments is not that of the Township.

**SECTION 15 PENALTIES.** Violation of the ordinance constitutes a misdemeanor, punishable by a fine and/or imprisonment for up to 90 days.

**SECTION 16 EFFECTIVE DATE.** The effective date of the ordinance is 30 days after publication. Repeals conflicting ordinances and ordinance provisions.

PLEASE TAKE FURTHER NOTICE that the full text of this Ordinance may be examined or obtained at the Martin Township Hall or by requesting the same from the Township Clerk, Carrie Colburn at (269) 672-9387.

MARTIN TOWNSHIP  
Carrie Colburn, Clerk  
968 1/2 E. ALLEGAN ST.  
MARTIN, MI 49070-9797  
(269) 672-7663

AS PUBLISHED IN THE PENASEE GLOBE 7/7/03-301675

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ADVERTISERS ARE REQUESTED to check the first insertion of ads for errors. Wayland Printing, will be responsible for only one incorrect insertion. Any error should be reported immediately. Please check your ad carefully upon its initial insertion and report any errors to the office.

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- 15 ..... IN MEMORIAM
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- 27 ..... FUND RAISERS
- 30 ..... NOTICES
- 31 ..... LEGAL NOTICES
- 35 ..... TOWNSHIP MINUTES
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#### 005 OBITUARIES

**HEYDENBERK-Bernice M. Heydenberk, 84, of Battle Creek died Wednesday, June 25, 2003 at home. She was born in Wayland, MI, the daughter of Ray and Beatrice (Everhart) Pratt, attending school in Grand Rapids. She was a homemaker, an active lifetime volunteer, a fifty year plus member of the First Presbyterian Church, a member of the Elizabeth Circle, Red Cross and the Marshall Country Club. Bernice joined the Red Cross as a Gray Lady in 1964, and she began her service at Lella Hospital. Over the next 38 years she served the Red Cross in many other capacities, including chair of the Blood Program and the chair of the Volunteers. She was a member of the Red Cross Board of Directors and the Volunteer Advisory Board. Bernice was honored with the Calhoun County Chapter of Red Cross "Outstanding Volunteer Award" and the National American Red Cross recognized her for "Meritorious Service" in 1976 and presented her with the "Clara Barton Honor Award" for Meritorious Volunteer Leadership" in 1986. She had been an officer of the Women's Club and JayCee's Auxiliary. She had also been recognized by the Charitable Union of Battle Creek for her volunteer service. Bernice was a natural hostess and cook, able to provide comfort and a lovely meal equally well in her kitchen or over a campfire. Over the years her family, friends and succeeding generations of grandchildren enjoyed their welcome to her home—the center of family life. And they always appreciated her humor, sensible viewpoint and kindness. On November 16, 1940 Bernice M. Pratt married Nelson D Heydenberk in Grand Rapids, MI. He preceded her in 2002. Surviving are two daughters, Barbara Brose of Gastonia, NC, Christine Kosanke of Kalamazoo; a son, William D. Heydenberk of Scotts, grandchildren Robert and Thomas Brose both of Washington, D.C., Michael Swift of Kalamazoo, Lori Smith of Colorado Springs, CO., six great-grandchildren and a brother, Kenneth Pratt of Kalamazoo. Besides her husband she was preceded in death by her mother and father and one brother. Funeral Services were held Saturday, June 28 at the First Presbyterian Church of Battle Creek with Dr. David L. Home officiating. Interment Elmwood Cemetery. Memorial contributions may be made to the Red Cross, Hospice or Meals on Wheels. Personal remembrances may be made at www.farleyestesdowdle.com. Arrangements made by Farley-Estes & Dowdle Funeral Home, Battle Creek.**

#### 010 PERSONALS

**COLOR COPIES** at Wayland Printing: Flyers, newsletters, invitations, etc. Come check it out at 133 E Superior, Wayland.

**DRINKING A PROBLEM??** Wayland AA, Mon & Fri, 8pm, call Tom 792-9268. Dorr AA, Wed, 7pm, Open, call Larry 891-2384

**PLANNING A VACATION AT GUN LAKE?** Log onto www.gunlake.com for events, lodging, rentals, resorts, places to wine and dine or shop. It's your internet connection to the Gun Lake area.

**SENIORS: Want a private setting that no other photographer can use? Call me: SPORTS PHOTOGRAPHY, Dan Goggins, 269-948-4669. Clip & save 10% on portrait package.**

**WEDDING INVITATIONS, response cards, etc. Check out our beautiful wedding invitation line. Books can be checked out. Wayland Printing, 133 E Superior, Wayland. 269.792.2271 or toll free 1.800.554.8800 ext 101.**

**WEIGHT LOSS MADE EASY w/ Herbalife. Contact Steve or Cookie, your local Independent Herbalife distributors @ Cookies-diet.com or 616.752.7151.**

#### 030 NOTICES

**ALPHA WOMEN'S CENTER, corner of Plum & Main in Wayland, is here to help you with your pregnancy and baby needs. Our services are free and confidential. This is not just for crisis pregnancies, we are here for anyone that needs help. Hours: Mon 2-5, Tues 11-5, Thurs 2-5, Sat 9-noon. Phone: 269-792-0333 or toll free 877-476-1671**

**ARTS IN THE PARK**—Come one, come all! The Gun Lake Chamber of Commerce is hosting an Arts In The Park from 9-5 with ice cream served from 4-5. Hope to see everyone there to buy, sell & enjoy. Contact the Chamber at 269.792.4396 if you are a vendor & want to participate.

**ATTENTION: W.U.S. Girls Soccer; Varsity & J.V., you may purchase your soccer photos from me at the Globe, from 9:00-3:00, ask for Dan or call me at home 269.948.4669; 2004 Seniors, it's time to start thinking about senior portraits!**

**COPIES: Self-serve: 10 (letter); 15 (legal); 20 (poster). COLOR COPIES: \$1 (letter); \$2 (poster). Color and custom papers available. Wayland Printing, 133 E. Superior. 792.2271 or 1.800.554.8800**

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**PHOTO POLICY:** Photos submitted to us become property of the Penasee Globe unless return requested (provide self-addressed, stamped envelope), or pick up within two weeks of publication at our office at 133 E. Superior, Wayland.

#### 035 TWP MINUTES

##### WAYLAND TOWNSHIP BOARD

Synopsis of the meeting  
Wednesday, June 25, 2003

The special meeting of the Wayland Township Board was called to order at 7:04pm. Board members, attorneys, Aggregate Industries representatives and interested citizens were in attendance.

Aggregate Industries stated their proposals and the reason they felt the SUP should be granted.

Interested citizens stated their concerns and the reasons they felt the SUP should not be granted.

Questions were asked and answered.

A motion was made and supported to approve application with the following restrictions and refer back to the planning commission. 1) work hour change 2) No pre-staging 3) increased distances from property lines and road 4) reclamation 5) no importing of materials. A roll call vote showed: 2-no votes and 2-yes votes. Motion failed.

A motion was made and supported to adjourn. All ayes. Meeting adjourned at 9:22pm.

Beverly Taylor,  
Clerk

#### 040 HELP WANTED

**ASSISTANT FACILITY MANAGER NEEDED!** Walters-Dimmick Petroleum Inc., a leader in the C-Store industry, is currently seeking a highly self-motivated individual to fill the position of Assistant Facility Manager for their Wayland Shell location. They offer: competitive wages, 401 (k), health insurance, and paid vacations. To learn more about Walters-Dimmick Petroleum Inc. please visit their website at www.waltersdimmick.com. Please send resume to: Wayland Shell, 1170 Superior, Wayland, MI 49348, Attn: Facility Manager.

**DANCE INSTRUCTOR/CHOREOGRAPHER:** adv., tap, jazz, lyrical &/or ballet technique; varying levels. Incentives based on exp. Send resume & ref.: PO Box 8128, Kentwood, MI 49508

**SECRETARY to the Business Manager/Accounts Payable Clerk/Receptionist:** High School diploma required, college degree preferred. Two years accounting/bookkeeping experience. Proficiency with Excel & Word software. General office duties. Apply to Alice Jansma, Business Manager, Thornapple Kellogg Schools, 10051 Green Lake Rd., Middleville, MI 49333

#### CENA

We're Life Care Centers of America, the nation's largest privately-owned skilled care provider! If you share our heartfelt approach to caring for the elderly, consider joining our family at Life Care Center of Plainwell. Fulltime 2nd shift CENA opportunity available for compassionate caregiver. We offer: competitive pay and benefits, mission-driven environment, personal recognition and team spirit.

Please call Rebecca (269) 685-9805 or visit with us at 320 Brigham St., Plainwell, MI 49080. EOE

## Public Notice

### Because the People want to Know

# Dorr and Leighton Townships

## APPLICATIONS FOR DEFERMENT OF SUMMER 2003 TAXES

The Townships of Dorr and Leighton are currently accepting applications for summer 2003 tax deferments.

To qualify, a household income cannot exceed \$25,000. The Applicant must also be 62 years of age or older, paraplegic, quadriplegic, eligible service person, veteran, widow or widower, blind or totally and permanently disabled.

Those that farm agricultural real property may also qualify. Please call for more information.

The deferment application can be obtained at the Dorr Township Hall, 4196 18th Street or telephoning 681-2411 or the Leighton Township Office, 4475 Kalamazoo Dr. or telephoning 891-8238.

Joseph Graczyk

Char Troost

Dorr Township Treasurer

Leighton Township Treasurer

AS PUBLISHED IN THE PENASEE GLOBE 6/30/03 & 7/7/03 - 301623



LEON HILASKI passed for 50 touchdowns and close to 5,000 yards in three years as Wayland starting quarterback.

PENASEE GLOBE PHOTO BY MIKE STEVENS

## Cats' Hilaski signs with Pumas

Record-setting Wayland High School quarterback Leon Hilaski will take his talents to Division 2 St. Joseph's College in Rensselaer, IN, this fall.

Hilaski, who guided last season's Wildcat football team to the Division 3 state semifinals, has received a part-academic, part-athletic scholarship from St. Joe's.

"Leon has the head, heart and skills to be a fine college quarterback," said Wayland head coach Tim Gibson.

"Division 1 schools were put off by his lack of size (5'11", 180)," Gibson added. "Not St. Joseph's."

"They've got a winner. Watch and see."

Hilaski, who also played varsity baseball and basketball at Wayland, was a three-year starter as football quarterback.

The Wildcats were 3-6 in his sophomore season, made the playoffs for the first time in school history his junior year, and finished 10-3 last fall.

Hilaski rewrote school record books in the process, passing for close to 5,000 yards and 50 touchdowns. He rushed for 33 TDs too.

St. Joseph's, which runs the same-style offense Wayland does, competes in the Great Lakes Valley Conference. The Pumas start football practice Aug. 11.

# TOYSTORE

by Scott Sullivan

### GO FISH

Some little-known stories deserve to be even less-known. For instance, Wayland is home for a sardine distributor giving the fish "a makeover" and marketing them as "an energy powerhouse."

OK, so Blue Galleon Co. is in Wayland, Mass. Its mission hit home here in Wayland, Mich, via email sent en masse to Influential Media People (IMPs) when "finding strength from the sea" — or anywhere — held urgent appeal for me.

See, even IMPs can have diabetes (which means "running through") mellitus ("sweetness"). Life is sweet; I run many miles through it every week.

Diabetes mellitus inverts that order, with sweetness (or blood sugar) running through you. Your pancreas doesn't make enough insulin to metabolize glucose properly. You literally pee out energy.

Diet and exercise can lower your blood sugar (BS). So can drugs that stimulate the pancreas ... unless your organ uses that as an excuse to produce less insulin. This means you need more and more medication.

Which means by the time I got my fish story—plucked from the ocean of Viagra, penis-enlargement and home-financing ads—my BS was through the ceiling.

I knew the dangers—blindness, amputation, death—but let them go until

my running times started suffering. This was serious. Maybe Wayland sardines could help.

The email read the herrings are packed with co-enzyme Q10, which can help fight heart attacks, periodontal disease, lack of energy, weight gain and early death. They are also crammed with Omega-3s, which can fight depression and make your brain grow.

The cause of my many deficiencies—not eating sardines—was clear.

While waiting for my shipment to come in, I mulled biting on other email offers. With all that Viagra and other, er, growth products, I would need to refinance my home to accommodate expansion.

My BS was in the stratosphere, it seemed.

I began shooting insulin, as my mom did the last 30 years of her life, last week. I was told to inject in a two-inch circumference around my belly button, so needle tracks will make me look like a target.

For more sardine solicitations? Insulin works, so instead of insulting your and my intelligence further, I canned my order.

This isn't over. I keep harpooning myself and reading, recording numbers. Health has quality aspects too, like appreciation. I am older, slower, but grateful for every step.

I am out to see.

## CITY OF WAYLAND

"Committed to Excellence"

### NOTICE

## CITY OF WAYLAND

### DEFERMENT OF SUMMER PROPERTY TAXES

As provided by Act 97, P.A. 1992, certain qualifying taxpayers may defer the payment of their 2003 summer taxes without penalty or interest until February 14, 2004.

Taxes may be deferred on a homestead if household income did not exceed \$25,000 in 2002 and the taxpayer qualifies as defined in the General Property Tax Act; as one or more of the following:

- Citizen 62 years or older
- Paraplegic, Quadriplegic
- Eligible Serviceman, Eligible Veteran or Eligible Widow
- Blind Person
- Totally and Permanently Disabled

Taxes may also be deferred for certain agricultural properties that meet the specific requirements of the Act.

Applications for deferment are available at City Hall and must be filed with the Treasurer on or before August 1, 2003.

AS PUBLISHED IN THE PENASEE GLOBE 7/7/03 - 301697

## YANKEE SPRINGS TOWNSHIP

### Synopsis of Minutes - Board Meeting 6-12-2002

Meeting called to order at 7:00 p.m. by Supervisor McCrumb.

Present: Lippert, McCrumb, Finkbeiner, Cook and Jerkatis; township attorney John Lohrstorfer; zoning Administrator Worsham; Fire Chief Marentette; Don Devries of Fleis & Vandenbrink (water tower engineer); Constable Misak and 21 visitors.

All those present stood and pledged allegiance to the flag.

Moved by Finkbeiner, support by Cook to accept the May 8, 2003 minutes as presented. All yes. Motion carried.

Chief Marentette invited everyone present to view the new Brush Truck; Tanker and Pumper displayed. Meeting adjourned for a short break and reconvened at 7:15 p.m. All members present. Due to an oversight Spencer Mfg. will split the cost in half with the Township for the portable drop tanks on both sides of #52 Tanker truck. Cost is \$875.00.

Don DeVries of Fleis & Vandenbrink (water tower engineer) present resolution awarding contract for water devier. Low bidder awarded to McCrumb Iron Inc., in the amount of \$547,000.

Letter dated June 9, 2003 from Jim White resolution correction.

Barry County Commissioners meeting is scheduled for June 24, 2003 at Y.S. Township Hall 7:30 p.m. Ray Page presented the Board a donation of \$1,000 to the Yankee Springs Township Community park from the Rotary. They would like to see the amount matched by the Board and apply it toward the ball field backstop. Bids to be reviewed by the Board at a special meeting.

Cathy Strickland advised that contributions and donations in lieu of flowers are being made in her husband Jim's memory to the Yankee Springs Township Park.

Planning/Zoning: Preliminary approval recommendation of site condominium, Tim Scobey owner, 955 Payne Lake Road, zoned RR. Public hearing held on May 15, 2003. No public comment. Tim outlined the preliminary plans for the site which includes 12 building sites with access off from Payne Lake Road. No Gun Lake water system at this time, but will have sanitary sewer and natural gas. Board reviewed plans. Motion by Finkbeiner, support by Jerkatis to approve the planning commission recommendation of preliminary approval. Roll call vote approved by all. Motion carried.

Preliminary approval recommendation of Kay-D Development PUD, Jon Raymond owner, North and East corners of Shaw Lake Road and Norris, zoned AG. Public hearing held on May 15, 2003. Discussion was heard from residents in attendance; attorney Doherty representing the neighbors adjacent to the development and attorney Loren Andrulis representing Jon Raymond. Legal counsel for the Township, John Lohrstorfer advised the Board that the five standards in the Township ordinance must be met by the Planning commission. Moved by Cook, second by Lippert to refer the issue back to the Planning Commission for clarification of how the five criteria in the ordinance are met by the proposed PUD. Approved by Jerkatis, McCrumb; Lippert and Cook. Rejected by Finkbeiner. Motion carried.

Final approval recommendation of PUD Cedar Realty - SE corner Patterson and M-179, owner Wm. Weick, zoned RR. Public hearing held May 15, 2003. Discussions from residents in attendance: Ron VanSingel representing the developer answered questions from the residents. Motion by Cook, support by McCrumb to accept the final recommendation of the PUD from the Planning Commission as requested and also to accept the Master Deed, and condominium by-laws. Approved by all. Motion carried.

Ken Worsham, zoning administrator, requested purchase of 35mm camera with zoom, date and time in the amount of \$229.97. Motion by Finkbeiner, support by Jerkatis to approve. Approved by all. Motion carried.

Review of Site Plans - Discussion. Complaints - Township zoning violations. Letters have been sent out.

Supervisor - Motion by McCrumb, support by Cook to settle with Beachline Construction final payment of \$20,000. (Refund will be issued accordingly to special Assessment District #20). Approved by all. Motion carried.

Reviewed tile bids for the restrooms, utility rooms in the Hall. Motion by Lippert, support by McCrumb to approve Flietstra Tile & Carpet \$1772.00. Approved by all. Motion carried.

Discussion regarding paving bids for the hall, fire station and park. Motion by Cook, support by Lippert to approve A-1 Asphalt (Wayland) up to \$2410.00 for sealing and striping of hall and fire station. Approved by all. Motion carried.

Discussion by Supervisor advising that there will be additional Board meetings added to the Board's meeting dates to accommodate the water tower payments during the construction.

Financial report presented by Jerkatis. Moved by Cook, support by Finkbeiner to accept as presented. Approved by all. Motion carried.

Clerk report - DEQ Permit; MTA Dues Statement. Public Hearing Adoption of Budget 2003-2004 set for June 26, 2003 at 7:00 p.m. as advertised in the Penasee Globe 6/16 & 6/23 2003. This public hearing will include other such business.

PCI Building permits reviewed. Discussion regarding Barlow Lake fireworks permit.

Motion by Lippert to Adopt Res. No. 06-04-03 to appoint Fire Chief Mark Marentette fireworks designee. Second by McCrumb. Approved by all. Motion carried.

Approved Mr. T lettering for the grass rig and Engine #52 in the amount of \$720.00. SAW Industries for stainless steel bolts, \$14.76. Approved purchase from 5-Alarm Safety in the amount of \$1,386.00 portable fan with Honda engine. Motion by Cook; Support by McCrumb.

Approved accounts payable check numbers #7205 through #7241 in the amount of \$162,604.22 by Cook, supported by Finkbeiner. All yes, motion carried. Motion by Cook, support by Finkbeiner to approve checks #7198 through check #7204 dated 5-15-03 & 5-20-03 in the amount of \$142,259.12. Approved by all. Motion carried.

Motion by McCrumb; second by Cook to approve payroll checks #2348 through #2363 in the amount of \$7,933.24. Approved by all. Motion carried

Old Business/new Business; Cook advised of bids received from MI Monument for a stone base and etching for flag pole. Further information to be reviewed at next meeting.

Discussion regarding upcoming ZBA hearing and Nextel Communications request for an additional height amount for a proposed tower. Discussion regarding the ordinance in regard to communication towers.

There being no further business, Motion by Cook, support by Finkbeiner to adjourn at 11:05 p.m. Approved by all. Motion carried.

Complete text minutes available at Township Offices.

Janice C. Lippert, Clerk

AS PUBLISHED IN THE PENASEE GLOBE 7/7/03 - 301718


**CLERK'S CERTIFICATE**

I, CARRIE COBURN, the Township Clerk of Martin Township, Allegan County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Martin Township Board held on June 11, 2003, commencing at 7:30 o'clock p.m. at the Martin Township Hall, located within the Village of Martin, at which the following members were present, the Board enacted and passed Ordinance No. 77, hereinbefore recorded, to become effective on August 6, 2003, and that the members of said Board present at said meeting voted on the adoption of said Ordinance, as follows:

Dill - Yes  
Sturgis - Yes  
Brenner - Yes  
Supple - Yes  
Coburn - Yes

I do further certify that the full Ordinance No. 77 was published in the Penasee Globe, a newspaper circulated in Martin Township, on July 7, 2003; that said Ordinance No. 77 was recorded in the official Ordinance Book on the 25<sup>th</sup> day of September 2003; and that an attested copy of said Ordinance was filed with the Allegan County Clerk on the 15<sup>th</sup> day of October 2003.

Date: 10-15, 2003

  
Carrie Coburn, Clerk  
Martin Township



Cemetery  
Ordinance

Resolution

#  
024-03

**Martin Township Board Meeting**  
June 9, 2004

Called to order at 7:30 p.m.

Pledge of Allegiance

Roll Call: Dill, Sturgis, Brenner, Sipple, and Coburn

Motion by Brenner, supported by Dill to approve the minutes from the previous meeting.  
Motion carried unanimously.

Motion by Sturgis, supported by Dill to approve payment of bills as presented. Motion carried unanimously.

Motion by Brenner, supported by Sipple to approve treasurer's report as presented.  
Motion carried unanimously.

**Welcome Guests:**

Don Black presented the Board with a synopsis of county business. Black informed the Board that he will not be attending next month's Board meeting.

**New Business:**

Sturgis began discussion about a problem Hamilton Agriculture is having with drug users breaking into anhydrous tanks. Residents living around the plant have signed a petition for Hamilton Agriculture to take action on how to solve the problem. Michigan State Police attended the meeting and informed the Board and guests how addicting meth is to the drug users. These people will do anything to get to the anhydrous, the part of the drug that makes the meth. He informed the Board and Hamilton Agriculture that he feels there is no real solution to this problem other than police coverage and there is very little for this area. Mark White from Hamilton Agriculture attended the meeting and informed the Board that they are very tired of the problems the drug users are causing. They are trying to come up with ideas and are opened for any suggestions anyone has to preventing these problems.

**Old Business:**

Sexton Computer – Dana Spencer presented some quotes on computers that he could build for the Sexton to use for the cemeteries. Spencer had two packages that included a higher end and a lower end computer. The software would need to be separately purchased and recommended that the complete Microsoft package be purchased. Spencer will watch the prices and let the Board know as they change.

**Cemetery:**

Simpson & Sons sent the Board a statement explaining that due to rising price's of fuel & insurances the price of grave opening are going to be raised from \$300.00 to \$400.00.  
Motion by Brenner, supported by Sipple to approve Simpson's & Sons Excavating

charge of \$400.00 for grave openings. Roll Call Vote. All Ayes. Motion carried unanimously.

04-03  
Brenner suggested that grave openings for residents and non residents are increased \$100.00 by resolution. Motion by Brenner, supported by Sturgis to increase grave openings \$100.00 to \$450.00 for residents and \$600.00 for non residents. Roll Call Vote. All Ayes. Motion carried unanimously.

#### **Old Business:**

Gravel Pit Inspections – Sturgis informed the Board that the operating conditions needed to be updated before the inspections are performed. The updates are done at the Zoning Board meetings. Coburn will get Sturgis copies of the Zoning Board minutes that reflect changes for Brenner and Gun Lake Investors gravel pits.

#### **Department Reports:**

**Ambulance** – Stuart Peet attended the Wayland Ambulance meeting and reported that they discussed their '04 – '05 budget.

**Fire** – Sturgis informed the Board that OSHA came in for the fire department to report changes in policies and procedures. A special meeting is scheduled for June 24, 2004 at 7:00 p.m. to discuss those policies and procedure changes. A budget public hearing will also be held at that time.

Sturgis informed the Board that he received information on costs and procedures on small claims court for fire runs. Sturgis gave the information to Kirt Sipple to look at and see how it will work with the fire run billing.

**Library** – Sturgis presented a letter from Shirley Moore written to the Board requesting her daughter, Vicki LaFleur to cover her while she is out for surgery and recovery beginning July 8, 2004. The Board decided the pay for the fill in would be \$6.75 per hour. Motion by Brenner, supported by Sipple to approve Vicki LaFleur as fill in while Shirley is gone at \$6.75 an hour. Roll Call Vote. All Ayes. Motion carried unanimously.

Dill checked into grants for the Library / Township building. She contacted the USDA and was informed that with the financial situation the State is in right now there is a slim chance of receiving a grant. There is a meeting set with Dill on June 17<sup>th</sup> at 10:00 a.m. to talk about financing that is available for buildings that meet certain criteria. He informed Dill that the long term financing available is at 4.38% for up to 30 to 40 years.

Sipple took the building plans back to the architects and was unable to have them available for the meeting.

**Roads** – Sturgis informed the Board that the gravel bids came back with two bids. Motion by Brenner, supported by Dill to accept bid from R. Smith & Sons for \$12,340.00. Roll Call Vote. All Ayes. Motion carried unanimously.

Sturgis informed the Board that the seal coat discussed at last months meeting can still be done. Motion by Brenner, supported by Sipple to approve seal coat on 4<sup>th</sup> street from 118<sup>th</sup> Avenue to 120<sup>th</sup> Avenue. Roll Call Vote. All Ayes. Motion carried unanimously.

Sipple asked the status of road work on 118<sup>th</sup> Avenue. Jim Pardee had stated that when he drives his semi on 118<sup>th</sup>, he has to drive down the middle of the road to avoid the trees scraping the top of the truck. Sturgis is checking with the County Road Commission.

**Zoning** – Brenda Leep informed the Board that the Zoning Board interviewed another planner and his fee was between \$14,000 and \$17,000. Leep asked what the budget would be for a planner so they can start planning accordingly. There will be a budget workshop later tonight.

Leep also asked the Board if the Zoning Board could change their name to Planning Commission. The Board was not sure if there was a difference in the number of board members.

**Treasurer** – Dill informed the Board that she met with National City and spoke about a new account that the Township can put money in. The account will still work the same but the Township will receive better interest, however, the cost will go up from \$13.00 to \$14.00 per month. Motion by Sipple, supported by Coburn to approve Dill to move the Township's money into the Small Business Account. Motion carried unanimously.

**Supervisor** – Sturgis handed out an incident report he received from Allegan County Sheriffs department.

**Trustee (Jim)** – None

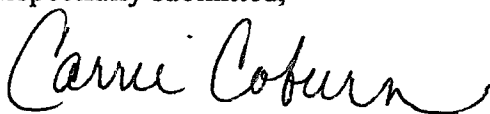
**Trustee (Jack)** – None

**Clerk** – Salary Resolutions - Coburn handed out Salary Resolutions for all four offices. Discussion on salary wages took place. The Board decided on the following salaries: Trustee - \$2700 per year, Supervisor - \$13,500 per year, Treasurer - \$15,000 per year and Clerk - \$15,000 per year. Motion by Dill, supported by Sipple to approve the salary resolutions. Roll Call Vote. All Ayes. Motion carried unanimously.

A Budget Workshop took place. The Board and guests discussed the upcoming '04 – '05 budget for the Township.

Motion by Brenner, supported by Dill to adjourn at 12:21 p.m. Motion carried unanimously.

Respectfully submitted,



Carrie Coburn  
Martin Township Clerk

**BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.**  
**ATTORNEYS AT LAW**  
458 WEST SOUTH STREET

JOHN H. BAUCKHAM  
JOHN K. LOHRSTORFER  
JAMES W. PORTER  
CRAIG A. ROLFE  
KENNETH C. SPARKS  
ROBERT E. THALL

ROXANNE C. SEEBER  
CATHERINE P. KAUFMAN

KALAMAZOO, MICHIGAN 49007-4621

HARRY F. SMITH  
1906-1972

TELEPHONE (269) 382-4500  
FAX (269) 382-2040

PATRICIA R. MASON  
OF COUNSEL

April 16, 2004

Penasee News  
133 East Superior  
Wayland, MI 49348

Via Fax and E-mail

Re: Legal Notice for Martin Township  
Ordinance No. 78

Dear Nancy:

Please publish the enclosed Notice of Adoption for Martin Township on **Monday, April 26, 2004.**

Please forward two Affidavits of the publication to this office, and two Affidavits and your bill to the Martin Township Clerk, Carrie Coburn, Martin Township, P.O. Box 27, 958 Lee S., Martin, Michigan 49070-9797.

Sincerely,

**BAUCKHAM, SPARKS, ROLFE,  
LOHRSTORFER & THALL, P.C.**

  
John K. Lohrstorfer

JKL/paj  
Enc.

cc: Carrie Coburn, Clerk (w/Certificate)

**NOTICE OF ORDINANCE ADOPTION**

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

TO: THE RESIDENTS AND PROPERTY OWNERS OF MARTIN TOWNSHIP,  
ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

**PLEASE TAKE NOTICE** that the following is a summary of an Ordinance, being Ordinance No. 78, which was adopted by the Township Board of Martin Township at its meeting held April 14, 2004, said Ordinance to take effect 8 days following publication of notice of its adoption. Following is a summary of said Ordinance.

**SECTION I REZONING OF PROPERTY IN SECTION 1** The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone two parcels consisting of 32 acres and one parcel of approximately 24 acres, excluding a parcel that is zoned "I-1", located in the southeast quarter of Section 1 between Patterson Road and 122<sup>nd</sup> Ave. from the "AG" Agricultural District zoning classification to the "R-2" Low Density Residential District zoning classification being Parcel No. 03-015-001-016-00.

**SECTION II EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES** This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PLEASE TAKE FURTHER NOTICE** that the full text of this Ordinance may be examined or obtained at the Martin Township Hall or by requesting the same from the Township Clerk, Carrie Coburn at (269) 672-7663.

**MARTIN TOWNSHIP**  
Carrie Coburn, Clerk  
P.O. Box 27  
958 Lee St.  
Martin, MI 49070-9797  
(269) 672-7663



**TOWNSHIP OF MARTIN**  
**COUNTY OF ALLEGAN, STATE OF MICHIGAN**

**MARTIN TOWNSHIP ORDINANCE NO. 78**

**ADOPTED: April 14, 2004**

**EFFECTIVE: May 4, 2004**

**REZONING OF PROPERTY IN SECTION 1**

An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property in Section 1 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE TOWNSHIP OF MARTIN**  
**ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**REZONING OF PROPERTY IN SECTION 1**

The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone two parcels consisting of 32 acres and one parcel of approximately 24 acres, excluding a parcel that is zoned "I-1", located in the southeast quarter of Section 1 between Patterson Road and 122<sup>nd</sup> Ave. from the "AG" Agricultural District zoning classification to the "R-2" Low Density Residential District zoning classification, Parcel No. 03-015-001-016-00 being the following described property:

Legal Description of the 32.02+ Acre Southeast Piece of Property,  
Part of Parcel 03-015-001-016-00

That part of the SE 1/4 of Section 1, T2N, R11W, Martin Township, Allegan County, Michigan, described as: Commencing at the East 1/4 Corner of said Section; thence S00°59'14" W 487.00 feet along the East line of said SE 1/4 to the place of beginning; thence N89°58'01"W 52.00 feet along the centerline of the Gun River; thence S31°08'18"W 87.80 feet along said centerline; thence S49°33'51"W 883.50 feet along said centerline; thence S09°37'22"W 164.42 feet along said centerline; thence S01°42'43"W 743.25 feet along said centerline; thence S05°43'26"E 88.37 feet along said centerline; thence S16°16'46"E 105.00 feet along said centerline; thence S05°07'31"E 26.56 feet along said centerline; thence S02°40'14"W 361.69

feet along said centerline of the Gun River to the South line of said SE 1/4; thence S88°32'05"E 626.00 feet along said South line of SE 1/4; thence N00°59'14"E 93.00 feet; thence S88°32'05" E 133.00 feet to the East line of said SE 1/4; thence N00°59'14"E 2056.38 feet along the East line of said SE 1/4 to the place of beginning. Parcel is subject to easements, restrictions and rights of way of record.

Legal Description of the 24.5± Acre Piece of Property, Part of Parcel  
03-015-001-016-00 (Not a Boundary Survey)

That part of the SE 1/4 of Section 1, T2N, R11W, Martin Township, Allegan County, Michigan, described as: Commencing at the Southeast Corner of said Section; thence N88°32'05"W 1338.44 feet along the South line of said Southeast 1/4 to the place of beginning; thence N01°27'55"E 388.00 feet; thence S88°32'05"E 584 feet, more or less, to the centerline of the Gun River; thence Northerly 931 feet, more or less, along said centerline to the North line of the South 1/2 of said Southeast 1/4; thence N88°28'40"W 967.74 feet along said North line to a point which is N88°32'05"W 1738.45 feet and N00°26'29"E 1320.10 feet from said South 1/4 Corner; thence S00°26'29" W 1320.10 feet; thence S88°32'05"E 400.01 feet along the South line of said Southeast 1/4 to the place of beginning. Parcel is subject to easements, restrictions and right of ways of record.

## **SECTION II**

### **EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**  
Carrie Coburn, Clerk  
Martin Township  
958 Lee St.  
Martin, Michigan 49070-9797  
269-672-7663

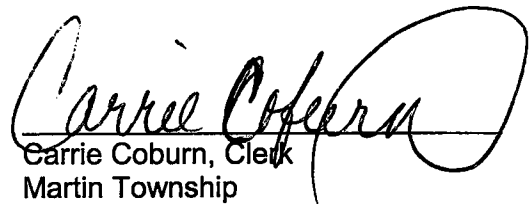
**CLERK'S CERTIFICATE**

I, CARRIE COBURN, the Township Clerk of Martin Township, Allegan County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Martin Township Board held on April 14, 2004, commencing at 7:30 o'clock p.m. at the Martin Township Hall, located within the Village of Martin, at which the following members were present, the Board enacted and passed Ordinance No. 78, hereinbefore recorded, to become effective on May 4, 2004, and that the members of said Board present at said meeting voted on the adoption of said Ordinance, as follows:

Brenda Dill - yes  
Terry Stungs - yes  
Jack Supple - yes  
Carrie Coburn - yes  
Jim Brenner - Absent

I do further certify that the full Ordinance No. 78 was published in the Penasee Globe, a newspaper circulated in Martin Township, on April 26, 2004; that said Ordinance No. 78 was recorded in the official Ordinance Book on the 21<sup>st</sup> day of April, 2004; and that an attested copy of said Ordinance was filed with the Allegan County Clerk on the 27<sup>th</sup> day of April, 2004.

Date: April 21<sup>st</sup>, 2004

  
Carrie Coburn, Clerk  
Martin Township

**BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.**  
**ATTORNEYS AT LAW**  
458 WEST SOUTH STREET

JOHN H. BAUCKHAM  
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ROBERT E. THALL

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ROXANNE C. SEEBER  
CATHERINE P. KAUFMAN

KALAMAZOO, MICHIGAN 49007-4621

HARRY F. SMITH  
1906-1972

TELEPHONE (269) 382-4500  
FAX (269) 382-2040

-----  
PATRICIA R. MASON  
OF COUNSEL

October 15, 2004

Penasee News  
133 East Superior  
Wayland, MI 49348

Via Fax and E-mail

Re: Legal Notice for Martin Township  
Ordinance No. 79

Dear Nancy:

Please publish the enclosed Notice of Adoption for Martin Township on **Monday, October 25, 2004.**

Please forward two Affidavits of the publication to this office, and two Affidavits and your bill to the Martin Township Clerk, Carrie Coburn, Martin Township, P.O. Box 27, 958 Lee S., Martin, Michigan 49070-9797.

Sincerely,

**BAUCKHAM, SPARKS, ROLFE,  
LOHRSTORFER & THALL, P.C.**



John K. Lohrstorfer

JKL/paj

Enc.

cc: Carrie Coburn, Clerk (w/Certificate)

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**NOTICE OF ORDINANCE ADOPTION**

TO: THE RESIDENTS AND PROPERTY OWNERS OF MARTIN TOWNSHIP,  
ALLEGAN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

**PLEASE TAKE NOTICE** that the following is a summary of an Ordinance, being Ordinance No. 79, which was adopted by the Township Board of Martin Township at its meeting held October 13, 2004; and to provide for repeal and effective date of said Ordinance. A summary appears below.

An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property in Section 30 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**SECTION I REZONING OF PROPERTY IN SECTION 30** The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone land consisting of 3.91 acres more or less, located in the northwest one-quarter of Section 30 located 487 feet south of 116<sup>th</sup> Avenue and bordered on the west by U.S. 131 from the existing "R-3" Medium Density residential District zoning classification to a "C-2" General Business District classification.

**SECTION II EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES** This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PLEASE TAKE FURTHER NOTICE** that the full text of this Ordinance may be examined or obtained at the Martin Township Hall or by requesting the same from the Township Clerk, Carrie Coburn at (269) 672-7663.

**MARTIN TOWNSHIP**  
Carrie Coburn, Clerk  
P.O. Box 27  
958 Lee St.  
Martin, MI 49070-9797  
(269) 672-7663

**TOWNSHIP OF MARTIN  
COUNTY OF ALLEGAN, STATE OF MICHIGAN**

**MARTIN TOWNSHIP ORDINANCE NO. 79**

**ADOPTED: October 13, 2004**

**EFFECTIVE: November 2, 2004**

**REZONING OF PROPERTY IN SECTION 30**

An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property in Section 30 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE TOWNSHIP OF MARTIN**

**ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**REZONING OF PROPERTY IN SECTION 30**

The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone land consisting of 3.91 acres more or less, located in the northwest one-quarter of Section 30 located 487 feet south of 116<sup>th</sup> Avenue and bordered on the west by U.S. 131 from the existing "R-3" Medium Density residential District zoning classification to a "C-2" General Business District classification being the following described property:

PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 30, TOWN 2 NORTH, RANGE 11 WEST, MARTIN TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH QUARTER POST OF SAID SECTION 30; THENCE SOUTH 88 DEGREES 03' 18" WEST ON THE NORTH LINE OF SAID SECTION 30 A DISTANCE OF 1,595.14 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 01 DEGREE 12' 35" EAST PARALLEL WITH THE NORTH AND SOUTH EIGHTH LINE OF SAID NORTHWEST FRACTIONAL QUARTER 488.66 FEET; THENCE SOUTH 88 DEGREES 03' 26" WEST 381.67 FEET TO THE EAST LINE OF US 131; THENCE NORTH 07 DEGREES 44' 43" EAST ON SAID EAST LINE 393.62 FEET; THENCE SOUTH 89 DEGREES 18' 46" WEST ON SAID EAST LINE 30.33 FEET; THENCE NORTH 07 DEGREES 44' 23" EAST ON SAID EAST LINE 101.38 FEET TO THE NORTH LINE OF SAID SECTION 30; THENCE NORTH 88 DEGREES 03' 18" EAST ON SAID NORTH LINE 334.95 FEET TO THE POINT OF BEGINNING.

**TOWNSHIP OF MARTIN**

**COUNTY OF ALLEGAN, STATE OF MICHIGAN**

**MARTIN TOWNSHIP ORDINANCE NO. 79**

**ADOPTED:** *October 13, 2004*

**EFFECTIVE:** \_\_\_\_\_

**REZONING OF PROPERTY IN SECTION 30**

An Ordinance to amend the Martin Township Zoning Ordinance and Map so as to rezone property in Section 30 of the Township; and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE TOWNSHIP OF MARTIN**

**ALLEGAN COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**REZONING OF PROPERTY IN SECTION 30**

The Martin Township Zoning Ordinance and Map is hereby amended so as to rezone land consisting of 3.91 acres more or less, located in the northwest one-quarter of Section 30 located 487 feet south of 116<sup>th</sup> Avenue and bordered on the west by U.S. 131 from the existing "R-3" Medium Density residential District zoning classification to a "C-2" General Business District classification being the following described property:

PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 30, TOWN 2 NORTH, RANGE 11 WEST, MARTIN TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH QUARTER POST OF SAID SECTION 30; THENCE SOUTH 88 DEGREES 03' 18" WEST ON THE NORTH LINE OF SAID SECTION 30, A DISTANCE OF 1,595.14 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH ~~OF~~ DEGREE 12' 35" EAST PARALLEL WITH THE NORTH AND SOUTH EIGHTH LINE OF SAID NORTHWEST FRACTIONAL QUARTER 487.52 FEET; THENCE SOUTH 88 DEGREES 03' 26" WEST 381.49 FEET TO THE EAST LINE OF US 131; THENCE NORTH 07 DEGREES 44' 43" EAST ON SAID EAST LINE 392.47 FEET; THENCE SOUTH 89 DEGREES 18' 46" WEST ON SAID EAST LINE 30.33 FEET; THENCE NORTH 07 DEGREES 44' 23" EAST ON SAID EAST LINE 101.38 FEET TO THE NORTH LINE OF SAID SECTION 30; THENCE NORTH 88 DEGREES 03' 18" EAST ON SAID NORTH LINE 334.95 FEET TO THE POINT OF BEGINNING.

**SECTION II**

**EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**MARTIN TOWNSHIP**  
Carrie Coburn, Clerk  
Martin Township  
958 Lee St.  
Martin, Michigan 49070-9797  
269-672-7663



## **SECTION II**

### **EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This ordinance shall take effect eight days following proper publication of notice of its adoption in accordance with and subject to Michigan Public Act 297 of 1996. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

#### **MARTIN TOWNSHIP**

Carrie Coburn, Clerk

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958 Lee St.

Martin, Michigan 49070-9797

269-672-7663

**BAUCKHAM, SPARKS, ROLFE, LOHRSTORFER & THALL, P.C.**

**ATTORNEYS AT LAW**

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ROXANNE C. SEEBER  
CATHERINE P. KAUFMAN

HARRY F. SMITH  
1906-1972  
PATRICIA R. MASON  
OF COUNSEL

September 17, 2004

Allegan County Planning Commission  
113 Chestnut Street  
Allegan, MI 49010

Re: Martin Township Zoning Board Recommendation

Dear Sir/Madam:

The Martin Township Zoning Board has recommended approval of the enclosed rezoning.

Very truly yours,

**BAUCKHAM, SPARKS, ROLFE,  
LOHRSTORFER & THALL, P.C.**



John K. Lohrstorfer

JKL:paj

Enc.

cc: Terry Sturgis, Supervisor (w/enc.)  
Ron Zeinstra, Zoning Chairman (w/enc.)

**MARTIN TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**CLERK'S CERTIFICATE**

I, CARRIE COBURN, the Township Clerk of Martin Township, Allegan County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Martin Township Board held on October 13, 2004, commencing at 7:30 o'clock p.m. at the Martin Township Hall, located within the Village of Martin, at which the following members were present, the Board enacted and passed Ordinance No. 79, hereinbefore recorded, to become effective on November 2, 2004, and that the members of said Board present at said meeting voted on the adoption of said Ordinance, as follows:

Jim Brenner - Aye  
Jack Sipple - Aye  
Carrie Coburn - Aye  
Terry Sturgis - Aye  
Brenda Dill - Absent

I do further certify that the a summary of Ordinance No. 79 was published in the Penasee News, a newspaper circulated in Martin Township, on October 25, 2004; that said Ordinance No. 79 was recorded in the official Ordinance Book on the 16<sup>th</sup> day of October, 2004; and that an attested copy of said Ordinance was filed with the Allegan County Clerk on the 18<sup>th</sup> day of October, 2004.

Date: October, 2004

  
Carrie Coburn, Clerk  
Martin Township

TOWNSHIP OF MARTIN  
ALLEGAN COUNTY, MICHIGAN

MARTIN TOWNSHIP ORDINANCE NO. 80

Adopted: May 11, 2005

Effective: June 1, 2005

An ordinance to amend and revise the Martin Township Sewage Disposal System Ordinance to increase the user fees and connection fees as set forth in Article V.

THE TOWNSHIP OF MARTIN  
ALLEGAN COUNTY, MICHIGAN

ORDAINS:

SECTION I.

RATES, CONNECTION FEE, USER FEE

Article V, Sections E and F of the Sewage Disposal System Ordinance are amended to read as follows:

**125.505 User fees.**

Sec. E. The user charge to each single family residence within the Township for which sewer service is available shall be \$66.00 per quarter (\$22.00 per month).

Each house, building, or structure other than a single family residence shall pay as per the above schedule multiplied by the residential user equivalent units assigned to said house, building, or structure as reflected in Exhibit A of this Ordinance; however, that amount shall not be less than the quarter amount of the above schedule applicable to one residential usage equivalent.

The Authority may authorize metering of wastewater flow by use of approved meters paid for by the user. Where metered flow is used as a basis for calculating the user charge, the user fee shall be \$3.15 per 1,000 gallons of flow. Metered flow shall only be used as a basis for billing where the user has paid (or is paying pursuant to contract) a connection charge for more than ten (10) residential equivalent units. Bills for users whose flow is metered shall be provided in the same manner as bills for non-metered users.

#### **125.506 Connection fees.**

Sec. F. Each person desiring to connect to the System shall pay a charge for the privilege of using the facilities and receiving the service of the System in the amounts given below:

1. *Direct connection.* For each single family residential house connecting directly to the lines of the System, there shall be a connection fee of \$3,600.00 as reflected in Exhibit A of this Ordinance, plus the cost of service stub installation where necessary. For the connection of other types of buildings or structures connecting directly to the lines of the System, where the residential-equivalent unit factor exceeds 1.00, there shall be charged a connection fee of \$3,600.00 plus \$2,500.00 for each additional single family residential-equivalent in excess of one as reflected in Exhibit A of this Ordinance, plus the cost of service stub installation where necessary.
2. *Indirect connection.* For each house, building, or structure connecting indirectly to the System, there shall be charged a fee of \$2,500.00 per single family residential equivalent, as reflected in Exhibit A of this Ordinance. Indirect connection fees defray proportionate shares of necessary oversizing of the treatment facilities, trunks and pumping stations.

**SECTION II.**

**EFFECTIVE DATE AND REPEAL**

**This Ordinance shall take effect June 1, 2005. All ordinances or parts of ordinances in conflict herewith are repealed.**

**CARRIE COBURN, CLERK  
MARTIN TOWNSHIP**