

**STATE OF MICHIGAN**  
**VILLAGE OF STOCKBRIDGE**  
**Ordinance Number: 2023-08-009**  
**(ENACTED AUGUST 7, 2023)**

**AN ORDINANCE APPROVING TEXT AMENDMENTS  
TO THE ZONING ORDINANCE TO AMEND SECTION 6-79 REGARDING  
VIOLATIONS, PENALTIES AND REVOCATION OF SPECIAL TRANSITORY  
UNIT (STU) AND TRANSITORY VENDING UNITS (TVU)**

*recitals*

WHEREAS, the Village of Stockbridge (hereinafter, the “Village”) has adopted the Village of Stockbridge Zoning and Land Use Ordinance (hereinafter the Zoning Ordinance) on October 1, 2019, which was adopted under the *Zoning Enabling Act of 2006*; and

WHEREAS, the Villages has requested changes to Section 6-79: Violations, Penalties and Revocation of Special Transitory Unit (STU) and Transitory Vending Units (TVU) Ordinance have encounter significant difficulty in interpreting and practical difficulties in applying said ordinances; and

WHEREAS, the Village President, Planning Commission, therefore, determined text amendments were warranted to said ordinances in order to interpret, The Planning Commission determined that section 6-79: Violations, Penalties and Revocation.

1. Any licensee, designated agent, or other person having control over any Special Transitory Unit operation who causes, permits or facilitates any violation of any provision of this article is guilty of a misdemeanor, pursuant to section 1-6 of the Village of Stockbridge Municipal Code and may be enforced by Village Manger or his or her designee.

Replaced with:

Any licensee, designated agent, or other person having control over any special Transitory Unit operation who causes, permits or facilitates any violation of any provision of this article is guilty of a Civil Infraction, pursuant to section 1-6 of the Village of Stockbridge Municipal Code and may be enforced by Village Manger or his or her designee. to make the ordinance accurate and more user friendly, while still maintaining the historic quality of the village,

WHEREAS, the Planning Commission met for several months developing revisions to the Zoning Ordinance; and

WHEREAS, during this process the Village President and Village Council Trustees requested changes to zoning ordinance text specifically section 6-79: Violations, Penalties and Revocation. were adjusted based on same; and

WHEREAS, the Planning Commission is therefore charged with coming up with the proposed language of the amendment and then scheduling a public hearing to take public comment on the proposed amendment, pursuant to Section 6-329 (a) of the Zoning Ordinance; and

WHEREAS, the Planning Commission has determined, via this Amendment, proposed text amendments to section 6-79: Violations, Penalties and Revocation. were adjusted based on same; and

WHEREAS, the Planning Commission proposed to consider the language of proposed Amendments and set a public hearing and took public comment as follows:

For 6:30 p.m. on Thursday, August 03,2023 for **Section 6-79 - Violations, Penalties and Revocation (1)** in the methods proscribed by MCL 125.3103 and MCL 125.3202;

WHEREAS, after taking into consideration the public's comments, Section 6-329 (b) of the Zoning Ordinance required the Planning Commission to identify and evaluate all factors relevant to the petition and report its findings and recommendation to the Village Council, taking into consideration the criteria for amendments of the official Zoning Ordinance set forth in Section 6-331 of the Zoning Ordinance.

WHEREAS, all costs the Village incurs in developing these amendments shall be charged to the Planning Commission Account, Village of Stockbridge, in accordance with Article III, Section 6.47, including the actual costs incurred by the Village, the Planning Commission, and/or the Zoning Administrator for:

- A. Any publication or mailing costs required by this Ordinance and/or state law;
- B. Any traffic reports deemed necessary to complete the processing of the request;
- C. Any legal services deemed necessary to complete the processing of the request;
- D. Any planner fees deemed necessary to complete the processing of the request;
- E. Any zoning administrator fees deemed necessary to complete the processing of the request;
- F. Any topographic studies deemed necessary to complete the processing of the request;
- G. Any engineering services deemed necessary to complete the processing of the request;

- H. Any other fees incurred by any other consultants deemed necessary by the above-named governmental officials and/or entities to complete the processing of the request.

WHEREAS, the Planning Commission, after taking into account the input from the public hearings set forth above, in accordance the Zoning Ordinance and the Zoning Enabling Act, considering the criteria of Village President and Village Council Trustees requested changes to zoning ordinance text specifically section 6-79: Violations, Penalties and Revocation. were adjusted based on same; and

### ***Ordinance Text Amendment***

**SECTION 1:** Chapter 6, Section 6-79 (1) of the Code of Ordinances of the Village of Stockbridge shall be amended to read as follows:

**Section 6-79: Violations, Penalties and Revocation;**

1. Any licensee, designated agent, or other person having control over any Special Transitory Unit operation who causes, permits or facilitates any violation of any provision of this article is guilty of a Civil Infraction, pursuant to section 1-6 of the Village of Stockbridge Municipal Code and may be enforced by Village Manger or his or her designee. Each day any violation of any provision of this article, or the failure to perform any act or duty required by this article, exists shall constitute a separate violation or offense.

**SECTION 2:** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Village of Stockbridge declares that it would have passed this Ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, and phrases be declared unconstitutional.

**SECTION 3:** That this Ordinance and the related rules, regulations, provisions, requirements, orders, and matters established shall take effect immediately upon publication, except any penalty provisions which shall take effect twenty (20) days after publication, pursuant to MCL66.1.

**SECTION 4:** Repealer - All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.

Moved by: Richard Mullins


Seconded by: Fred Cottell

Yeas: 5

Nays: None

Absent: 1

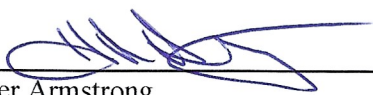
Adopted at the regular Meeting of the Stockbridge Village Council on August 7, 2023.

  
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Jill Ogden, Village President

### CLERK'S CERTIFICATION

#### Certification of Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Stockbridge, County of Ingham, State of Michigan, at a Regular meeting held on the 7<sup>th</sup> day of August, 2023, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the *Open Meetings Act, being Act 267, Public Acts of Michigan, 1976*, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act, and the foregoing Ordinance was published in a newspaper of local circulation on August 14, 2023.

  
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Heather Armstrong  
Village Clerk  
Village of Stockbridge  
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Email: [clerk@vosmi.org](mailto:clerk@vosmi.org)

Drafted by: John L. Gormley (P-53539)  
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