

**MANCHESTER TOWNSHIP
ORDINANCE NO. 94**

AN ORDINANCE TO AMEND THE MANCHESTER TOWNSHIP ZONING ORDINANCE TO REGULATE “SMALL-CELL” WIRELESS COMMUNICATION FACILITIES BY AMENDING SECTION 4.04 “DENSITY AND HEIGHT REGULATIONS”, SUBSECTION D, AND BY AMENDING SECTION 16.20 “COMMERCIAL COMMUNICATION TOWERS”, SUBSECTION D “GENERAL REGULATIONS”, SUBSECTION 6 “HEIGHT”.

MANCHESTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, ORDAINS:

Section 1: Amendments, additions, and deletions to the Manchester Township Zoning Ordinance.

That the Manchester Township Zoning Ordinance, Article 4.0, "Schedule of District Regulations", Section 4.04 “Density and Height Regulations”, Subsection D is hereby amended to read as follows:

D. Height Regulations - The height requirements established herein shall apply uniformly in each zoning district to every building and structure.

1. Height Exemptions. The following structures and appurtenances shall be exempt from the height requirements of this Ordinance: spires, belfries, penthouses and domes not used for human occupancy; chimneys, ventilators; skylights; water tanks, bulkheads, public utility transmission and distribution lines and related structures; radio, and television broadcasting and receiving antennae; silos; parapets; and other necessary mechanical appurtenances; provided their location shall conform where applicable to the requirements of Manchester Township; the Federal Communications Commission, Civil Aeronautics Administration, and other public authorities having jurisdiction.

2. Height Limitations. Utility poles, structures and wireless equipment in a public or private right-of-way are subject to the following regulations:

a. Utility poles and structures in a public or private right-of-way shall not be more than 40 feet in height above ground level.

b. Wireless equipment shall not extend more than five (5) feet above the top of a utility pole or structure it is attached to in a public or private right-of-way.

That the Manchester Township Zoning Ordinance, Article 16.0, "Supplementary Regulations and Standards", Section 16.20, “Commercial Communication Towers”, Subsection D “General Regulations”, Subsection 6, “Height”, is hereby amended to read as follows:

6. Height

- a. Towers shall not exceed one hundred eighty (180) feet in height. Height shall be measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.
- b. Wireless communication facilities attached to a utility pole in a public or private right-of-way are subject to Sec. 4.04 (D) (1) & (2).

Section 2: Severability.

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Manchester Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. Effective Date

The ordinance changes shall take effect seven days after the publication of the notice of adoption unless petition procedures are initiated under MCL 125.3402. If petition procedures are initiated, the ordinance shall take effect in accordance with MCL 125.3402.

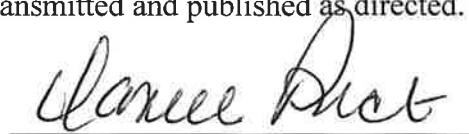


Gene DeRossett, Township Supervisor



Danell Proctor, Township Clerk

I, Danell Proctor, Clerk for Manchester Township, hereby certify that the foregoing is a true and correct copy of Ordinance No. 94 of Manchester Township, adopted by resolution at a meeting of the Township Board of Trustees held on Tuesday, July 2, 2019, the whole thereof is now in my custody, and that copies of the ordinance were transmitted and published as directed.



Danell Proctor, Township Clerk

A copy of the complete ordinance text may be inspected or purchased at the Manchester Township Hall, 275 South Macomb., Manchester, Michigan 48158. The office hours are 8:30 a.m. until noon Monday, Tuesday, Wednesday and Friday.

Adopted: July 2, 2019

Published: July 10, 2019

Effective: July 17, 2019, subject to PA 110 of 2006 as amended.