

ORDINANCE NO. 76

WHITEFORD TOWNSHIP, MONROE COUNTY, MICHIGAN

MORATORIUM ON SHOOTING RANGES

An ordinance to protect the health, safety and welfare of the residents of Whiteford Township by imposing a moratorium on shooting ranges on property in the B-1 Local Business, B-2 General Business, M-1 Limited Industrial and M-2 General Industrial Districts for a maximum of six (6) months while the township reviews its current zoning ordinance.

Be it ordained by Whiteford Township, Michigan:

SECTION 1. TITLE

This ordinance shall be known and cited as the Ordinance to Impose a Moratorium on Shooting Ranges.

SECTION 2. DEFINITIONS

“Shooting range” or “range” means an area designed and operated for the use of archery, rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting.

SECTION 3. PURPOSE AND FINDINGS

The purpose of this moratorium is to provide sufficient time for the Whiteford Township Planning Commission to fully explore, research and make recommendations to the Whiteford Township Board regarding the location, use, operation, safety and construction of shooting ranges on property in B-1, B-2, M-1 and M-2 Districts. In support of this ordinance, the Whiteford Township Board made the following findings:

A. The Michigan Zoning Enabling Act, P.A.110 of 2006 (M.C.L. 125.3101 *et seq.*) authorizes Whiteford Township to adopt reasonable regulations regarding development and use of land to protect the health, safety and general welfare of residents.

B. Due to the fragmented nature of the zoning districts in Whiteford Township, there are significant areas of B-1, B-2, M-1 and M-2 Districts that abut residential districts and uses. The Whiteford Township Board is concerned about the location, use, operation, safety and construction of the shooting ranges and their possible adverse harm to the residents living near the ranges.

C. Residents have expressed concerns about the possible building of shooting ranges on B-1, B-2, M-1 and M-2 Districts near residential neighborhoods due to the noise, nuisance, dust and safety concerns.

D. Imposing a temporary moratorium is necessary and reasonable in order for the planning commission and the Whiteford Township Board of Trustees to have time to review concerns by residents and consider whether restrictions should be imposed on shooting ranges on property in the B-1, B-2, M-1 and M-2 Districts.

E. Michigan Courts recognize that a moratorium is a common and legitimate planning tool to preserve the status quo while a township can formulate a more permanent development strategy.

SECTION 4. MORATORIUM AND TERM

A moratorium is hereby imposed upon the construction and building of new shooting ranges on property in the B-1, B-2, M-1 and M-2 Districts for a maximum of six (6) months or until the Whiteford Township Zoning Ordinance is amended to address shooting ranges, whichever occurs first.

SECTION 5. RENEWAL

Before this moratorium expires, the township may extend the moratorium for up to another six (6) months to allow sufficient time to complete the amendments to the zoning ordinance. Whiteford Township shall publish notice of any extension as required by law.

SECTION 6. VALIDITY AND SEVERABILITY

If any part of this Ordinance is found to be invalid or unenforceable for any reason, the remaining parts of this Ordinance shall remain in full force and effect.

SECTION 7: EFFECTIVE DATE

This ordinance shall become effective immediately upon publication.

WHITEFORD TOWNSHIP BOARD
OF TRUSTEES, MONROE COUNTY,
MICHIGAN

AUTHENTICATED:

By: Angela Christensen
Angela Christensen,
Whiteford Township Clerk

By: Walter Ruhl
Walter Ruhl,
Whiteford Township Supervisor

I, Angela Christensen, do hereby certify that I am the duly elected and acting Clerk of Whiteford Township, and I do hereby certify that this Ordinance was adopted by the Whiteford Township Board of Trustees, at a regular meeting of the Township Board held at the Whiteford Township Hall, 8000 Yankee Road, Suite 100, Ottawa Lake, Michigan 49267, on the 16th day of August, 2022.

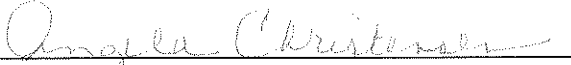
The vote on said Ordinance, 5 members being present and 0 members being absent, was as follows:

AYES: Sahloff, Hill, Heidelberg, Christensen, Ruhl

NAYS: None

I, Angela Christensen, the Township Clerk of Whiteford Township, do hereby certify that this Ordinance was published on the 30th day of August, 2022 in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Whiteford, within thirty (30) days after adoption of the Ordinance.

Dated: August 31, 2022



Angela Christensen,
Whiteford Township Clerk

ATTEST:



Walter Ruhl,
Whiteford Township Supervisor

ADOPTED: August 16, 2022

PUBLISHED: August 30, 2022

EFFECTIVE: September 30, 2022