

**OSHTEMO CHARTER TOWNSHIP BOARD**  
**7275 West Main Street**  
**Kalamazoo, MI 49009**

**April 23, 2024**

*Refer to page 3 for Virtual Meeting Information*

**REGULAR MEETING**  
**5:30 P.M.**  
**AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Remote Location Identification (for remote attendance when permitted by statute)
4. Township Mission/Vision/Core Values
  - a. *Decisions are made based on the value to our Township and residents.*
5. Public Comment on Non-Regular Session Items
6. Public Officials Updates
  - a. Kalamazoo Commuter Challenge – Paul Sotherland
7. Consent Agenda
  - a. Meeting Minutes [[Minutes of Regular Meeting April 9, 2024](#)]
  - b. Building Department Fee Schedule
  - c. March 2024 Board of Review Summary
  - d. Second Reading re Text Amendments to Article 55: Signs and Billboards
  - e. Second Reading re Text Amendments to Article 50: Schedule of Regulations, Section 50.60c Setback Provisions: Business and Industrial Districts
  - f. Section 5.3 Employee Handbook Amendment
  - g. 2025 Budget Calendar DRAFT
8. Presentation by Scott Fitzgerald, GIS Specialist – Oshtemo Public Web Maps
9. Friends of the Parks' Bylaws Amendment
10. Resolution Declaring Intent to Pave South Second Street
11. Closed Session to Discuss Written Opinion of Counsel
12. Closed Session to Discuss Performance Review
13. Public Comment
14. Board Member Comments & Committee Updates
15. Other Updates & Business
16. Adjournment

**Policy for Public Comment  
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

- a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email ([oshtemo@oshtemo.org](mailto:oshtemo@oshtemo.org)), walk-in visits, or by appointment.
- b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)  
(revised 5/14/2013)  
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday, 8 a.m.-1 p.m. and 2-5 p.m., and on Friday, 8 a.m.–1 p.m. Additionally, questions and concerns are accepted at all hours through the website contact form found at [www.oshtemo.org](http://www.oshtemo.org), email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to [oshtemo@oshtemo.org](mailto:oshtemo@oshtemo.org) and it will be directed to the appropriate person.

<b>Oshtemo Township Board of Trustees</b>		
<b><u>Supervisor</u></b>		
Cheri Bell	216-5220	<a href="mailto:cbell@oshtemo.org">cbell@oshtemo.org</a>
<b><u>Clerk</u></b>		
Dusty Farmer	216-5224	<a href="mailto:dfarmer@oshtemo.org">dfarmer@oshtemo.org</a>
<b><u>Treasurer</u></b>		
Clare Buszka	216-5260	<a href="mailto:cbuszka@oshtemo.org">cbuszka@oshtemo.org</a>
<b><u>Trustees</u></b>		
Neil Sikora	760-6769	<a href="mailto:nsikora@oshtemo.org">nsikora@oshtemo.org</a>
Kristin Cole	375-4260	<a href="mailto:kcole@oshtemo.org">kcole@oshtemo.org</a>
Zak Ford	271-5513	<a href="mailto:zford@oshtemo.org">zford@oshtemo.org</a>
Michael Chapman	375-4260	<a href="mailto:mchapman@oshtemo.org">mchapman@oshtemo.org</a>

<b>Township Department Information</b>			
<b><u>Assessor:</u></b>			
Kristine Biddle	216-5225	<a href="mailto:assessor@oshtemo.org">assessor@oshtemo.org</a>	
<b><u>Fire Chief:</u></b>			
Greg McComb	375-0487	<a href="mailto:gmccomb@oshtemo.org">gmccomb@oshtemo.org</a>	
<b><u>Ordinance Enforcement:</u></b>			
Rick Suwarsky	216-5227	<a href="mailto:rsuwarsky@oshtemo.org">rsuwarsky@oshtemo.org</a>	
<b><u>Parks Director:</u></b>			
Vanessa Street	216-5233	<a href="mailto:vstreet@oshtemo.org">vstreet@oshtemo.org</a>	
Rental Info	216-5224	<a href="mailto:oshtemo@oshtemo.org">oshtemo@oshtemo.org</a>	
<b><u>Planning Director:</u></b>			
Jodi Stefforia	375-4260	<a href="mailto:jstefforia@oshtemo.org">jstefforia@oshtemo.org</a>	
<b><u>Public Works Director:</u></b>			
Anna Horner	216-5228	<a href="mailto:ahorner@oshtemo.org">ahorner@oshtemo.org</a>	

## Zoom Instructions for Participants

### Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

### To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this Meeting ID: **818 2435 4562**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet, or smartphone then you can join via conference call by following instructions below.

### To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **818 2435 4562#**

### Participant controls in the lower-left corner of the Zoom screen:



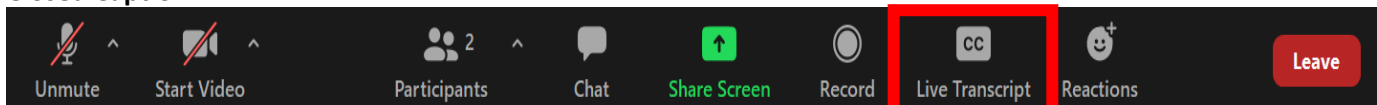
Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press \*9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

### Closed Caption:



### Turn on Closed Caption:

Using the icons at the bottom of the Zoom screen:

1. Click on the “Live Transcription” button.
2. Then select “Show Subtitle”.

## **Mission:**

*To advance the quality of life of all residents through a commitment to responsible growth, and value-driven municipal services that promote the relationships among economic vitality, environmental stewardship, and social equity.*

## **Vision:**

*A sustainable and innovative community built through a legacy of planned, responsible growth and rural preservation.*

## **Core Values:**

### **PUBLIC SERVICE**

- Fair treatment to all people.
  - Each customer is welcomed and that their input is wanted.
    - Difficult questions are not marginalized.
- Allow residents to interact directly with the township staff and officials.
- Decisions are made based on the value to our Township and residents.

### **SUSTAINABILITY**

- Meet the needs of the present without compromising future generations.
  - Consider the environment through practices that reduce impacts.
    - Value conscious decision making.
    - Committing to quality Fire and Police protection.

### **INNOVATION**

- Providing the best value-conscious technology currently available.
- Leverage new technologies and ways of doing business to increase accessibility and improve services.

### **PROFESSIONALISM**

- Hire staff with strong core competencies within their given profession.
  - Commitment to continuous improvement to government operations.
- Dedicated to open communication to improve productivity and effectiveness.

### **INTEGRITY**

- Decisions are made logically through the collection of evidence, facts, and public input.
  - When promises are made, we follow through.
    - We do not obfuscate – we say what we mean and do what we say.
    - Transparent governmental practices are of the highest priority.

### **FISCAL STEWARDSHIP**

- Ensure that taxpayer investments are spent wisely, effectively and efficiently.

# KALAMAZOO

— **COMMUTER CHALLENGE** —

**#MakeEveryRideCount**

**MAY 17th - 30th, 2024**

**Download Love to Ride App  
Ride Your Bike  
Join the Challenge**

For more information scan QR Code or  
visit: [lovetoride.net/kalamazoo](https://lovetoride.net/kalamazoo)



**LOVE TO RIDE**



[lovetoride.net/kalamazoo](https://lovetoride.net/kalamazoo)



# Memorandum & Request



**Date:** April 10, 2024  
**To:** Township Board  
**From:** Kyle Gibson, Media & Communications Manager  
On Behalf of Rich McGrew, Building Official  
**Subject:** Building Department Fee Schedule Revisions

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## **Objective**

That the board would accept the proposed revisions to the Building Department Fee Schedule.

## **Proposed Motion**

Motion to approve the Building Department Fee Schedule as presented, with an effective date of May 1, 2024.

## **Background**

The purpose of the proposed revisions are to align the fee schedule with the State of Michigan's fee schedule and best practices identified by Rich McGrew, our building official contracted through SafeBuilt.

## **Core Values**

Sustainability, Integrity, Fiscal Stewardship



## BUILDING DEPARTMENT FEE SCHEDULE

This fee schedule applies to building permits, plan reviews, and miscellaneous fees.  
 Trade permits (Electrical, Mechanical, and Plumbing) have their own fee schedules listed within  
 the application forms.

### Building Permit Base Fee

Building Valuation Data (BVD)	Base Fee
<u>Non-Refundable</u> Application Fee	\$50
\$1 to \$2,000	\$75
\$2,001 to \$10,000	\$75 plus \$8 per \$1,000 over \$2,000
\$10,001 to \$100,000	\$165 plus \$3 per \$1,000 over \$10,000
\$100,001 to \$500,000	\$435 plus \$2 per \$1,000 over \$100,000
\$500,001+	\$1,235 plus \$3 per \$1000 over \$500,000
<u>Special / Additional</u> Inspections	<del>One (1) inspection is included in the base fee.</del> <del>Additional inspections are \$100 each.</del> <u>\$100 per Inspection</u>
<b>Notes:</b> The base permit fee is rounded to the nearest whole dollar. <u>Inspections Included in Base Fee: Footing, Foundation, Backfill, Framing, Insulation, and Final.</u>	

### Flat-Rate Residential Fees

Item	Fee
Swimming Pools	<del>\$75</del> <u>100</u>
Swimming Pool Barriers	<del>\$75</del> <u>100</u>
Re-Roofing / Re-Siding (Each)	\$125
Demolition	\$125
<u>Mobile Home Foundation Only</u>	<u>\$75</u>
Mobile Home Setup (Applicable M/E/P permits must be obtained separately)	\$125
Window and Door Replacements (No change in size)	\$125
Solar Panel Installations	\$150

## Flat-Rate Commercial Fees

Item	Fee
Demolition Under 5,000 Sq. Ft.	\$125
Demolition Over 5,000 Sq. Ft.	\$125 + \$0.07 per Sq. Ft. over 5,000 Sq. Ft.

## Miscellaneous Fees

Item	Fee
Large Format Copies *Fees rounded to nearest whole dollar.	All Sizes (18x24, 24x36, 36x48): <= 15 pages: \$2.00 per Page > 15 pages: \$2.15 per Page
Standard Format Copies *Fees rounded to nearest whole dollar.	All Sizes (8.25x11, 8.25x14, 11x17): <= 10 pages: No Charge > 10 pages: \$0.10 per page
Notice of Violation / Stop Work Order Posted	\$50
<u>Certificate of Occupancy</u>	<u>\$50</u>
Residential Temporary Certificate of Occupancy	\$1,000 Bond
Commercial Temporary Certificate of Occupancy	\$5,000 Bond
Shipping / Postage Costs	Actual

## Commercial Maintenance Annual Permit Fees

Item	Fee
Annual Permit Set Up Fee	\$250
Per Inspection (1 Hour Maximum)	\$75



## Commercial Plan Review Fees

We frequently engage third-party plan reviewers to complete commercial plan reviews in whole or in part. While we strive to ensure that our published plan review fees represent an accurate picture of the cost of a given plan review, we do not control the billing practices of our third-party reviewers. It is our policy to bill no less than the actual cost incurred for a plan review performed by a third-party.

### Building (Non-Structural) Plan Review Base Fees

Building Valuation Data (BVD)	Base Plan Review Cost
\$1 to \$375,000	\$450
\$375,001 to \$3,000,000	BVD * 0.0012
\$3,000,001 to \$6,000,000	$\$3,600 + ((\text{BVD} - 3,000,000) * 0.0005)$
\$6,000,001+	$\$5,100 + ((\text{BVD} - 6,000,000) * 0.00035)$
<b>Modifications to Base Fee:</b>	
Shell Building	20% Discount on Base Fee
Tenant Space Alterations when Previously Reviewed as Shell Building	50% Discount on Base Fee
High Hazard Occupancies (Group H)	Add 25% to Base Fee
<b>Notes:</b>	
<ul style="list-style-type: none"> <li>For mixed use occupancies, the BVD calculation is based on the primary function of the building.</li> <li>Second reviews are included at no additional charge.</li> <li>Third and later reviews are charged at a rate of \$150.00 per hour.</li> </ul>	

### Engineering Plan Review Fees

Item	Plan Review Cost	Minimum Fee
Structural	25% of Base Fee	\$375
Mechanical	25% of Base Fee	\$375
Plumbing	25% of Base Fee	\$375
Electrical	25% of Base Fee	\$375
Energy Conservation	25% of Base Fee	\$375
<b>Notes:</b>		
<ul style="list-style-type: none"> <li>Second reviews are included at no additional charge.</li> <li>Third and later reviews are charged at a rate of \$150.00 per hour.</li> </ul>		

## Fire Suppression Automatic Sprinkler System Review Fees

Number of Sprinkler Heads	Plan Review Cost
1 to 15	\$300
16 to 45	\$455
46 to 100	\$615
101 to 200	\$760
201 to 300	\$900
301 to 400	\$1,050
401 to 500	\$1,180
501+	\$1,180 + \$1 per head over 500
<b>Notes:</b> <ul style="list-style-type: none"> <li>• Second reviews are included at no additional charge.</li> <li>• Third and later reviews are charged at a rate of \$250.00 per hour.</li> </ul>	

## Fire Alarm System Review Fees

Number of Alarm Devices	Plan Review Cost
1 to 11	\$300
12 to 45	\$437
46 to 75	\$575
76 to 100	\$720
101 to 125	\$865
126 to 150	\$1,000
151+	\$1,000 + \$1.50 per device over 150
<b>Notes:</b> <ul style="list-style-type: none"> <li>• Second reviews are included at no additional charge.</li> <li>• Third and later reviews are charged at a rate of \$250.00 per hour.</li> </ul>	

## Special Hazard Fire Suppression Systems Wet Chemical Kitchen Hood

Number of Systems	Plan Review Cost
1	\$440
2	\$580
3+	\$580 + \$115 per system over 2
<b>Notes:</b>	
<ul style="list-style-type: none"> <li>• Second reviews are included at no additional charge.</li> <li>• Third and later reviews are charged at a rate of \$250.00 per hour.</li> </ul>	

## Special Hazard Fire Suppression Systems Clean Agent / Carbon Dioxide / Similar

Pounds or Gallons of Suppression Agent	Plan Review Cost
1 to 50	\$440
51 to 100	\$465
101 to 200	\$525
201 to 300	\$620
301 to 400	\$700
401 to 500	\$755
501 to 750	\$825
751 to 1,000	\$920
1,001+	\$920 + \$0.60 per pound over 1,000
<b>Notes:</b>	
<ul style="list-style-type: none"> <li>• Second reviews are included at no additional charge.</li> <li>• Third and later reviews are charged at a rate of \$250.00 per hour.</li> </ul>	

## 2024 MARCH BOARD OF REVIEW SUMMARY

2024 TOTALS OVERALL AFTER 2024 MARCH BOARD OF REVIEW	
ASSESSED VALUE	\$ 1,440,368,200
TAXABLE VALUE	\$ 1,136,218,649
TOTAL NUMBER OF PARCELS (Real & Personal)	7,730
TOTAL NUMBER OF EXEMPT PARCELS	309

Code	Classification	No. of Appeals	No. Granted	Total Assessed Value Change	Total Taxable Value Change
<b>Real Property</b>					
100	Agricultural	0	0	\$0	\$0
200	Commercial	1	1	-\$110,700	-\$110,700
300	Industrial	0	0	\$0	\$0
400	Residential *Includes Poverty Exemptions Below	31	25	-\$1,487,500	-\$867,873
500	Timber-Cutover	0	0	\$0	\$0
600	Developmental	0	0	\$0	\$0
<b>Personal Property</b>					
150	Agricultural	0	0	\$0	\$0
250	Commercial	1	1	-\$2,500	-\$2,500
350	Industrial	0	0	\$0	\$0
450	Residential	0	0	\$0	\$0
550	Utility	0	0	\$0	\$0
<b>Total</b>		<b>33</b>	<b>27</b>	<b>-\$1,600,700</b>	<b>-\$981,073</b>

Type of Exemption	No. Filed	No. Granted	Total Assessed Value Change	Total Taxable Value Change
Poverty *1 of 8 filed received a partial exemption	8	8	\$901,000	\$533,086
<b>Total</b>	<b>8</b>	<b>8</b>	<b>\$901,000</b>	<b>\$533,086</b>

# Memorandum



**Date:** April 12, 2024  
**To:** Township Board  
**From:** Sierra Lucas, Paralegal – Legal Department  
**Subject:** Text Amendments to Article 55, Signs and Billboards

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**OBJECTIVE:**

MOTION: I make the motion to approve for second reading the Text Amendments to Article 55, Signs and Billboards, of the Oshtemo Township Zoning Ordinance.

**BACKGROUND:**

The proposed Text Amendments to Article 55, Signs and Billboards aim to uphold the principles of the first amendment while maintaining the municipality's ability to regulate signs in a content-neutral manner.

**INFORMATION PROVIDED:**

I have attached a copy of the proposed final ordinance.

**CORE VALUES:**

Integrity

**CHARTER TOWNSHIP OF OSHTEMO ORDINANCE NO. 671**

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

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

**SIGNS AND BILLBOARDS ORDINANCE**

An Ordinance to amend Article 55, Signs and Billboards, of the Oshtemo Township Zoning Ordinance.  
This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO, COUNTY, MICHIGAN  
ORDAINS:

**55.10 STATEMENT OF PURPOSE**

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The intent of this Article is to regulate the type, number, physical dimensions, erection, placement and Maintenance of Signs in the Township. The purpose of the limitations, regulations, and standards established herein is to:

- A. Promote the public peace, health, and safety of residents and visitors;
- B. Protect the natural beauty and distinctive character of Oshtemo Charter Township;
- C. Maintain sightlines, reduce obstructions, and eliminate distractions which are hazardous to motorists and pedestrians;
- D. Ensure the public's ability to locate public buildings, streets, roads, highways, parks, and other establishments and premises by reduce visual chaos and clutter; and
- E. Balance the individual rights of property owners to communicate their message(s) with the legitimate governmental regulatory interests of public safety, health, and welfare which necessitate the regulation of Signs within the Township.

**55.20 SCOPE**

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Except as otherwise expressly provided herein, this Article shall not relate to building design; nor shall the Article regulate official traffic or Government Signs (see, Ordinance 566, 259.000); the content of Signs; scoreboards at athletic fields; gravestones; barber poles (under three (3) feet in height); religious symbols; commemorative plaques; Flags (see, Article 57.140); or any display structure or construction not defined herein as a Sign.

The provisions contained in Sections 55.70 through 55.100 herein shall not apply to properties located within the VC, Village Commercial District.

**55.30 GENERAL PROVISIONS**

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It shall be unlawful for any person to erect, place, or establish a Sign in Oshtemo Charter Township except in accordance with the provisions of this Article.

**55.40 DEFINITIONS**

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For the purpose of this Article the following words or phrases are defined as follows:

**A-Frame Sign, (or Sandwich Board Sign)** - An Incidental Sign designed to be portable and stand on its own in an "A" or tent shape that provides information at a pedestrian scale to customers as they enter or pass the entry to the business.

**Abandoned Sign** - A Sign which no longer identifies or advertises a currently operating business, lessee, service, owner, product, or activity, and/or for which no legal owner can be found (e.g., a Sign which identifies a business, service or activity which has discontinued or relocated from the location where the Sign is placed).

**Advertising Display Area** - refers to the Sign Face (containing the Copy) encompassed within any regular geometric figure which would enclose all or part of the Sign. The structural supports for a Sign (e.g., columns, pylons, or a building, or a part thereof), shall not be included in the Advertising Display Area.

**Animated Sign** - A Sign which uses movement or change of lighting to depict action or to create a special effect or scene. (Compare with "Flashing Sign").

**Awning/Canopy Sign** – A Sign with Copy flat against the surface of an awning/canopy.

**Balloon Sign** – A Temporary Sign filled with air or gas that is larger than seventeen inches (17"). Only one (1) Balloon Sign may be tied to an item with a display height not greater than five feet (5') above the pole (not include utility or light poles) or building to which it is attached.

**Banner or Banner Sign** - A Sign intended to be hung either with or without frames, possessing Copy applied to paper, plastic, or fabric of any kind.

**Bench Sign** - A Sign with Copy located on any part of the surface of a bench or seat visible from an adjacent property or right-of-way.

**Billboard** - A Off-Premises Sign which advertises an establishment, service, merchandise, use, entertainment, activity, product or message which is not conducted, sold, produced, manufactured or furnished upon the lot, building site or parcel where the Sign is located.

**Building Identification Sign** – An On-Premises Sign which identifies a building by its recognized name, not including a product or service.

**Changeable Copy Sign** - A Sign upon which a display or message can be changed by physical replacement or electronic change of the display or message. The definitions below, (a) through (d), are used in conjunction with electronically Changeable Copy Signs:

1. **Dissolve** - A mode of message transition on an electronically Changeable Copy Sign accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.
2. **Fade** - A mode of message transition on an electronically Changeable Copy Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
3. **Flash** - A mode of message transition on an electronically Changeable Copy Sign accomplished by varying the light intensity, where the message instantly and repeatedly reduces or increases intensity.

4. **Scroll** - A mode of message transition on an electronically Changeable Copy Sign accomplished by the movement of a message.

**Clearance (of a Sign)** - The smallest vertical distance between the Street Grade of an adjacent street or street curb and the lowest point of any Sign, including framework and embellishments, extending over that grade.

**Commercial Center Identification Sign** - A Sign identifying or recognizing a Commercial Center.

**Commercial Sign** - Any Sign Copy that, directly or indirectly, names, advertises, or calls attention to a business, establishment, product, service, or other commercial activity (including, but not limited to, the following: an Incidental Sign, Human Sign, Seasonal Agricultural Sign, Real Estate Sign, etc.).

**Construction Sign** - An On-Premises, Temporary, non-Illuminated Sign, which displays the name(s) of principal contractors, architects, and lending institutions and/or others responsible for the construction on the site where the Sign is placed. May include information similar to a Residential Development Sign.

**Copy** - The letters, numerals, characters, wording, illustrations, ornamentation, or other drawings that are painted on, printed on, or attached flat against the a Sign Face, and including both permanent or removable forms.

**Residential Development Sign** – An On-Premises, Temporary, non-Illuminated Sign advertising a subdivision, condominium, apartment development, or manufactured housing community in the process of being developed on the site where the Sign is placed; definition does not include a Subdivision Identification Sign.

**Directional Sign** – An On-Premises Sign providing on-site directions for vehicular or pedestrian circulation into, within or out of a development, which does not display Copy (other than the names of on-site establishments) and is only for purposes of indicating directions. Directional signs shall be located on the lot, building site or parcel where the sign(s) is located.

**Directory Sign** – A non-electric On-Premises Sign displaying the name(s), address(es), occupation(s), and/or location(s) of an occupant, a group of occupants, or the use of a building.

**Electronic Billboard** - A Billboard, or portion thereof, that can be electronically changed by remote or automatic means, or that appears to change or have movement caused by any method other than manually removing and replacing the Billboard or its components, whether the apparent movement or change is in the display, the Billboard's structure, or any other component of the Billboard. This includes any video-display, revolving, Flashing Signs, or Animated Signs, and display that incorporates rotating or swinging panels, intermittent illumination or the illusion of such illumination, light emitting diodes (LEDs) manipulated through digital input, "digital ink," or any other method or technology that allows the Billboard's Sign Face to present a series of images.

**Sign Face or Face of Sign** - The area of a Sign on which the Copy or Advertising Display Area is placed.

**Feather Flag Sign** – means a vertically oriented Banner attached to a single pole allowing the fabric to hang loose at one (1) or two (2) of the four (4) corners (also known as a Banner Flag Sign or Swooper Sign).



**Festoons** - A string of ribbons, tinsel, flags, pennants, or pinwheels.

**Flashing Sign** - A Sign which contains an intermittent or sequential flashing light source used to attract attention. This does not include Changeable Copy Signs, Animated Signs, as defined in this Article, or Signs which through reflection or other means, create an illusion of flashing of intermittent light. (Compare with "Animated Sign" and "Changeable Copy Sign").

**Freestanding Sign** - A Sign structurally separated from a building.

**Government Sign** - A public Sign erected and maintained by Oshtemo Charter Township, the county, state, or federal government for official purposes (see, Ordinance 566, 259.000).

**Ground Mounted Sign** - A Sign which extends from the ground or that has a support placing the bottom thereof less than three feet (3') from the ground. (Compare with "Pole Sign").

**Height (of a Freestanding Sign or Flag Pole)** - The vertical distance measured from the highest point of the Sign, or flag pole, including any decorative embellishments, to the Street Grade or to the Finished Grade beneath the Sign or flag pole. (Compare with "Clearance").

- A. Where the Natural Grade adjacent to a Sign support structure is lower than the Street Grade, Sign height shall be measured from the Street Grade.
- B. Where the Natural Grade adjacent to a Sign support structure is higher than the Street Grade, Sign height shall be measured from the Natural Grade adjacent to the Sign support structure. In no event shall the highest point of a Pole Sign exceed a height of twenty feet (20') above Street Grade .

**Height (of a Wall Sign)** - The vertical distance measured from the highest point of the Sign to the Finished Grade beneath the Sign.

**Human Sign** - refers to a Sign carried or displayed by a person for advertising or directional purposes, a person wearing clothing containing an advertising message, or a person wearing a costume for advertising purposes.

**Illuminated Sign** - A Sign with an artificial light source incorporated internally or externally for the purpose of illuminating the Sign.

**Incidental Sign** – An on-premises Sign, emblem, or decal providing information regarding on-premises goods, facilities, or services available at that location. Incidental Sign does not included any Sign with the primary purpose of attract new consumers to the business from offsite, nor does it include any Off-Premises Sign, or Sign which is readable from a position off the lot, building site, or parcel on which the Sign is located.

**Maintenance** - The cleaning, painting, repair, or replacement of defective parts of a Sign in a manner that does not alter the basic Copy, design, or structure of the Sign.

**Marquee Sign** - A Sign attached to or supported by a Marquee structure.

**Non-Commercial Sign** - A Sign not advertising a business, establishment, product, good, commercial activity or, service (including, but not limited to, the following: Political Sign, Government Sign, Residential Development Sign, Directional Sign, Subdivision Identification Sign, Building Identification Sign, etc.)

**Off-Premises Sign** - Another word for a Billboard.

**On-Premises Sign** - A Sign which pertains to the use of the premises on which it is located.

**Painted Wall Sign** - A Sign which is applied with paint or similar substance on the face of a wall.

**Pennant** - Any lightweight plastic, fabric, or other material (with or without Copy), suspended from a rope, wire, or string, usually in series, designed to move in the wind.

**Permanent Sign** - A Sign which is permanently affixed on or in the ground or to a building and meets the requirements of a structure under the Building Code.

**Pole Sign (or Pylon Sign)** - A Sign with all parts of the display Sign Area at a height of eight feet (8') or more, excluding the necessary supports, uprights or braces. (Compare with "Ground Mounted Sign.")

**Political Sign** - A Non-Commercial Sign relating to a candidate for public office, ballot initiative, or a position on an issue.

**Portable Sign** - A reusable and movable Sign not permanently affixed in the ground or to a structure or building (e.g., an A-Frame Sign, On-Premises Temporary Event Sign, Incidental Sign, Feather Flag Sign, Balloon Sign, Banner, etc.).

**Real Estate Sign** - An On-Premises Sign advertising the real estate upon which the Sign is located for the purpose of offering the property for sale, lease, or rent.

**Roof Sign** - A Sign attached, applied, painted, erected, or constructed wholly upon or over the roof of a building and supported on the roof structure.

**Rotating Sign** - A Sign in which the Sign itself, or any portion of the Sign, moves in a revolving or similar manner. Such motion does not refer to methods of changing Copy.

**Seasonal Agricultural Sign** - An On-Premises Temporary Sign advertising seasonal agricultural crops or other agricultural products.

**Sign** - A device, structure, painting, fixture, or placard using color, graphics, symbols, manicured landscaping, and/or written Copy designed specifically for the purpose of advertising or identifying any event, establishment, product, good, service; providing directional information; or displaying or depicting other information.

**Sign Area** - The area shall be measured by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, lighting or other display, together with any frame or other material or other color forming an integral part of the display or used to differentiate it from the background against which it is placed. Where a Sign consists solely of individual letters painted or mounted on a wall, any blank area which is more than ten percent (10%) of the Sign Area as otherwise computed shall be disregarded.

Where a Sign has two (2) or more faces, the area of all faces shall be included in determining the Sign Area, except that where two (2) faces are placed back-to-back and are at no point more than two (2) feet from one another, the Sign Area shall be deemed to be only the area of one (1) face, or if faces are of different sizes, the area of the larger face.

Pole covers and other embellishments shall not be included in the area of measurement if they do not bear advertising Copy or colors, patterns, logos that are a trademark, or otherwise reasonably recognizable identification for the establishment, event, and/or Sign owner subject to the above provisions.

The necessary supports or uprights on which the Sign is placed may not exceed thirty percent (30%) of the permitted square footage of the Sign, excluding those portions of the support structure below Street Grade.

**Sign Face Change** - A change of only the Sign Face contained within a permanent rigid frame where the change does not alter the existing Sign Area.

**Sign Permit**- refers to a permit issued by the Township (in compliance with Section 55.120 and 55.130 of this Article) for the installation, use, and/or Face Change of a Sign within the Township to a Sign owner in exchange for a permit fee and agreement to comply with the conditions of this Article.

**Subdivision Identification Sign** - A Permanent, On-Premises, Sign identifying an industrial, commercial, or residential development.

**Temporary Sign** - refers to a Sign which is an On-Premises or Off-Premises Sign that is not constructed or intended for long term use and is not permanently attached to a building or other structure (e.g., Political Sign, Event Signs, Seasonal Agricultural Signs, Real Estate Signs, Portable Signs, Construction Sign, Residential Development Sign, Banner Signs, Balloon Signs, Feather Flag Signs, etc.). Temporary Signs must comply with the requirements of Section 55.100 of this Article. .

**Temporary On-Premises Event Sign**- means any Sign advertising, or announcing, an event or activity that will take place at a particular time, place, and location (e.g., business opening, garage sale, party, open house, concert, etc.), which is located On-Premises of the site, parcel, or lot for which the Sign contains advertising, event, or other informational Copy. Such Signs shall comply with Section 55.100 of this Article.

**Temporary Off-Premises Directional Signs**- means an Off-Premises Sign which a Temporary Sign that is not located on the site, parcel, or lot; such Signs may only direct, or provide directions, to an event with its physical location within the Township and must comply with the requirements of Section 55.100 of this Article.

**Tenant Space Width** - The horizontal distance between the side walls of a tenant space measured parallel, and immediately adjacent, to the abutting wall upon which a Sign will be placed. For the purposes of determining permitted Sign Area for a Wall Sign, Tenant Space Width shall only include space completely enclosed within the building.

**Under-Canopy Sign** - A Sign suspended beneath a canopy, ceiling, roof, or marquee.

**Vehicle Sign** - A Sign painted on, incorporated in, or attached directly to any mode of transportation, including but not limited to automobiles, trucks, boats, busses, airplanes, and trailers.

**Wall Sign** - A Sign (including, but not limited to, painted, individual letter, and cabinet signs), which is attached parallel to the wall of a building. A Wall Sign may be affixed flat against the wall of a building, or may project therefrom, not more than fifteen inches (15'). Signs projecting over a walkway or path shall be at least eleven feet (11') above the Finished Grade. May include a Window Sign exceeding twenty-five percent (25%) of the Window Area. If a Wall Sign is attached to a building façade, the portion of the façade outside of the extreme limits of the writing, representation, emblem, lighting or other display, together with any frame or other material or

other color forming an integral part of the display shall be disregarded when calculating Sign Area provided that area of the façade is not illuminated by the Sign or other light fixtures.

**Window Area** - An individual pane of glass or a contiguous area of glass separated only by nonstructural elements of dissimilar (non-glass) material.

**Window Sign** - A Sign placed inside or upon a Window Area and facing the outside which is intended to be seen from the right-of-way or the outdoors.

### **55.50 PROHIBITED SIGNS**

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The following types of Signs are prohibited in all zoning districts:

- A. Abandoned Signs.
- B. Animated Signs.
- C. Balloon Signs, except as expressly permitted by this Article.
- D. Banner Signs, except as expressly permitted by this Article.
- E. Bench Signs.
- F. Feather Flag Signs, except as expressly permitted by this Article.
- G. Festoons.
- H. Human Signs.
- I. Pennants.
- J. Portable Signs, except as expressly permitted by this Article.
- K. Roof Signs.
- L. Rotating Signs.
- M. Signs imitating or resembling official traffic or Government Signs or signals.
- N. Temporary On-Premises Event Sign, except as expressly permitted by this Article.
- O. Vehicle Signs not used during the normal course of business which are parked or located for the primary purpose of displaying the advertising Copy.

### **55.60 REQUIRED SIGN SETBACKS FOR ALL ZONING DISTRICTS**

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No Sign may be located within the public right-of-way, or be placed in a location where it causes a hazard to vehicular or pedestrian traffic by depriving the driver or pedestrian of a clear and unobstructed view of approaching, intersecting, or merging traffic. A Sign shall not project into the public right-of-way of any adjacent Street. Signs projecting over public property shall be at least eleven feet (11') above the Finished Grade. Sign Setbacks (for all Signs and Structures supporting Signs) shall be as follows:

- A. Residential Development Signs, Building Identification Sign, and Subdivision Identification Sign may only be placed in boulevard median strips if approved by the Road Commission of Kalamazoo County and/or the Township as part of an approved Site Plan.
- B. Signs with a height greater than four (4) feet shall be setback a minimum of ten feet (10') from any public right-of-way line and the greater of ten feet (10'), or the height of the Sign, from all other Property Lines, except as follows:
  - 1. Temporary Off-Premises Directional Sign, Real Estate Sign and Temporary Off-Premises Event Signs may be located adjacent to a property line out of the right-of-way.

2. Subdivision Identification Signs shall be located a minimum of twenty-five feet (25') from the pavement of the adjacent roadway(s) and no closer than five feet (5') from any Lot line(s). When located in agricultural and/or residential use districts, Subdivision Identification Signs may be located at the front property line but no closer than five feet (5') to any other property line(s).
  3. Signs lawfully existing as of January 1, 2000 on Parcels, Lots or Building Sites with frontage on West Main Street between US-131 and Drake Road may remain as located.
  4. Seasonal Agricultural Signs may be located adjacent to the lot line and within the right-of-way so long as they do not interfere with the clear vision area for traffic.
- C. Properties in commercial use districts permitted to have more than one Ground Mounted Signs (pursuant to Section 55.80), must maintain a distance not less than feet one hundred and fifty (150').between such Ground Mounted Sign(s)
- D. Wall Signs shall measure their height from the first-floor elevation of the building, and may not extend beyond the windowsills of the floor above, or the top of the wall, to which it is attached. Wall Signs shall not project beyond the ends of the wall to which it is attached.

### **55.70 AGRICULTURAL AND RESIDENTIAL USE DISTRICTS**

- A. In all agricultural and residential use districts, the requirements of Schedule A shall govern the use, Sign Area, type, height, and number of Signs permitted, in addition to the requirements elsewhere in this Ordinance.

<b>SCHEDULE A - Agricultural and Residential Use Districts</b>					
<b>Use</b>	<b>Sign Type</b>	<b>Max Sign Area</b>	<b>Max sign height<sup>5</sup></b>	<b>Sign Permit Required</b>	<b>Max number of Signs</b>
education, religious, <u>Cemeteries</u> , public buildings, public parks and other nonresidential uses in an agricultural or residential district (other than <u>Offices</u> or Financial Institutions)	a) Ground Mounted Sign	30 sq.ft.	5 feet	Yes	1 per principal use
	<b>OR</b> Wall Sign	30 sq.ft.	20 sq.ft.		
	b) Directional Sign	2 sq.ft.	3 feet	Yes	1 per curb cut
residential developments	a) Ground Mounted Sign	30 sq.ft. <sup>1</sup>	5 feet	Yes	1 per <u>Street</u> entrance
	b) Directional Sign	2 sq.ft.	3 feet		2 per development
apartment developments	a) Ground Mounted Sign	30 sq.ft. <sub>1</sub>	5 feet	Yes	1 per Street entrance

**SCHEDULE A - Agricultural and Residential Use Districts**

and <u>Mobile Home Park</u>	b) Directional Sign	2 sq.ft.	3 feet	Yes	2 per development
<u>Home Occupations, Family Child Care Homes, and Foster Family Care Home uses in a Private Home</u>		None		Yes	None
functioning farms and Farm Markets	a) Seasonal Agricultural Sign <sup>2</sup>	6 sq.ft.	4 feet	Yes	12
	b) Ground Mounted Sign <sup>3</sup>	32 sq.ft. <sup>4</sup>	5 feet		4 <sup>4</sup>
Nonresidential uses in an agricultural or residential use district (other than the R-3, Residence District)	a) Ground Mounted Sign	30 sq.ft.	5 feet	Yes	1 per principal use
	b) Wall Sign	30 sq.ft.	20 sq.ft.		
	c) Directional Sign	2 sq.ft.	3 feet		1 per curb cut

**NOTES:**

1. Where allowed, Sign Face may be used in conjunction with a wall, Fence, or other architectural entrance feature, provided the Structure to which the Sign Face is attached does not exceed a height of six feet (6').
2. In no case shall a functioning farm or Farm Markets be permitted to have a Seasonal Agricultural Sign, in any quantity, for more than ninety (90) days per calendar year; Signs may only be erected as long as the identified commodities or products are available for purchase.
3. Applies to functioning farms and Farm Markets in an agricultural or residential district. Functioning farms and Farm Markets in commercial districts shall be allowed Signs with a maximum Sign Area and maximum height as permitted in Section 55.80, Schedule B, with the exception that they are permitted up to four (4) Signs totaling the maximum Sign Area allowed. Ground Mounted Sign for farms and Farm Markets are not required to be Permenant Signs.
4. Functioning farms and Farm Markets may install up to four (4) signs with combined Sign Areas totaling no more than the maximum Advertising Display Area allowed for a single Sign (32 sq.ft.).
5. The vertical distance of a Sign measured from the elevation of the adjacent finished grade to the highest point of the Sign.

B. All Agricultural and Residential use districts shall also be permitted Temporary Signs in accordance with the provisions of Section 55.100 of this Article.

**55.80 COMMERCIAL AND OFFICE USE DISTRICTS**

A. In all commercial and office use districts the requirements of Schedule B shall govern Sign use, Sign Area, type, height, and numbers of Signs permitted, in addition to requirements elsewhere in this Ordinance.

SCHEDULE B - Commercial Use Districts					
Use	Sign Type	Max Sign Area	Max Height <sup>5</sup>	Sign Permit Required	Max No. of Signs
individual establishments, including <u>Hotels</u> (without restaurants) not located within <u>Commercial Center</u>	a) <u>Wall Sign</u>	1 sq.ft. for each foot in length or height (whichever is greater) of the wall to which it is affixed <sup>1</sup>	30 feet	Yes	4 per <u>building</u> <sup>3</sup>
	b) Pole Sign  <b>OR</b> Ground Mounted Sign	60 sq.ft.	20 feet	Yes	1 Pole Sign or <u>Ground Mounted Sign</u> <sup>2,4</sup>
		80 sq.ft.	10 feet		
	c) Window Sign and displays	25% of <u>Window Area</u>		Yes	
Commercial Center, (including Hotels with restaurants)	b) Pole Sign  <b>OR</b> Ground Mounted Sign	60 sq.ft. <sup>5</sup>	20 feet	Yes	1 Pole Sign or Ground Mounted Sign <sup>2,4</sup>
		80 sq.ft. <sup>5</sup>	10 feet		
	b) Wall Sign  <b>OR</b> Awning/ Canopy Sign	80 sq.ft.	30 feet	Yes	1 per building wall not to exceed 4 per building
		32 sq.ft.	12 feet		
commercial tenants within a Commercial Center <sup>4,5</sup>	a) Wall Sign	1 sq.ft. per lineal foot of <u>tenant space width</u> not to	30 feet	Yes	1 per exterior wall of the tenant premises, maximum of 2

SCHEDULE B - Commercial Use Districts					
Use	Sign Type	Max Sign Area	Max Height <sup>5</sup>	Sign Permit Required	Max No. of Signs
		exceed a Sign length of more than 2/3 the subject Tenant Space Width.			(must be located upon premises of tenant)
	b) On-Premises Directory Sign	6 sq.ft.	underside of building overhang	Yes	1 per tenant
	c) Window Sign and displays	25% of total Window Area			
<b>Individual Pole Signs and Ground Mounted Signs prohibited</b>					
<u>Filling Stations</u>	a) Pole Sign	60 sq.ft.	20 feet	Yes	1 Pole Sign or <u>Ground Mounted Sign</u> <sup>2</sup>
	<b>OR</b> Ground Mounted Sign	80 sq.ft.	10 feet		
	b) Wall Sign	1 sq.ft. for each foot in length or height (whichever is greater) of the wall to which it is affixed <sup>1</sup>	25 feet	Yes	4 per building <sup>3</sup>
	c) Window Sign	25% of Window Area		Yes	
automobile sales	a) Pole Sign  <b>OR</b> Ground Mounted Sign Ground Mounted Sign	60 sq.ft.	20 feet	Yes	1 Pole Sign or Ground Mounted Sign for new car dealership, and/or 1 Pole Sign or Ground Mounted Sign for used car sales and/or 1 Pole Sign or Ground Mounted Sign for automotive service.



SCHEDULE B - Commercial Use Districts					
Use	Sign Type	Max Sign Area	Max Height <sup>5</sup>	Sign Permit Required	Max No. of Signs
		80 sq.ft.	10 feet		Maximum of two (2) Signs.
	b) Wall Sign	1 sq.ft. for each foot in length or height (whichever is greater) of the wall to which it is affixed <sup>1</sup>	25 feet	Yes	4 per building <sup>3</sup>
	c) <u>Window Sign</u> and displays	25% of window area		Yes	
Buildings within an Office Complex	a) Wall Sign	25 sq.ft.	20 feet	Yes	1 per tenant
	<b>OR</b> Wall Sign	50 sq.ft.	20 feet		1 per building
	b) Ground Mounted Sign	40 sq.ft.	5 feet	Yes	1 per building at site of building
	<b>Pole Signs are prohibited</b>				
Buildings containing one or more Offices which are under separate business management and not located within an Office Complex	a) Wall Sign	25 sq.ft.	20 feet	Yes	1 per tenant
	<b>OR</b> Wall Sign	50 sq.ft.	20 feet		1 per building
	b) Ground Mounted Sign	60 sq.ft.	8 feet	Yes	1 per building
	<b>Pole Signs are prohibited</b>				
Office Complex	Ground Mounted Sign <b>OR</b> Permanent Sign	60 sq.ft.	8 feet	Yes	1 Sign per <u>street</u> entrance not to exceed more than one (1) per 2,600 lineal feet of continuous road

**SCHEDULE B - Commercial Use Districts**

Use	Sign Type	Max Sign Area	Max Height <sup>5</sup>	Sign Permit Required	Max No. of Signs
					frontage along the same public street
Nonresidential uses in the R-3, Residence District (other than Offices or Financial Institutions)	a) Wall Sign	50 sq.ft.	20 feet	Yes	1 per wall, maximum of 2 per building
	b) Ground Mounted Sign <b>OR</b> Permanent Sign	60 sq.ft.	8 feet	Yes	1 per building
	<b>Pole Signs are prohibited</b>				

NOTES:

1. Wall length shall be measured in a straight line from the two farthest points on the subject side of the Building regardless of any protrusions between said points which shall not be considered a separate wall(s).
2. Lots, Parcels, and Building Sites with frontage on more than one (1) Street may have one (1) Sign on each Street frontage with one (1) Sign permitted a maximum Sign Area of sixty square feet (60 sq.ft.) and any additional Signs limited to thirty square feet (30 sq.ft.) each.
3. More than one (1) Wall Sign may be placed upon the same wall provided the combined square footage does not exceed the maximum Advertising Display Area permitted for that wall and/or the maximum number allowed for the Building, Lot, Parcel, or Building Site.
4. Individual commercial establishments and Commercial Centers with four hundred feet (400') or more of frontage shall be allowed one (1) additional Sign (Ground Mounted Sign , Permanent Sign, or Pole Sign). Additional Sign(s) shall not have a Sign Area, or height, greater than what is permitted in Schedule B.
5. The vertical distance of a Sign measured from the elevation of the adjacent Finished Grade to the highest point of the Sign.
6. Commercial Centers shall be permitted one (1) additional eight square feet (8 sq.ft.) of Advertising Display Area for each tenant over the first two (2). Total Sign Area shall not exceed fifty percent (50%) of the permitted Sign Area.

- B. All commercial use districts shall also be permitted the following:
1. One (1) Directory Sign per building, not to exceed twenty square feet (20sq.ft.) in total Sign Area.
  2. Directional Signs up to two square feet (2 sq.ft.) in Sign Area and four feet (4') in height. Each Lot, Building Site, Parcel, Commercial Center, or development shall not have more than one (1) On-Premises Directional Sign per street entrance.
  3. Temporary Signs in accordance with the provisions of Section 55.100 of this Article.

**55.80 INDUSTRIAL LAND USE DISTRICTS**

A. In all industrial use districts the requirements of Schedule C shall govern Sign use, Sign Area, type, height, and numbers of Signs permitted, in addition to requirements elsewhere in this Ordinance.

SCHEDULE C - Industrial Use Districts					
Use	Sign Type	Max Sign Area	Max Height <sup>1</sup>	Sign Permit Required	Max No. of Signs
individual industrial <u>Buildings</u> (outside an Industrial Park or Industrial-Office Development)	a) <u>Wall Sign</u>	25 sq.ft.	40 feet	Yes	1 per tenant space
	<b>OR</b> <u>Wall Sign</u>	50 sq.ft.	40 feet		1 per building
	b) Ground Mounted Sign <b>OR</b> Permanent Sign	60 sq.ft.	8 feet	Yes	1 per building
individual Buildings within an Industrial Park or Industrial-Office Development	a) <u>Wall Sign</u>	25 sq.ft.	40 feet	Yes	1 per tenant space
	<b>OR</b> <u>Wall Sign</u>	50 sq.ft.	40 feet		1 per building
	b) Ground Mounted Sign <b>OR</b> Permanent Sign	40 sq.ft.	5 feet	Yes	1 per building <sup>2</sup>
Industrial Parks and Industrial-Office Developments	Ground Mounted Sign <b>OR</b> Permanent Sign	60 sq.ft.	8 feet	Yes	1 Sign per <u>street</u> entrance not to exceed more than one (1) per 2,600 lineal feet of continuous road frontage along the same public Street.
<p>1. The vertical distance of a Sign measured from the elevation of the adjacent finished grade to the highest point of the Sign.</p> <p>2. Sign must be located on same <u>Lot</u>, <u>Building Site</u> or <u>Parcel</u> as the Building/tenant it identifies.</p>					

B. All industrial use districts shall also be permitted the following:

1. One (1) On-Premises Directory Sign per Building, not to exceed twenty square feet (20 sq.ft.) in total Sign Area.

2. Directional Signs up to two square feet (2 sq.ft.) in Sign Area and a height of four feet (4'). Each Lot, Building Site, Parcel, or development shall not have more than one (1) Directional Sign per Street entrance.
3. Temporary Signs in accordance with the provisions of Section 55.100 of this Article.

### **55.100 TEMPORARY SIGNS**

Throughout the Township, the requirements of Schedule D shall govern the use, Sign Area, type, height, and number of Temporary Signs, in addition to the requirements elsewhere in this Ordinance. (See Section 55.40 Definitions for descriptions of each Sign type below.)

<b>SCHEDULE D- Temporary Signs</b>		
<b>Sign Type</b>	<b>Standard</b>	<b>Requirement</b>
<b><u>Construction Sign</u></b>	Number	One (1) per <u>street</u> frontage
	Area	Maximum 32 square feet
	Height <sup>1</sup>	Maximum 5 feet
	Duration	30 days prior to beginning construction to 30 days following issuance of certificate of occupancy but not more than two (2) years from beginning of construction
	Permit	Required
<b><u>Real Estate Sign</u></b>	Number	One (1) per <u>lot, building site, or parcel</u>
	Area	Maximum 6 square feet (residential) Maximum 24 square feet (non-residential)
	Height <sup>1</sup>	Maximum 5 feet
	Other	Illuminated Signs are prohibited
	Permit	Not required
<b><u>Residential Development Sign</u></b>	Number	One (1) per subdivision, condominium, apartment, or Mobile Home Park on the site where it is being developed.
	Area	Maximum 32 square feet
	Height <sup>1</sup>	Maximum 5 feet
	Duration	Not to exceed 2 years from the date the development opens for sales or rentals
	Permit	Required
<b><u>Temporary On-Premises Event Sign</u></b>	Number	One per Lot, Building Site, Parcel, or tenant in a <u>Commercial Center</u> during each six (6) month period identified below
	Area	Maximum 32 square feet
	Height <sup>1</sup>	Maximum 5 feet for Ground Mounted Signs; maximum 20 feet for Wall Signs located on a <u>Building</u> and/or <u>Balloon Signs</u> ; maximum 12 feet for a <u>Feather Flag Sign</u>
	Duration	1 Sign for a maximum 14 days from January 1 to June 30
		1 Sign for a maximum 14 days from July 1 to December 31
	Permit	Required, unless equal to or less than 3 square feet

SCHEDULE D- Temporary Signs		
Sign Type	Standard	Requirement
<b>Temporary On-Premises Event Sign A-frame Sign or Portable Sign</b>	Other	At a multi-tenant commercial center, only one (1) such Sign may be on display at a time
	Number	One (1) per Lot, Building Site, Parcel, or business within a multi-tenant commercial center
	Area	Maximum 6 square feet
	Height <sup>1</sup> Duration	Maximum 5 feet
		May be on display during day but must be stored indoors overnight
	Location	Must be within ten feet (10') of the entry door without disturbing pedestrian or emergency access. A minimum of five feet (5') clearance shall be provided for pedestrian passage.
	Permit	Not required
<b>Banner Signs</b>	Number	One per One (1) per Lot, Building Site, Parcel, or business within a Commercial Center
	Area	Maximum 32 square feet
	Height <sup>1</sup>	Maximum of 8 feet maximum
	Duration	Not to exceed thirty (30) days.
	Location	A maximum mounting height of twenty feet (20') if located on a Building wall; Ground Mounted outside of the right-of-way. Shall not be attached to utility or light poles, trees, bushes, or other plant materials at any time. Must be located On-Premises.
	Permit	Required
<b>Temporary Off-Premises Directional Signs</b>	Number	Four (4); not more than one (1) sign at four (4) separate intersections within the Township
	Area	Maximum 4 square feet
	Height <sup>1</sup>	Maximum 4 feet
	Duration	Not more than fourteen (14) days from the date of erection
	Location	Ground Mounted outside of the right-of-way
	Permit	Not required
<b>Feather Flag Signs</b>	Number	Two (2) per Lot, Building Site, or Parcel
	Area	Maximum of 30 square feet
	Height <sup>1</sup>	Maximum of 12 feet
	Duration	2 Signs for a maximum 14 days from January 1 to June 30
	Location	2 Signs for a maximum 14 days from July 1 to December 31
	Location	Must be Ground Mounted outside of the right-of-way and located On-Premises
	Permit	Required
<b>Feather Flag Signs Balloon Signs (17" or smaller)</b>	Number	One (1) per Lot, Building Site, Parcel, or business within a Commercial Center

SCHEDULE D- Temporary Signs		
Sign Type	Standard	Requirement
	Size	Maximum of 17 inches (17")
	Height	Not greater than five feet (5') above that to which the Balloon Sign is attached
	Duration	Not to exceed thirty (30) days (must remain fully inflated at all times)
	Location	Must be outside of the right-of-way and located On-Premises. Balloon signs may not be attached to utility or light poles and shall not be attached to trees, bushes, or other plant materials at any time.
	Permit	Not required
<b>Balloon Signs</b> (larger than 17")	Number	One (1) per Lot, Building Site, or Parcel
	Size	Greater than 17 inches (17")
	Height <sup>1</sup>	Maximum of 20 feet <sup>2</sup> when fully inflated
	Duration	The duration of an approved temporary outdoor event application under Section 49.260 and/or Section 48.120 (must remain fully inflated at all times)
	Location	Must be securely anchored, placed directly upon the ground Must be outside of the right-of-way and located On-Premises.
	Permit	Required (approved as part of a temporary outdoor event application under Section 49.260 and/or Section 48.120)
<p>1. The vertical distance of a Sign measured from the elevation of the adjacent Finished Grade to the highest point of the Sign.</p> <p>2. Sign must be located on the same Lot, Building Site or Parcel as the Building/tenant it identifies.</p>		

**55.110 PERMANENT OFF-PREMISES SIGNS- BILLBOARDS** Due to size and spacing requirements of this section of the Ordinance, most if not all Billboards in the Township are nonconforming, and no additional Billboards can be constructed beyond the eleven (11) currently located in the Township without additional changes to the Ordinance.

- A. Billboards may be located on a Lot, Building Site, or Parcel within an area one hundred and fifty feet (150') in width on either side of the right-of-way of U.S. Highway 131 zoned "C", Local Business District or lower. Such Billboard(s) shall meet all other the Building and Setback requirements of this Article for Signs except for, and in addition to, the following requirements:
1. No more than one (1) Billboard may be located per linear mile of highway; the linear mile includes Billboards located on a different side of the subject highway, or in another jurisdiction, and shall be based only on distance from a Billboard to ny other Billboard. No

Billboard shall be located within seven hundred and fifty feet (750') of a residential zone and/or an existing residence.

2. The total SignArea of any Billboard facing one direction shall not exceed three hundred square feet (300 sq.ft.) and a height of twenty feet (20').
  3. Billboards may be illuminated, however, the lighting fixtures used to illuminate a Billboard shall be mounted on the top of the Structure and directed down so that no light rays are emitted by the installed fixture at angles above the Billboard's highest horizontal plane or onto any adjacent lot, building, site, or parcel.
  4. In no event shall any Billboard have flashing or intermittent lights, nor shall the lights be permitted to rotate or oscillate.
  5. All Billboards, and all appurtenances thereto, shall be kept in good repair and in a proper state of preservation with all display surfaces neatly painted or posted at all times.
  6. All Billboards shall be oriented with the longest side parallel to the ground.
  7. Doubled-stacked Billboards are prohibited.
- B. Electronic Billboards. It is recognized that Billboards with changeable or continuous, dynamic content are more distracting and less comprehensible than static images as they require more attention for longer periods of time to comprehend the intended message. Studies show that there is a direct correlation between dynamic, electronic displays on Billboards and the distraction of drivers, which can lead to traffic accidents. Drivers can be distracted by a changing message, by waiting for the next change to occur on a Sign, and by messages that do not tell the full story in one look.

Drivers are more distracted by special effects used to change the message of a billboard, by messages on a sign that are too small to be clearly seen, or that contain more than a simple easily read message. Despite these public safety concerns, there is merit to allowing new technologies to easily update messages on Billboards. Except as prohibited by state or federal law, Billboard owners should have the opportunity to use these technologies with certain, reasonable restrictions. The restrictions are intended to minimize potential driver distraction and to minimize proliferation near residential areas where Billboards with dynamic, electronic displays can adversely impact residential character.

It is also recognized that Billboards do not need to serve the same way-finding function as do On-Premises Signs. Further, Billboards are allowed only within certain zoning districts. Billboards are in themselves distracting and their removal serves public safety. A single Electronic Billboard can serve the function otherwise performed by multiple traditional Billboards. Thus, Billboard owners ought to be encouraged to use Electronic Billboard to consolidate such activities in appropriate locations while removing traditional Billboards that currently do not conform to ordinance standards.

The standards within this section are therefore intended to provide incentives for the voluntary and uncompensated removal of Billboards in certain settings. Their removal results in an overall advancement of one or more of the goals set forth in this chapter that should more than offset any additional burden caused by the incentives. These provisions are also based on the recognition that the incentives create an opportunity to consolidate Billboards that would otherwise remain distributed throughout the Township.

Electronic displays should therefore be allowed on Billboards but with significant and reasonable controls to minimize their proliferation and potential threats to public safety.

1. Display Regulations. An Electronic Billboard shall not contain any visible moving parts, revolving parts, or mechanical movement of any description or other apparent visible movement except for electronic displays subject to the following requirements and standards:
  - a. Except as otherwise stated herein, Electronic Billboards are subject to the same requirements as traditional Billboards as provided for in Section 55.100(A) of this Ordinance, including size, height, separation, and location restrictions.
  - b. The images and messages displayed must be static or still images. Such images and messages shall be permitted to fill the entire Sign Area. Animation, video streaming, moving images, or other pictures and graphics displayed in a progression of frames that give the illusion of motion, or moving objects, shall be prohibited. Under no circumstances shall any message or display appear to flash, undulate, pulse, move, portray flashes of light or blinking lights, or otherwise appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist, or make other comparable or hypnotic movements.
  - c. An Electronic Billboard may not allow the display or message to change more frequently than once every eight (8) seconds, with a transition period of one (1) second or less.
  - d. The transition from one static image or message to another on an Electronic Billboard shall be instantaneous without any delay or special effects accomplished by varying the light intensity or pattern, where the first message gradually reduces intensity or appears to dissipate and lose legibility simultaneously with the gradual increase in intensity, appearance and legibility of the second message, such as, but not limited to: flashing; blinking; spinning; revolving; shaking; zooming; fading; dissolving; scrolling; dropping; traveling; chasing; exploding; or similar effects that have the appearance of movement, animation, changing in size, or being revealed incrementally rather than all at once.
  - e. Electronic Billboards must have installed an ambient light monitor, which shall continuously monitor and automatically adjust the brightness level of the display based on ambient light conditions consistent with the terms of this Article.
  - f. Sequential messaging as part of an Electronic Billboard shall be prohibited. The images and messages displayed shall be complete in themselves without continuation in content to the next image or message or to any other Billboard.
  - g. Every line of Copy on an Electronic Billboard must be at least twelve inches (12”) in height.
  - h. Electronic Billboards shall be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the Electronic Billboard owner must immediately stop the electronic display when notified by the Township that it is not complying with the standards of this Section. Prior to issuing any necessary permits (as required by Section 55.110 of this Article) for an Electronic Billboard, the applicant shall submit to the Township written verification from the manufacturer that the Electronic Billboard is so designed and equipped.
  - i. The owner of the Electronic Billboard shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning natural disasters, road emergencies, weather emergencies, or defense situations. Emergency



information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

## 2. Brightness.

The maximum brightness levels for Electronic Billboards shall not exceed three tenths (0.3 ) foot-candles over ambient light levels measured within one hundred and fifty feet (150') of the source, consistent with the terms of this Section. The measurement shall be taken at ground level perpendicular to the surface of the screen. Certification must be provided to the Township demonstrating that the Sign has been preset to automatically adjust the brightness to these levels or lower. Re-inspection and recalibration may be periodically required by the Township, in its reasonable discretion, and it shall be the responsibility of the Electronic Billboard owner to ensure that the specified brightness levels are maintained at all times.

Brightness of Electronic Billboard shall be measured as follows:

1. At least thirty (30) minutes following sunset, a foot candle meter shall be used by the person doing the inspection to obtain an ambient light reading for the location while the Electronic Billboard is off or displaying a black screen/display. The reading shall be made with the meter aimed directly at the Sign Face at the pre-set location.
2. The Electronic Billboard shall then be turned on to a full white screen/display to take another reading with the meter at the same location.
3. If the difference between the readings is three tenths (0.3) foot-candles or less, the brightness is properly adjusted.

C. Incentives for Billboard Removal. Billboards do not need to serve the same wayfinding function as do On-Premises signs. Further, due to size and spacing requirements of this section of the Ordinance, most if not all Billboards in the Township are nonconforming, and no additional Billboards can be constructed beyond the eleven (11) currently located in the Township without additional changes to the Ordinance. Finally, Billboards are in themselves distracting and their removal serves public safety. The Township is extremely limited in its ability to cause the removal of these signs. This clause is intended to provide incentives for the voluntary and uncompensated removal of Billboards in certain settings. This removal results in an overall advancement of one or more goals set forth in this section, including reducing the degree of nonconformity, that should more than offset any additional burden caused by the incentives. These provisions are also based on the recognition that the incentives create an opportunity to consolidate outdoor advertising services that would otherwise remain distributed throughout the Township.

A person may obtain a Sign Permit from the Township to replace an existing nonconforming Billboard with an Electronic Billboard in the same location, at the same or reduced height and at the same or reduced Sign Area. Otherwise, such Electronic Billboards would be required to conform to all of the standards of this Section as a new Sign. Sign Permits may be issued if the requirements stated below are satisfied:

- j. The applicant shall agree in writing to permanently remove, prior to the issuance of any necessary permits for the installation of an Electronic Billboard, at least two (2) other nonconforming Billboards within the Township owned or leased by the applicant, each of which must satisfy the criteria of subparagraphs b. through d., below. (Each individual Billboard face shall be considered a separate Billboard, and the Billboard proposed to be replaced by the new Electronic Billboard face may be considered one (1) of the two (2) nonconforming Billboards to be removed.) Unless being replaced by an Electronic

Billboard unit, removal shall include the complete removal of the structure and foundation supporting each Billboard. The Zoning Administrator shall verify that the Billboards to be removed are nonconforming and that the nonconforming Billboards have been removed prior to issuing any necessary permits for an Electronic Billboard. The applicant shall also agree in writing that it is removing the nonconforming Billboards voluntarily and that it has no right to compensation for the removed Billboards under any law. When executed, the applicant shall record said agreement with the Kalamazoo County Registrar of Deeds.

- k. The Township has not previously issued a Sign Permit for an Electronic Billboard based on the removal of the particular nonconforming Billboards relied upon in this permit application.
- l. Each removed Billboard shall have a Sign Area equal to or greater than the Sign Area for which the Electronic Billboard permit is sought.
- m. If any Billboard to be removed required a State of Michigan permit, the applicant shall:
  - (i) surrender its permit to the state upon removal of the Billboard, and
  - (ii) submit proof to the Township of the state permit before any necessary Township permits for an Electronic Billboard will be issued.

#### **55.120 PERMITS REQUIRED AND CONDITIONS**

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Unless otherwise provided by this Article, all Signs shall require permits and payment of permit fees (including face changes for Signs. No Sign otherwise permitted under this Article shall be installed, or utilized, until and unless a permit has been issued by the Township. No permit is required for the Maintenance of a Sign already permitted and otherwise permissible under this Article.

A permit issued pursuant to this Section becomes null and void if work is not commenced within one hundred and eighty (180) days of issuance. If work authorized by the permit is suspended or abandoned for more than one hundred and eighty (180) days, the permit must be renewed with an additional payment of one-half (1/2) of the original permitting fee (as provided by the current fee schedule adopted by resolution of the Township Board and on file at the Township Hall).

#### **55.130 SIGNS NOT REQUIRING PERMITS**

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The following types of Signs are exempted from permit requirements but must be in conformance with all other requirements of this Article:

- A. Directional Signs of two square feet (2 sq.ft.) or less.
- B. Non-Commercial Signs subject only to place manner restrictions; such Non-Commercial Signs shall not exceed sixteen feet (16 sq.ft.) and a maximum height of five feet (5') Natural Grade. Non-Commercial Signs shall only be placed on private property with the property owner's permission. Government Signs, notices, or any Sign relating to an emergency.
- C. Temporary Off-Premises Directional Signs.
- D. **Temporary On-Premises Signs** equal to or less than three square feet (3 sq. ft.)
- E. Incidental Signs, provided such Signs do not occupy more than six square feet (6 sq.ft.) of Sign Area.
- F. Temporary Off-Premises Signs as permitted under Section 55.100 of this Article.

Seasonal decorations are not considered Signs for the purposes of this Ordinance.

#### **55.140 MAINTENANCE**

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All Signs shall be properly maintained. Exposed surfaces shall be clean and painted (if paint is required), and all Copy shall be legible; defective, or damaged, parts shall be replaced.

#### **55.150 LIGHTING**

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Unless otherwise specified by this Section, all Signs may be Illuminated Signs.

- A. No Sign regulated by this Section may utilize:
  - 1. An exposed incandescent lamp<sup>1</sup> with an external reflector and without a screen or comparable diffusion device.
  - 2. Any exposed incandescent lamp<sup>1</sup> in excess of one hundred and sixty watts (160w) unless a screen or shield is installed so that no light rays are emitted by the installed fixture beyond the t Adverting Display Area.
  - 3. Any revolving beacon light.
  - 4. Lights that could be confused with, or construed as, traffic control devices.
  - 5. Direct or reflected light that could create a traffic hazard to operators of motor vehicles.
- B. Metal halide lighting, fluorescent lighting and quartz lighting may be used for outdoor advertising signs but shall be installed in enclosed luminaries.
- C. Glass tubes filled with neon, argon or krypton may be used provided they do not flash intermittently or create a visual effect of movement.
- D. Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the Sign whenever practical or mounted so that no light rays are emitted by the installed fixture at angles above the Sign's highest horizontal plane or in any event beyond the Adverting Display Area.
- E. Unless the premises is open for business, lighting fixtures on, or in, Signs, (with the exception of time and temperature displays), shall not be operated (i.e., turned on) from 9 p.m. to sunrise when light from said sign can shine into any window of a residence within five hundred feet (500') or from midnight (12 a.m.) to sunrise when the Lot, Building Site, or Parcel upon which it is located abuts a residential zoning district.
- F. No Sign may be illuminated by flashing, rotating, oscillating or intermittent lighting.
- G. Electronically Changeable Copy Signs (with the exception of Electronic Billboards as provided in this Article ), may change message no more than once every six (6) seconds and shall not use transitions that Dissolve, Fade, Flash, and/or Scroll.
- H. Signs utilizing electronically Changeable Copy Sign s may not be so bright as to be objectionable or inappropriate for the surroundings.
- I. Up to thirty-five percent (35%) of the permitted Sign Area of an allowable Sign may be dedicated to Changeable Copy Sign or to electronically display the current time and/or temperature. This percentage shall be increased to fifty percent (50%) for filling stations solely for the purpose of displaying fuel prices within the additional Sign Area provided. This limit shall not apply to Electronic Billboards.

J. Lighting requirements for Billboards and Electronic Billboards are addressed in Section 55.110.

1. For the purpose of this Section, quartz lamps shall not be considered an incandescent light source.

**55.160 LANDSCAPING**

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The base treatment for, Permanent Signs that are freestanding shall be landscaped and maintained and may be placed in stone, masonry, treated wood bases, containers, or in the ground.

**55.170 EFFECTIVE DATE AND REPEAL**

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All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK  
OSHTEMO CHARTER TOWNSHIP

# Memorandum



**Date:** April 12, 2024  
**To:** Township Board  
**From:** Sierra Lucas, Paralegal – Legal Department  
**Subject:** Text Amendments to Article 50: Schedule of Regulations, Section 50.60C: Setback Provisions: Business & Industrial Districts

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**OBJECTIVE:**

MOTION: I make the motion to approve for second reading the Text Amendments to Article 50: Schedule of Regulations, Section 50.60C: Setback Provisions: Business & Industrial Districts of the Township Zoning Ordinance.

**BACKGROUND:**

While working on the Transportation and Mobility Ordinance and addressing the necessity for secondary access roads, it became evident that adjustments to the setback and greenspace regulations were necessary.

**INFORMATION PROVIDED:**

I have attached a copy of the proposed final ordinance.

**CORE VALUES:**

Sustainability

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 670

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

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

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, Article 50: Schedule of Regulations, Section 50.60C: Setback Provisions: Business & Industrial Districts. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I. AMENDMENT OF ZONING ORDINANCE COMPILED ARTICLE 50: SCHEDULE OF REGULATIONS, SECTION 50.60: SETBACK PROVISIONS. Article 50, Section 50.60C is hereby amended to read as follows:

C. BUSINESS AND INDUSTRIAL DISTRICT

In "C" Local Business District, "BRP" Business and Research Park District, "I-R" Industrial District, Restricted, "I-1" Industrial District, Manufacturing/Serviceing, "I-2" Industrial District, Manufacturing/Serviceing, "I-3" Industrial District, Special and with respect to buildings exceeding two stories in "R-4" Residence District, the minimum setback distance for all buildings shall be 70 feet from all street right-of-way lines and outlots and/or planned future public street extensions abutting the property unless:

1. A larger setback is otherwise required in the Township Zoning Ordinance
2. The building is constructed within 300 feet of a building existing on the effective date of this Ordinance provision (December 24, 1966) which is closer than the 70-foot setback requirement, in which case such setback may be decreased accordingly to the schedule set forth in Section 50.60.A hereof. The setbacks applicable to the "C-R" Local Business District, Restricted, are set forth in Section 21.50.D.
3. The property is located between two roads running parallel to each other and one road is a arterial and the other is a collector, in which case, the minimum setback from the secondary road and the landscape requirements shall be reduced by 50%.

SECTION II. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, CLERK  
OSHTEMO CHARTER TOWNSHIP

# Memorandum



**Date:** 23 April 2023  
**To:** Township Board  
**From:** James Porter, Township Attorney & Sara Feister, HR Director  
**Subject:** Section 5.3 Employee Handbook Amendments

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## **Objective**

PROPOSED MOTION: I approve the suggested amendments to section 5.3 of the Employee Handbook.

## **Background**

At the direction of the HR Board Work Group, the following amendments to section 5.3 of the Employee Handbook are recommended:

1. Adding “neat jeans” to the business casual allowable clothing.
2. Adding sweatshirts to the prohibited business casual clothing.
3. Adding tee shirts, sports shirts, sandals and/or tennis shoes to the Dress Down Friday allowable clothing.
4. Adding a disclaimer that exceptions to the policy may be made with pre-approval from the Personnel Director based on work activities.
5. Require staff to wear their Oshtemo Township ID Badge when conducting Township Business.

## **Information Provided**

1. Draft Redline of Section 5.3

## **Core Values**

Professionalism, Integrity

## SECTION 5- EMPLOYEE GUIDELINES



### 5.3- PERSONAL APPEARANCE STANDARDS

**Purpose:** The purpose of this section to project uniformity and neutrality toward the public and ensure that Township Employees project a professional image appropriate for the Township and for their assigned role by maintaining their personal hygiene and appearance.

**Scope:** This policy applies to all Township Employees.

**Effective:** ~~09/28/2022~~04/23/24

Revisions History: Formerly Sections 6.8 (eff. 09/22/20, ~~09/28/22~~)

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#### DEFINITIONS

Capitalized terms not defined below have the same meaning as given in the “Definitions and General Provisions” section of this *Employee Handbook*.

**Business Casual-** means dress shirts, blouses, Polo shirts (with collars), mock turtlenecks, sweaters, sport coats and blazers, cotton slacks, dresses, capris, neat jeans (finished hems, no tears, no holes, no frays) and tie or slip-on shoes. The following items will be inappropriate for business casual: ~~blue denim jeans~~, tee shirts, tank tops, sweatshirts, and beach sandals/flip flops.

**Dress-Down Friday-** refers to ~~non~~Non-Business Casual attire that may be worn weekly on a Friday, the day before holidays, or as permitted by the Personnel Director for events. Appropriate attire shall include jeans (~~including blue denim~~), long shorts, ~~and a blouse/shirt~~, tee shirts, sport shirts, sandals and/or tennis shoes.

#### POLICY

- A. **General Guidelines and Considerations.** It is the policy of the Township that all Employees meet required personal hygiene and grooming standards appropriate for their assigned role while working in the office, on-duty, or conducting official Township business in the community. This policy is intended to promote uniformity of the Employees of the Township by addressing specific grooming items.
- B. **Dress Code.** All Employees shall be appropriately dressed for their assigned position. If a uniform is required, it will be outlined by the department’s standard operating procedures.
1. **Office Attire.** Office Employees will wear Business Casual attire except on Dress-Down Friday. The following items will be inappropriate for office Employees:



clothing that is dirty, torn, or otherwise deemed inappropriate for the office by the Personnel Director. Exceptions to this policy may be made with pre-approval from the Personnel Director based on work activities. (ex. Election workers on Election Day, Maintenance workers in the field, etc.)

**2. Inappropriate Attire.** Employee clothing that displays any social, political, or commercial marketing message or any profane, derogatory, or harassing content is not appropriate at any time during working hours. It is understood that Township “marketing” apparel for Township sponsored events and/or activities (e.g., a shirt advertising “Music in the Park”, or a ‘fun run’, etc.) is not “commercial marketing” within this policy and is not prohibited hereunder.

**2.3. ID Badges:** In order to be easily identifiable as an Oshtemo Township employee, ID Badges must be worn by all staff when in the office or out in the field on Township business. If a replacement badge is needed, please see Human Resources.

**C. Personal Hygiene.** All Employees must maintain proper personal hygiene. Any Employee who has a condition due to a protected category (e.g., race, physical disability, etc.) which affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to their immediate supervisor, Department Head, or Human Resources.

**D. Body Alterations and Markings.** Tattoos, brands, mutilations, or alteration to any area of the body that are inappropriate (as determined by the Personnel Director and/or Human Resources), must be covered.

**1. Inappropriate Markings.** Inappropriate marks (i.e., tattoos, brands, mutilations, scarification) may include, but are not limited to, the following:

- a. Marks that exhibit or advocate discrimination against sex, race, religion, ethnicity, national origin, sexual orientation, age (40 and over), physical or mental disability, medical condition, or marital status.
- b. Marks that promote or express gang, supremacist, or extremist group affiliation.
- c. Marks that depict or promote drug use, sexually explicit acts, and/or other obscene or profane material.

**2. Body Alterations.** Inappropriate body alterations that are those alterations that are visible in any authorized uniform or attire. Examples of inappropriate body alteration may include, but is not limited to, the following:

- a. Tongue splitting or piercing.
- b. The complete, or trans-dermal, implantation of any material (other than hair replacement).
- c. Abnormal shaping of the ears, eyes, nose, or teeth.
- d. Branding or scarification.
- e. Any other body modification, or alteration, that constitutes a deviation from normal anatomical features, which is not medically required or done<sup>41</sup>

for religious, cultural, or ceremonial purposes.

- E. **Reservation of Rights**. Nothing herein shall limit the Township's ability to address any other grooming or personal appearance deemed improper for Township Employees.

Oshtemo Charter Township

**Calendar for 2025 Budget Development (DRAFT)**

April 19, 2024

May	Township Board discusses Capital Improvement Plan
May - June	Departments develop draft “2023 Accomplishments, 2024 Goals, and 2025 Vision” (“AGV” summaries) *; Supervisor develops budget calendar & agendas
June 11 <sup>th</sup> 5:30 pm, and June 12 <sup>th</sup> , 6:00 pm	<b>Township Board Budget Workshops:</b> discuss ‘AGVs’ with Departments; Departments amend vision as needed following Board discussion
Late June, July	Assessor, Treasurer, Supervisor, Accountant develop revenue projections
June or July	Clerk formats BS&A General Ledger (GL) for 2024 budget
June – July	SoDA develops proposed budget for Sept 6 <sup>th</sup> submission to Supervisor deadline
July	DDA develops proposed budget for Sept 6 <sup>th</sup> submission to Supervisor deadline
June – July	Departments, Boards & Committees project remaining revenues/expenses in GL (as needed) and discuss Requested budgets with Supervisor.
July-September	Supervisor’s Office drafts Recommended 2025 budget with Staff & Board
Aug. 20 <sup>th</sup> (Tues, 6 pm)	<b>Township Board Budget Workshop</b>
Sept. 24 <sup>th</sup> (Tues 5:30 pm)	<b>Township Board Meeting:</b> Supervisor’s Office continues development of 2025 ‘Blue Line’ budget & budget summaries
By Sept. 30 <sup>th</sup>	Assessor & Treasurer submit L-4029 millage levy to County
Oct. 8 <sup>th</sup>	<b>Township Board sets Public Hearing</b>
Oct 11 <sup>th</sup> (Friday)	Supervisor provides budget information to Attorney’s office for notice preparation
Oct. 18 <sup>th</sup> (Friday)	Township sends Notice of Public Hearing for publication in community newspaper
October 24 <sup>th</sup> (Thursday)	Notice of Township Public Hearing published in community newspaper (published on home delivery day)
Oct. 24 <sup>th</sup> (Thursday)	Budgets are available for public inspection (at least ten days before hearing)
Nov. 12 <sup>th</sup> (Tues 7:15 pm)	<b>Township Board Public Hearing on 2025 General and Special Revenue Funds Budget;</b> following adoption GL Budget amended to “2025 Adopted”
Nov. 21 <sup>st</sup>	DDA adopts 2025 Budget
Nov (TBD)	SoDA adopts 2025 Budget

\*AGV Discussions: PLANNING, ASSESSING, LEGAL, FIRE, MAINTENANCE, IT, POLICE (PROTECTION CONTRACT; PARKING ENF; ORD ENF), PUBLIC WORKS, HR, BLDG

COMMITTEES: PARKS, CIC

BOARDS: TOWNSHIP BOARD, DDA, SODA

(Saved on the T drive: T:\SUPERVISOR SHARED\BUDGET\2025 Budget)

# Memorandum

**Date:** 10 April 2024  
**To:** Township Board  
**From:** Sierra Lucas, Paralegal – Legal Department  
**Subject:** Oshtemo Township Friends of the Parks Amended Bylaws



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## **Objectives**

MOTION: I make the motion to approve the Oshtemo Township Friends of the Parks Amended Bylaws.

## **Background**

The existing bylaws of the Oshtemo Township Friends of the Parks were established to govern the activities and operations of the organization in alignment with its mission and objectives.

Oshtemo Township Friends of the Parks has decided to amend their bylaws, which can be located in Article III – Board, Article IV – Committees, and Article V – Officers. These amendments allow for more flexibility and the opportunity for additional directors to serve on the Board of Directors. Approval of the amended bylaws can be sought through a verbal motion by the Township Board.

## **Information Provided**

Please see the attached redline of the proposed text amendments to Oshtemo Township Friends of the Parks Bylaws.

## **Core Values**

Public Service

BYLAWS OF  
OSHTEMO FRIENDS OF THE PARKS

ARTICLE I  
OFFICES

- 1.01 *Principal Office.* The principal office of the corporation shall be at such place within the state of Michigan as the board of directors may determine from time to time.
- 1.02 *Other Offices.* The board of directors may establish other offices in or outside the state of Michigan.

ARTICLE II  
MEMBERS

There shall be no members.

ARTICLE III  
BOARD

- 3.01 *General Powers.* The business, property, and affairs of the corporation shall be managed by the board of directors in a manner consistent with the corporation's articles of incorporation.
- 3.02 *Number.* There shall be not less than five (5) nor more than ~~seven-eleven~~ (11) directors on the board, not less than one (1) of the members being a Township Board member, and a majority of which shall be residents of Oshtemo Charter Township.
- 3.03 *Tenure.* Each director of the Corporation shall hold office until the director's death, resignation, or removal, or until they fail to meet the requirements of office.
- 3.04 *Resignation.* Any director may resign at any time by providing written notice to the Corporation. The resignation will be effective on receipt of the notice or at a later time designated in the notice. A successor shall be appointed as provided in section 3.06 of the bylaws.
- 3.05 *Removal.* Any director may be removed with cause by the remaining directors on the board.

Effective: March/April 2024

- 3.06 *Board Vacancies.* A vacancy on the board may be filled by the Township Supervisor, subject to approval of the Township Board.
- 3.07 *Annual Meeting.* An annual meeting shall be held each year ~~on the second~~ ~~Tuesday~~ in October. If the annual meeting is not held at that time, the board shall cause the meeting to be held as soon thereafter as is convenient.
- 3.08 *Regular or Special Meetings.* Regular or special meetings of the board may be called by the president or any two directors at a time, subject to the Michigan Open Meetings Act.
- 3.09 *Statement of Purpose.* Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board need be specified in the notice for that meeting, except as required by the Michigan Open Meetings Act.
- 3.10 *Quorum.* A majority of the directors then in office constitutes a quorum for the transaction of any business at any meeting of the board. Actions voted on by a majority of directors present at a meeting where a quorum is present shall constitute authorized actions of the board.

#### ARTICLE IV COMMITTEES

- 4.01 *General Powers.* The board, by resolution adopted by a vote of a majority of its directors, may designate one or more committees, each committee consisting of one or more directors. The board may also designate one or more directors as alternate committee members who may replace an absent or disqualified member at a committee meeting. If a committee member is absent or disqualified from voting, then members present at a meeting who are not disqualified from voting may, whether or not they constitute a quorum, unanimously appoint an alternate committee member to act at the committee meeting in place of the absent or disqualified member. All committees designated by the board shall serve at the pleasure of the board.

A committee designated by the board may exercise any powers of the board in managing the corporation's business and affairs, to the extent provided by resolution of the board. However, no committee shall have the power to

- (a) amend the articles of incorporation;
- (b) adopt an agreement of merger or consolidation;
- (c) amend the bylaws of the corporation;
- (d) fill vacancies on the board; ~~or~~

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~~(e) — fix compensation of the directors for serving on the board or on a committee.~~

- 4.02 *Meetings.* Committees shall meet as directed by the board, and their meetings shall be governed by the rules provided in article III for meetings of the board. Minutes shall be recorded at each committee meeting and shall be presented to the board.

## ARTICLE V OFFICERS

- 5.01 *Number.* The officers of the corporation shall be appointed by the board. The officers shall be a president, a secretary, and a treasurer. There may also be a chairperson, vice president, and such other officers as the board deems appropriate. The president shall be a voting member of the board. Two or more offices may be held by the same person, but such person shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or by the president or by the board to be executed, acknowledged, or verified by two or more officers.
- 5.02 *Term of Office.* Each officer shall hold office for the term appointed and until a successor is appointed and qualified. An officer may resign at any time by providing written notice to the corporation. Notice of resignation is effective on receipt or at a later time designated in the notice.
- 5.03 *Removal.* An officer appointed by the board may be removed with or without cause by vote of a majority of the board. The removal shall be without prejudice to the person's contract rights, if any. Appointment to an office does not of itself create contract rights.
- 5.04 *Vacancies.* A vacancy in any office for any reason may be filled by the board.
- 5.05 *President.* The president shall be the chief executive officer of the corporation and shall have authority over the general control and management of the business and affairs of the corporation. The president shall have the power to appoint or discharge employees, agents, or independent contractors and; to determine their duties, ~~and to fix their compensation.~~ The president shall sign all corporate documents and agreements on behalf of the corporation, unless the president or the board instructs that the signing be done with or by some other officer, agent, or employee. The president shall see that all actions taken by the board are executed and shall perform all other duties incident to the office. This is subject, however, to the president's right and the right of the board to delegate any

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specific power to any other officer of the corporation.

- 5.06 *Vice President.* The vice president, if any, shall have the power to perform duties that may be assigned by the president or the board. If the president is absent or unable to perform his or her duties, the vice president shall perform the president's duties until the board directs otherwise. The vice president shall perform all duties incident to the office.
- 5.07 *Chairperson.* The chairperson, if elected, shall preside at all board meetings. The chairperson shall have the power to perform duties as may be assigned by the board. If the president is absent or unable to perform his or her duties, the chairperson shall perform the president's duties until the board directs otherwise. The chairperson shall perform all duties incident to the office.
- 5.08 *Secretary.* The secretary shall (a) keep minutes of board meetings; (b) be responsible for providing notice to each director as required by law, the articles of incorporation, or these bylaws; (c) be the custodian of corporate records; (d) keep a register of the names and addresses of each officer and director; and (e) perform all duties incident to the office and other duties assigned by the president or the board.
- 5.09 *Treasurer.* The treasurer shall (a) have charge and custody over corporate funds and securities; (b) keep accurate books and records of corporate receipts and disbursements; (c) deposit all moneys and securities received by the corporation at such depositories in the corporation's name that may be designated by the board; (d) ~~complete-confirm~~ all required corporate filings; and (e) perform all duties incident to the office and other duties assigned by the president or the board.

Conditions: All checks in excess of ~~\$500~~2,000.00, in addition to the Treasurer's signature, shall require a second signature of the President or Vice President of the Corporation.

~~(Sec. 5.09 Revised on 07/24/2012)~~

## ARTICLE VI CORPORATE DOCUMENT PROCEDURE

All corporate documents (including stocks, bonds, agreements, insurance and annuity contracts, qualified and nonqualified deferred compensation plans, checks, notes, disbursements, loans, and other debt obligations) shall not be signed by any officer, designated agent, or attorney-in-fact unless authorized by the board or by these bylaws.

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ARTICLE VII  
INDEMNIFICATION

- 7.01 *Nonderivative Actions.* Subject to all of the other provisions of this article, the corporation shall indemnify any person who was or is a party, or is threatened to be made a party to, any threatened, pending, or completed action, suit, or proceeding. This includes any civil, criminal, administrative, or investigative proceeding, whether formal or informal (other than an action by or in the right of the corporation). Such indemnification shall apply only to a person who was or is a director or officer of the corporation or who was or is serving at the request of the corporation as a director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, or other enterprise, whether for profit or not for profit. The person shall be indemnified and held harmless against expenses (including attorney fees), judgments, penalties, fines, and amounts paid in settlement actually and reasonably incurred by the person in connection with such action, suit, or proceeding, if the person acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the corporation. With respect to any criminal action or proceeding, the person must have had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, or conviction or on a plea of nolo contendere or its equivalent, shall not by itself create a presumption that (a) the person did not act in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the corporation, or (b) with respect to any criminal action or proceeding, the person had reasonable cause to believe that his or her conduct was unlawful.
- 7.02 *Derivative Actions.* Subject to all of the provisions of this article, the corporation shall indemnify any person who was or is a party to, or is threatened to be made a party to, any threatened, pending, or completed action or suit by or in the right of the corporation to procure a judgment in its favor because (a) the person was or is a director or officer of the corporation, or (b) the person was or is serving at the request of the corporation as a director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, or other enterprise, whether or not for profit. The person shall be indemnified and held harmless against expenses (including actual and reasonable attorney fees) and amounts paid in settlement incurred by the person in connection with such action or suit if the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of the corporation. However, indemnification shall not be made for any claim, issue, or matter in which the person has been found liable to the corporation unless and only to the extent that the court in which such action or suit was brought has determined on application that, despite the adjudication of liability but in view of all circumstances of the case, the person is fairly and reasonably entitled to indemnification for the expenses that the court considers proper.

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- 7.03 *Expenses of Successful Defense.* To the extent that a person has been successful on the merits or otherwise in defense of any action, suit, or proceeding referred to in sections 7.01 or 7.02 of this article, or in defense of any claim, issue, or matter in the action, suit, or proceeding, the person shall be indemnified against expenses (including actual and reasonable attorney fees) incurred in connection with the action and in any proceeding brought to enforce the mandatory indemnification provided by this article.
- 7.04 *Contract Right; Limitation on Indemnity.* The right to indemnification conferred in this article shall be a contract right and shall apply to services of a director or officer as an employee or agent of the corporation as well as in such person's capacity as a director or officer. Except as provided in section 7.03 of this article, the corporation shall have no obligations under this article to indemnify any person in connection with any proceeding, or part thereof, initiated by such person without authorization by the board.
- 7.05 *Determination That Indemnification Is Proper.* Any indemnification under sections 7.01 or 7.02 of this article (unless ordered by a court) shall be made by the corporation only as authorized in the specific case. The corporation must determine that indemnification of the person is proper in the circumstances because the person has met the applicable standard of conduct set forth in sections 7.01 or 7.02, whichever is applicable. Such determination shall be made in any of the following ways:
- (a) By a majority vote of a quorum of the board consisting of directors who were not parties to such action, suit, or proceeding.
  - (b) If the quorum described in clause (a) above is not obtainable, then by a committee of directors who are not parties to the action. The committee shall consist of not less than two disinterested directors.
  - (c) By independent legal counsel in a written opinion.
- 7.06 *Proportionate Indemnity.* If a person is entitled to indemnification under sections 7.01 or 7.02 of this article for a portion of expenses, including attorney fees, judgments, penalties, fines, and amounts paid in settlement, but not for the total amount, the corporation shall indemnify the person for the portion of the expenses, judgments, penalties, fines, or amounts paid in settlement for which the person is entitled to be indemnified.
- 7.07 *Expense Advance.* Expenses incurred in defending a civil or criminal action, suit, or proceeding described in sections 7.01 or 7.02 of this article may be paid by the corporation in advance of the final disposition of the action, suit, or proceeding, on receipt of an undertaking by or on behalf of the person involved to repay the

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expenses, if it is ultimately determined that the person is not entitled to be indemnified by the corporation. The undertaking shall be an unlimited general obligation of the person on whose behalf advances are made, but need not be secured.

- 7.08 *Nonexclusivity of Rights.* The indemnification or advancement of expenses provided under this article is not exclusive of other rights to which a person seeking indemnification or advancement of expenses may be entitled under a contractual arrangement with the corporation. However, the total amount of expenses advanced or indemnified from all sources combined shall not exceed the amount of actual expenses incurred by the person seeking indemnification or advancement of expenses.
- 7.09 *Indemnification of Employees and Agents of the Corporation.* The corporation may, to the extent authorized from time to time by the board, grant rights to indemnification and to the advancement of expenses to any employee or agent of the corporation to the fullest extent of the provisions of this article with respect to the indemnification and advancement of expenses of directors and officers of the corporation.
- 7.10 *Former Directors and Officers.* The indemnification provided in this article continues for a person who has ceased to be a director or officer and shall inure to the benefit of the heirs, executors, and administrators of that person.
- 7.11 *Insurance.* The corporation may purchase and maintain insurance on behalf of any person who (a) was or is a director, officer, employee, or agent of the corporation, or (b) was or is serving at the request of the corporation as a director, officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise. Such insurance may protect against any liability asserted against the person and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the corporation would have power to indemnify against such liability under this article or the laws of the state of Michigan.
- 7.12 *Changes in Michigan Law.* If there are any changes in the Michigan statutory provisions applicable to the corporation and relating to the subject matter of this article, then the indemnification to which any person shall be entitled shall be determined by such changed provisions, but only to the extent that any such change permits the corporation to provide broader indemnification rights than such provisions permitted the corporation to provide before any such change.

## ARTICLE VIII COMPENSATION

When authorized by the board, a person shall be reasonably compensated for services rendered to the corporation as an officer, director, employee, agent, or independent

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contractor, except as prohibited by these bylaws.

ARTICLE IX  
FISCAL YEAR

The fiscal year of the corporation shall end on December 31.

ARTICLE X  
AMENDMENTS

The board of directors at any regular or special meeting may recommend amendments or the repeal of these bylaws, or recommend the adoption of new bylaws by vote of a majority of the directors, if notice setting forth the terms of the proposal has been given in accordance with any notice requirement for such meeting of the board. Said recommendation shall be forwarded to the full Oshtemo Charter Township Board for review and approval.

| Effective: ~~March~~ April 2024

# Memorandum & Request



**Date:** April 8, 2024  
**To:** Township Board  
**From:** Sierra Lucas, Paralegal – Legal Department  
**Subject:** Resolution Declaring Intent to Pave South Second Street

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## **Objectives**

MOTION: I propose that we adopt the Resolution Declaring Intent to Pave South Second Street, designating the boundaries of the proposed Special Assessment District, in accordance with MCL 41.724.

## **Background**

In 2020, residents residing on South Second Street between KL Ave and L Ave reached out to both the Township and the Road Commission with a request to establish a Special Assessment District aimed at paving this particular stretch of road. Notably, this section of roadway stands out as one of the few remaining gravel segments within Oshtemo Township and serves as the sole gravel through street. Leveraging the Local Road Fund, the Township can facilitate resident-initiated projects via Special Assessment Districts, offering more favorable interest rates and extended durations compared to those provided by the Road Commission.

## **Information Provided**

Please see the attached Resolution Declaring Intent to Pave South Second Street.

## **Core Values**

Sustainability

**EXCERPTS FROM MINUTES OF A REGULAR MEETING OF THE TOWNSHIP BOARD  
HELD AT THE TOWNSHIP ON APRIL 23, 2024.**

Members Present:

Members Absent:

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The supervisor next reported that petitions had been filed with her for the paving project under the authority of Michigan Public Act 188 of 1954, as amended.

The supervisor and clerk next reported that they had checked the signatures on the petitions, the records owners of land within the Township contained within the District described above and had prepared and filed a report setting forth the percentage of record owners of lands by footage within the District, who signed the petitions which amounted to not less than 60%.

Motion was made by \_\_\_\_\_, seconded by \_\_\_\_\_, and unanimously carried that the petitions be received by the Township Board and the report pertaining thereto be filed as a part of the minutes of the meeting.

Motion was next made by \_\_\_\_\_, seconded by \_\_\_\_\_, and unanimously carried directing the Township engineer to proceed with the plans for the improvement, the location thereof, and an estimate of the costs of the same.

The Township engineer's report was received showing the improvement, the location thereof and an estimate of the costs of the same. These plans and estimates were then presented to the Board for their consideration.

Motion was next made by \_\_\_\_\_, seconded by \_\_\_\_\_, and unanimously carried ordering the plans and estimates to be filed with the Township clerk for public examination.

Motion was then made by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the following resolution.

**RESOLUTION DECLARING INTENT TO PAVE SOUTH 2<sup>ND</sup> STREET**

BE IT HEREBY RESOLVED that the Township Board does hereby tentatively declare its intent to pave South 2<sup>nd</sup> St within the following described area:

(All properties abutting South 2<sup>nd</sup> Street between KL Ave and L Ave in Section 19 of Oshtemo Charter Township)

by paving South 2<sup>nd</sup> Street, together with the necessary structures and other work incidental thereto, all within the proposed district in accordance with the petitions of the property owners therefore.

BE IT FURTHER RESOLVED that the Township Board does tentatively designate the Special Assessment District against which the costs of the improvements are to be assessed as South 2<sup>nd</sup> Street Paving Project Special Assessment District No. 1, which shall include the lands and premises more particularly described above.

BE IT FURTHER RESOLVED that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the Special Assessment District proposed to be established for the assessment of

the cost of such improvement, shall be held on May 14, 2024, at a regular meeting of the Oshtemo Charter Township Board at the Township hall at 7275 West Main Street, Kalamazoo, Michigan, commencing at 5:30pm.

BE IT FURTHER RESOLVED that the clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Upon roll call vote, the following voted "Aye":

The following voted "Nay":

The supervisor declared the motion carried and the resolution was duly adopted.

\_\_\_\_\_  
Dusty Farmer, Clerk  
Oshtemo Charter Township

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

**CERTIFICATE**

STATE OF MICHIGAN )

) ss.

COUNTY OF KALAMAZOO )

I, Dusty Farmer, the duly appointed and acting Clerk of the Township of Oshtemo, certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Oshtemo Charter Township Board held on April 23, 2024, which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this \_\_\_\_ day of  
, 2024.

\_\_\_\_\_  
Dusty Farmer, Clerk  
Oshtemo Charter Township

## 2ND STREET - L AVE TO KL AVE

TaxPIN	Acres	AssessibleFF	FFPercent	PCOMBINED	Signed Petition
05-19-405-020	5.02	336.32	0.06	868 S 2ND ST	
05-19-405-030	2.89	200.00	0.04	952 S 2ND ST	X
05-19-405-040	2.89	200.00	0.04	1012 S 2ND ST	X
05-19-405-050	2.89	200.00	0.04	1076 S 2ND ST	
05-19-405-060	2.89	200.00	0.04	1132 S 2ND ST	X
05-19-430-012	10.37	870.40	0.17	955 S 2ND ST	X
05-19-430-020	6.25	274.00	0.05	1255 S 2ND ST	X
05-19-430-031	6.18	274.00	0.05	1275 S 2ND ST	X
05-19-470-010	9.98	690.00	0.13	10384 W L AVE	
05-19-470-025	2.89	200.00	0.04	1372 S 2ND ST	X
05-19-470-035	2.89	200.00	0.04	1256 S 2ND ST	X
05-19-470-045	2.89	200.00	0.04	1314 S 2ND ST	X
05-19-470-055	2.89	200.00	0.04	1376 S 2ND ST	
05-19-480-002	6.21	274.00	0.05	1325 S 2ND ST	X
05-19-480-009	6.24	274.00	0.05	1355 S 2ND ST	X
05-19-480-011	1.83	330.00	0.06	1385 S 2ND ST	
05-19-480-015	1.15	165.00	0.03	10198 W L AVE	
05-19-480-020	0.91	165.00	0.03	1401 S 2ND ST	

parcel count =            18                    5252.72                    100%                    60%





Estimate Date: 01/26/24 Estimator: J. Kape Estimate Type: Preliminary  
 Municipality: Oshtemo Township  
 Location: 2nd Street- L Avenue to KL Avenue  
 Project Description: HMA Overlay  
 Project Length: 0.50 Miles

Total Area (Syd)	Length (Ft)	Width (Ft)	Length (Ft)	Width (Ft)	Cul-de-sac Area (Sft)
6,453	2,640	22			7,854
Conv Factor (Sft to Syd)					Cul-de-sac Quantity
9					

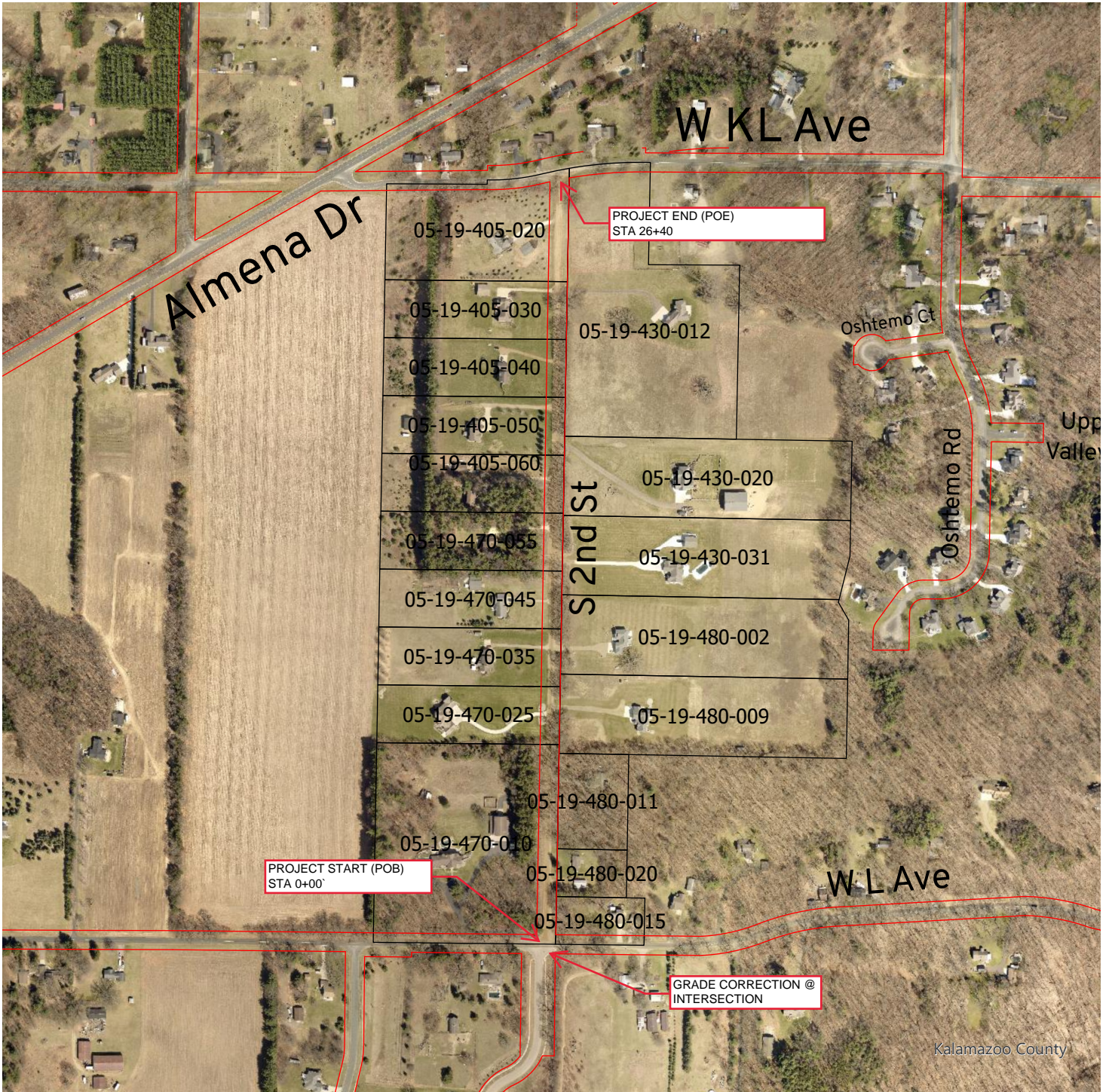
Description of charge	Application Rate	Estimated Quantities	Units of Measure	Estimated Unit Cost	Estimated Item Cost	Notes
High Shoulder, Remove		53.00	Station	\$65.00	\$3,445	
Pavement Marking		2,640.00	Ft	\$0.12	\$317	
Tree Pruning & Removal		150.00	Ea	\$450.00	\$67,500	
Ditch Cleanout, 6" or less		15.00	Station	\$275.00	\$4,125	
Ditch Cleanout, greater than 6"		10.00	Station	\$450.00	\$4,500	
Culvert, CMP, 12"		140.00	Ft	\$49.00	\$6,860	
Culvert End Section, CMP, 12"		10.00	Ea	\$210.00	\$2,100	
<b>Estimated Nonbillable Cost</b>					<b>\$88,847</b>	
<b>Cost Recovery - Nonbillable (11.18%)</b>					<b>\$9,933</b>	
<b>Total Estimated Nonbillable Cost</b>					<b>\$98,780</b>	

Material Testing		2.00	Ea	\$750.00	\$1,500	
Temporary Traffic Control		1.00	Lump	\$2,000.00	\$2,000	
Aggregate, Gravel, 22A		1,300.00	Ton	\$21.80	\$28,340	4 in Resurface
Driveway Adjust, Concrete		4.00	Ea	\$575.00	\$2,300	
Driveway Adjust, HMA		4.00	Ea	\$250.00	\$1,000	
Mailbox, Adjust		15.00	Ea	\$125.00	\$1,875	
Fine Grading (>5k Syd)		6,453.00	Syd	\$0.95	\$6,130	
Dust Control, Applied	2000 Gal / Mile	2,000.00	Gal	\$0.90	\$1,800	
Shoulder, Gravel, 23A		400.00	Ton	\$14.00	\$5,600	Includes Driveways
Shoulder, Gravel, Placement		53.00	Station	\$35.00	\$1,855	
Cold Milling, HMA Surface, 2" to 4" (<1K Syd)		200.00	Syd	\$5.00	\$1,000	Butt Joints L and KL
Roadside Restoration		53.00	Station	\$225.00	\$11,925	topsoil restoration/ seeding
HMA, 13A Mod, Base		800.00	Ton	\$90.00	\$72,000	Includes driveways/ VG
HMA, 36A Mod, Surface		800.00	Ton	\$90.00	\$72,000	Includes driveways
Fog Seal, Construction Joint		2,640.00	Ft	\$0.11	\$290	
Aggregate, Gravel, 22A		1,000.00	Ton	\$36.00	\$36,000	L Ave Grade Correction
<b>Estimated Billable Cost</b>					<b>\$245,616</b>	
<b>Cost Recovery - Billable (11.18%)</b>					<b>\$27,460</b>	
<b>Total Estimated Billable Cost</b>					<b>\$273,076</b>	

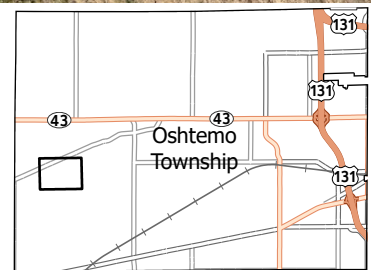
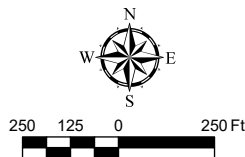
<b>Total Estimated Project Cost</b>	<b>\$371,856</b>
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# Charter Township of Oshtemo

## S 2ND STREET - L AVE TO KL AVE PROJECT PLANS



 Parcels



This map is for reference purposes only. While it is intended to be an accurate graphic representation, its accuracy cannot be guaranteed. Any conclusions or information derived from this map are at the users sole risk.

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Questions? Contact: GIS@Oshtemo.org

CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN

**RESOLUTION REGARDING  
CLOSED SESSION OF APRIL 23, 2024**

WHEREAS, it is necessary for the Township Board to meet and consult with its Attorney for purposes of discussing the Written Opinion of Counsel and to do so in an open meeting would have a detrimental effect upon the Township's position and could disclose matters protected by attorney-client privilege; and

WHEREAS, Section 8 of the Open Meetings Act, 1976 PA 267, as amended, permits a public body to meet in closed session to consult with its attorney regarding material exempt from discussion and disclosure as set forth above.

NOW, THEREFORE, BE IT RESOLVED that, in accordance with the Open Meetings Act, the Oshtemo Charter Township Board hereby determines to meet in closed session this 23<sup>rd</sup> day of April, 2024, to consult with its Attorney regarding the discussion of the Written Opinion of Counsel and to consider material exempt from discussion or disclosure by state law.

A motion was made by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the foregoing Resolution.

Upon a roll call vote, the following voted "Aye":

The following voted "Nay":

The following was absent:

The Supervisor declared that the Resolution has been adopted by at least 2/3 of the members of the Board.

\_\_\_\_\_  
DUSTY FARMER, Clerk

Oshtemo Charter Township

\*\*\*\*\*

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of an Excerpt of the Minutes of a regular meeting of the Oshtemo Charter Township Board, held on April 23, 2024, at which meeting \_\_ members were present and voted upon the same as indicated in said Minutes; that said meeting was held in accordance with the Open Meetings Act of the State of Michigan.

\_\_\_\_\_  
DUSTY FARMER, Township Clerk