WHITEWATER TOWNSHIP PLANNING COMMISSION
AGENDA FOR REGULAR MEETING, February 6 2019
7:00 PM, Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

1. Call to Order/Pledge Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest

5. **Public Comment:** Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
    a. Comments shall be directed to the Commission, with questions directed to the Chair.
    b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address
    c. Persons may address the Commission on matters that are relevant to township planning and zoning issues.
    d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
    e. Public comment shall be limited to 3 minutes.

6. Public Hearing: N/A
7. Approval of January 2019, meeting minutes
8. Correspondence
9. Reports/Presentations/Announcements/Comments
    a. Zoning Administrator
    b. Chair, Mangus
    c. Township Board Representative, Lawson
    d. ZBA Representative, Hooper

10. <u>Unfinished Business</u>:
    a. Recodification: Price Quotes
    b. Zoning Amendments 73 & 74: Review Attorney Correspondence

11. <u>New Business</u>:
    a. Spring Newsletter

12. Next Meeting, March 6, 2019, Agenda
13. Public Comment
14. Commission Discussion/Comments
15. Continuing Education
16. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the Township Clerk at 231-267-5141 or the TDD at 800-649-3777.

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
January 2, 2019

Call to Order at 7:04 p.m.
Roll Call: Dean, Hooper, Jacobson, Lawson, Mangus, Savage
Absent: Render
Also in attendance: Recording Secretary MacLean +3 in audience
Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None
Public Comment: None.

Approval of Minutes:
Motion to accept and adopt the Board minutes of November 7, 2018, joint meeting as the PC minutes by Lawson, second by Jacobson. All in favor. Motion carried.
Motion to approve the December 5, 2018, meeting minutes by Hooper, second by Savage. All in favor. Motion carried.

Reports:
Zoning Administrator Report, Wolf: Introductions.
Chair's Report, Mangus: The board did agree to assess amendments 73 and 74. The attorney will finish the document for public hearing.
Township Board Rep., Lawson: Not much to update.
ZBA Representative, Hooper: No meeting in December. There will be a meeting in January
Committee Reports: None.
Additional Items: None.

Old Business:
1. Proposed zoning ordinance amendments 73 and 74.
   Motion to schedule the public hearing for amendments 73 & 74 for the next available meeting – if the information comes in soon enough it could be in February otherwise it will be in March - by Lawson, second by Savage. All in favor. Motion carried.
2. Three companies have been contacted for quotes for recodification. Dean suggests that the recodification process include the work that the PC has done during the last 18 months, including the most recent amendments. Suggest the township send the working copy rather than the 1972 ordinance plus the 72 (will be 74) amendments.
   Discussion of recodification process.
   Will further address when more information is brought forth from the board regarding the recodification company. The clerk did send the 1972 ordinance with the 72 amendments to the companies for quotes.
3. The clerk has not yet started to look at Article 11.

New Business:
1. Review Planning Commission By-laws: Adoption process of amendments would be a policy and procedure item. No proposed changes at this time.
   Motion to reapprove the by-laws as they currently exist by Lawson, second by Jacobson. All in favor. Motion carried.
2. Resolution #PC19-01, 2019/2020 Calendar of Regular Meetings:
   Motion to adopt Resolution #PC19-01, 2019/2010 Calendar of Regular Meetings by Jacobson, second by Lawson.
   Upon roll call vote: Jacobson-yes; Savage-yes; Lawson-yes; Mangus-yes; Dean-yes; Render-n/a; Hooper-yes.
3. Election of Officers: Mangus nominated by Lawson, second by Jacobson for Chair. Mangus accepts.
   Upon roll call vote: Dean-yes; Render-n/a; Hooper-yes; Jacobson-yes; Savage-yes; Lawson-yes; Mangus-yes.
   Dean nominated by Jacobson, second by Savage for Vice-Chair. Dean accepts.
   Upon roll call vote: Render-n/a; Hooper-yes; Jacobson-yes; Savage-yes; Lawson-yes; Mangus-yes; Dean-yes.
   Render nominated by Savage, second by Jacobson to continue as Secretary. Render can decline next month.
   Upon roll call vote: Hooper-yes; Jacobson-yes; Savage-yes; Lawson-yes; Mangus-yes; Dean-yes; Render-n/a

4. Information for the April Newsletter. Define recodification process and why it is being done. Mangus will bring back bullet points for an article.
   Part of the outreach is to give a short bio of each commission member. Possibly include the short bio of each commission member on the website.

Next meeting: February 6, 2019, Agenda: Spring newsletter information, policy and procedure format for amendments, potentially amendments 73 and 74.

Public Comment: Ron Popp, 6237 Elk View Drive. Surprised Article 11 will not be part of the process before recodification. Please review the clerk's note. Thought environmentally sensitive areas would also be addressed before recodification. Need to recheck what the clerk has sent out for the recodification process. As mentioned previously, you, the PC, can adopt the whole working copy.
Mangus re-read the clerk note regarding recodification.

Commission Discussion/Comments: Adoption process of amendments.

Continuing Education: None.
Adjournment: 8:41 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

DRAFT

Codification Proposal

Zoning Ordinance
Whitewater Township, Michigan

American Legal Publishing Corporation
432 Walnut St. Cincinnati, Ohio 45202

Richard C. Frommeyer
1-800-445-5588

AMERICAN LEGAL PUBLISHING CORPORATION
PROPOSAL FOR WHITEWATER TOWNSHIP, MICHIGAN

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1. Letter
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8. Sample Code Pages (single and dual column)
9. Online Search & Retrieval Program

January 15, 2019

Cheryl Goss
Township Clerk
Whitewater Township
P.O. Box 159
Williamsburg, MI49690

Dear Ms. Goss:

Thank you for considering American Legal Publishing for your codification project of your zoning code. Enclosed is our proposal to codify Whitewater Township's zoning code.

A recodification includes incorporating new ordinances, updating the index and tables as needed, reformatting the pages into a new typestyle, including single or dual column print, and printing complete copies of the entire Zoning Code book. It also includes a legal review and written editorial report by one of our experienced staff attorneys. The review will uncover inconsistencies between sections in the Zoning Code. We feel an accurate code reviewed or edited by one of our staff attorneys is the most important part of the codification process.

Additionally, there might be some reorganization and renumbering of the Zoning Code if necessary. New binders and divider tabs are included in the price. There is also the option to receive the new Zoning Code on a flash drive or you can download it at your convenience, and have the Zoning Code placed online.

In future years, new ordinances can be easily added to your Zoning Code with American Legal's instant online updates and paper supplement services. And, when you need a model ordinance, simply call us; we don't charge for providing model ordinances. You can also search all codes on our internet site free of charge when you feel like looking for models yourself.

We welcome the opportunity to help manage Whitewater Township's municipal documents. Should you have any questions about the proposal, please do not hesitate to call me.

Best regards,

Richard C. Frommeyer,
Codification Consultant
rfrommeyer@amlegal.com

AMERICAN LEGAL PUBLISHING CORPORATION
ADVANTAGES AND BENEFITS

QUALIFICATIONS

- American Legal Publishing Corporation began as the codification division of the Anderson Publishing Company of Cincinnati in **1934**. We became a separate corporation in 1979.

- American Legal is the only codification company owned by its employees.

- American Legal currently serves more than 2,100 local government clients across the country. Our clients range in size from New York City, Los Angeles, Chicago, Dallas, Fort Worth, Cleveland, Philadelphia, Honolulu, and Boston, to villages with populations under 500.

- We are the codification consultants to the International Municipal Lawyers Association.

- Many state municipal leagues have chosen American Legal as their codification company of choice.

LEGAL ANALYSIS

- Our legal staff's **Exclusive Editorial and Legal Report** details internal code inconsistences. Our legal team consists of sixteen members with law degrees, including the president of the company.

- We have 16 attorneys on staff which is more than any other codification company. Our attorney to client ratio is the best in the industry.

- We provide the **most comprehensive analysis** in the codification industry: outlining problems, providing you with alternatives, and allowing you to implement desired improvements.

- You receive the Editorial and Legal Report with the **draft** of your Zoning Code, allowing you to review your Zoning Code with the assistance of our detailed, written editorial analysis which will ultimately be reviewed with you at a conference in Whitewater Township.

SUBJECT MATTER FORMAT

- We will arrange your ordinances according to logical subject matter. We group all of your land use ordinances together in one section, your business regulations together in one section, your administrative ordinances in another section, etc.

- We can offer you free **Model Ordinances** covering nearly any municipal topic to replace an outdated ordinance or to cover an area where you may not have an ordinance.

TABLE OF SPECIAL ORDINANCES, PARALLEL REFERENCES AND INDEXING

- As part of your new Zoning Code, we will create Tables of Special Ordinances covering such topics as annexations, zoning map changes, franchises, easements, etc. These ordinances will be listed in table form by ordinance number, date of passage, and will include a brief description of each ordinance.

- Your Zoning Code will include Parallel Reference Tables that indicate which Zoning Code sections are based on state statutes, where prior Zoning Code sections appear in your new Zoning Code, and a cross-reference of ordinance numbers to Zoning Code section numbers.

- Our comprehensive index includes no dead ends when you search for a topic.

STYLE OPTIONS

- We offer different typestyles for your Zoning Code, single or dual column printing and various types of binders.

TIMELY DELIVERY AND FLEXIBLE BILLING

- We will complete your Zoning Code within 9 months (excluding your review time).

- We can work with you to schedule the project so that it meets your budgetary needs.

- We complete supplements within days if requested.

RE-ORDERS AND PAMPHLETS

- We have **no minimum** or maximum orders of extra copies of your Zoning Code. You can call us at any time and order 1 or 1,000 additional copies of your Zoning Code.

- You can order only as many Zoning Codes as you need without having to worry about buying, storing and updating copies that you don't need.

- You can receive specific pamphlets for your police department, zoning department, etc.

COMPUTERIZATION OF ZONING CODE

- You can receive your Zoning Code on a flash drive or download it from our secured site in Microsoft Word, PDF and even WordPerfect compatible at no additional charge.

- Access every word in your Zoning Code in just seconds with our online service. Your Zoning Code can be linked to your meeting minutes and other municipal documents. We do all the conversion work ourselves and host all the codes ourselves.

- Users can customize their network version by creating color highlights, bookmarks, notes, and pop-up links without affecting the original text.

SUBSCRIBERS SERVICE

- American Legal can sell current copies of Whitewater Township's Zoning Code (printed and computer versions) via our “800” number directly to Law Firms, Developers and other outside parties.

- Our service relieves Whitewater Township of the burden of maintaining and updating inventory

of Zoning Codes and processing individual payments.

SUPPLEMENT SERVICE

- Our staff will provide you with accurate updates of your Zoning Code on a timely basis.
- Our fast and efficient supplement service will keep your Zoning Code current in future years.
- You can supplement as often as necessary - even after every council meeting using our instant updating service.

SUBCONTRACTING

- We do all editing, legal review, printing and computer/internet work inhouse and at one location.

AMERICAN LEGAL PUBLISHING
STAFF ATTORNEYS

Our editorial support staff consists of more than 25 experienced editors skilled in the multiple disciplines required in providing codification services: editing, computer operation, proofreading and indexing. Our typical editor is a college graduate with a degree in English, Journalism, or Law. Our editors work directly on personal computers using the most advanced software programs for editing, proofreading and indexing. Therefore, we can return your completed Zoning Code of Ordinances on computer disk and online if desired. American Legal has a higher percentage of editors with Masters or Doctorate Degrees than any other national codification firm. We have more attorneys on staff than any other codification firm.

ATTORNEYS ON STAFF:

STEPHEN G. WOLF - PRESIDENT

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- Owned and Operated the Walter Drane Corporation
- Merged with American Legal Corporation in 2018
- Staff Attorney with over 35 years of experience in municipal law

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- J.D., University of Akron
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- J.D., Salmon P. Chase School of Law
- B.A. Government Studies, Centre College
- Over two years with American Legal Publishing

THINGS TO REMEMBER
WHEN COMPARING PROPOSALS

- Does the company have a **decrease** clause if the final number of pages in the Zoning Code is less than estimated?

- Does the company have **attorneys** review your Zoning Code, or are they using "legal editors"?

- Did the company provide you a list of their attorneys on staff?

- Will they send you the **legal report** with the draft of the Zoning Code so you can compare them – or do they wait until after you have reviewed the draft before writing the report, which puts the burden of research on you?

- Can they guarantee completion of your Zoning Code project in 9 months or less?

- Does the company provide the same amount of binders and divider tabs as it does copies of the Zoning Code – or do they cost extra?

- Can they provide your Zoning Code in a non-proprietary software?

- Will the company provide you the Zoning Code in Word, PDF, or WordPerfect when they are finished with the project?

- Do they charge a fee to search all the codes on their website?

AMERICAN LEGAL PUBLISHING CORPORATION
LEAGUE AFFILIATIONS

American Legal Publishing is proud of its relationship as consultants to the following organizations:

INTERNATIONAL MUNICIPAL LAWYERS ASSOCIATION (IMLA)
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NORTH CAROLINA LEAGUE OF MUNICIPALITIES
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Indianapolis, IN 46204
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(317) 237-6200

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300 Southwest 8th Avenue, Suite 100
Topeka, Kansas 66603-3951
Contact: Eric Smith
Deputy General Counsel
(785) 354-9565

Michigan References

We provide codification services to over 2,500 clients nationwide and over **130 municipalities** in Michigan. Some of our national clients include New York City, Los Angeles, Chicago, Philadelphia, Boston, Dallas, Fort Worth and San Francisco to name a few. To view all of our online clients please go to http://www.amlegal.com/library/nc/index.shtml If you would like additional references please give us a call.

City of Saginaw

1315 South Washington Ave.
Saginaw, MI 48601-2599
Contact: Diane Herman
City Clerk
989-759-1485

City of Flint

1101 South Saginaw Street
Flint, MI 48502
Contact: Inez Brown
City Clerk
810-766-7146

Breitung Charter Township

3851 Menominee Street
Quinnesec, MI 49876
Contact: John M. Gaudette
Superintendent
906-779-2050

City of Sterling Heights

40555 Utica Road
Sterling Heights, MI 48311
Contact: Mark Carufel
Assistant City Manager
586-446-2421

City of Fremont

101 East Main Street
Fremont, MI 49412
Contact: Vicci TerVeer
City Clerk
231-924-2101

Burtchville Township

4000 Butch Road
Lakeport, MI
Contact: Robert Bailey
Township Clerk
810-385-5577

Caseville Township
6767 Main Street
Caseville, MI 48725
Contact: Michelle Stirrett
Township Clerk
989-856-3053

City of Battle Creek
10 North Division, Room 111
Battle Creek, MI
Contact: Vickie Houser
City Clerk
269-966-3347

City of Mount Pleasant
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Mount Pleasant, MI 48858
Contact: Marilyn Wixson
City Clerk's Office
989-779-5361

City of Garden City
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Garden City, MI 48135
Contact: Allyson Bettis
Clerk-Treasurer
734-793-1616

City of Iron River
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Iron River, MI 49935
Contact: Mark D. Tousignant
City Attorney
906-265-5101

City of Hancock
399 Quincy Street
Hancock, MI 49930
Contact: Mary Babcock, CMC
City Clerk
906-482-2720

Village of Kingsley
207 South Brownson Ave.
Kingsley, MI 49649
Contact: Jacob VanBoxel
Village Manager
231-263-7575

CODIFICATION COST AND SERVICE SUMMARY

American Legal Publishing proposes to recodify the zoning ordinances for Whitewater Township, Michigan, at the following price:

I. Base Cost $9,500.00

**The actual page count may vary from the estimate or you might add new ordinances during the codification process. If the page estimate is high, the cost will be lower than the initial base cost, and vice-versa.*

Includes

a. Number of Copies of Whitewater Township's Zoning Code (includes binders and divider tabs) 5

b. Legal Analysis
   i. Research Internal Consistency
   ii. Research State Law Consistency
   iii. Legal and Editorial Research and Report

c. Special Features
   i. Tables of Special Ordinances
   ii. Parallel References
   iii. Comprehensive Index
   iv. Tabular Matter (Tables, Charts, Graphs)
   v. Zoning Code on CD-ROM (WordPerfect, MS Word compatible)

d. Estimated Number Of Pages
   8½" x 11" Format
   i. Single column (12 point type) 425 pages
   ii. Dual column (11 point type) 362 pages

II. Variable Cost

a. Per Page Increase/Decrease Rate
   8½" x 11" Format
   i. Single Column $18.00
   ii. Dual Column $21.00

b. Shipping & Handling T.B.D.

III. Time to Completion

Number of Months Until Manuscript	3-6 months
Number of Months Until Completed Zoning Code (after return of manuscript)	1-3 months
Number of Days for Updated Supplements	45 days or less

IV. Optional Services that may be ordered:

a. Additional Copies of Zoning Code
   i. Cost per Extra Code with Binder $100.00
   ii. Cost per Extra Code without Binder $80.00

b. Supplement Service
8½" x 11" Format
i. Single-column $19.00/per reprinted page
ii. Dual-column $22.00/per reprinted page
iii. Tables, charts, graphs, etc. $10.00 per page

c. Subscription Service YES

d. Pamphlets (With cardstock cover)
Per Impression (Printed Page)
i. 1-50 copies 7.5 ¢
ii. 51-99 copies 7.0 ¢
iii. 100 copies or greater 6.5 ¢
iv. Pamphlet Binders $11.50 each

e. Online Search and Retrieval Software

Documents Online:
i. Zoning Code of Ordinances $450.00

ii. Future Supplements of Online Zoning Code (cost is included in editing charge for printed pages):

- Annual update
- Six month updates
- Quarterly updates
- Monthly updates

(assumes Online update is in conjunction with update to printed supplement)

iii. Phone Support No Extra Charge

Optional Services:
i. On-Site Installation & Training (not necessary) $695.00/day + travel
ii. Additional read-only licenses (one time fee) $50 each
iii. Additional CD's $60 each

f. Zoning Code on the Internet $450.00 per year

g. Access and Search other codes on American Legal Publishing's Website No charge

h. Advance Legislative Service $7.00 per ordinance

i. New Ordinance Notification Service $5.00 per ordinance

j. Comprehensive Ordinance List $10.00 per ordinance

k. Definition Links Service $95.00 an hour

l. Archived Zoning Codes Online Service $45.00 each supplement with maximum yearly $300.00 fee

m. Custom Banner Service Price T. B. D.

n. Online Meeting Minutes 75¢ per page and $100.00 yearly online storage fee

V. Terms (**can be budgeted over two fiscal years**)

i. Forty Percent (40%) due upon acceptance of this agreement.
ii. Forty Percent (40%) within 30 days of receiving the manuscript.
iii. Balance 30 days after receiving and reviewing legal report and delivery of the completed Zoning Code.

American Legal Publishing Corporation
432 Walnut Street, 12th Floor
Cincinnati, Ohio 45202

Whitewater Township
P.O. Box 159
Williamsburg, MI49690

CODIFICATION AGREEMENT
January 14, 2019

The Whitewater Township, a municipal corporation in the State of Michigan ("Municipality") and American Legal Publishing Corporation, ("Publisher"), an Ohio corporation, agree as follows:

I. THE PUBLISHER SHALL:

(1) Examine the Municipality's Charter (if any), and prior zoning code (if any), and all ordinances or resolutions provided by the Municipality and determine which materials are to be codified.

(2) Utilize its staff of attorneys to review all materials to be codified and prepare a written report for the municipal attorney.

(a) The report may include notice of and suggestions for resolving the following:

Apparent conflicts with referenced state and federal statutes and administrative regulations;

Repealed, renumbered, or obsolete state and federal statutes and administrative regulations;

Apparent conflicts with prominent federal case law; and Internal discrepancies such as duplications, ambiguities, and obsolete terminology.

(b) Suggest new provisions which the Municipality should consider including in the new Zoning Code, and delete old provisions which are no longer necessary or which might be improper or unlawful.

(c) The review will not involve re-drafting of entire chapters by the Publisher. However, the Publisher will provide model ordinances to the Municipality upon request if available.

(d) At the option of the municipality, hold a manuscript conference with municipal representatives to review the report. The Municipality will not be billed for time of the American Legal staff attorney if it chooses this option, but will be billed for travel expenses.

Note: The review performed by the Publisher should not be considered as a substitute for the competent advice of your Municipal Attorney, especially based on his/her in-depth knowledge of the municipal practices and procedures, and American Legal Publishing is in no way assuming the role of attorney for the municipality. Land Use sections of the Zoning Code are especially specific to the locality and are thus only subject to cursory review.

(3) Classify all ordinances and resolutions which are of a general and permanent nature into titles, chapters, and sections, according to subject matter.

(4) Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the Municipal Attorney.

(5) Prepare:

(a) Title, chapter, and section headings.

(b) A table of contents and sectional analysis for each chapter.

(c) A legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Publisher.

(d) Statutory cross-references to sections of the state statutes and to other pertinent parts of the Zoning Code where applicable. These references shall appear at the end of the section to which they apply.

(e) Tables of Special Ordinances listing chronologically those ordinances in certain subject areas that the Municipality finds to be pertinent.

(f) Parallel Reference Tables showing:

1. The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).

2. A listing of code sections based on state statutes (Statute to Code).

3. A listing of prior code sections incorporated into the new code if applicable (Old Code to New Code).

(g) An index (which will be created after the first draft of the Code is submitted).

(6) Provide the Municipality with model or sample ordinances when available and upon request, at no additional charge.

(7) Deliver to the Municipality, within 6 months from receipt of the materials deemed necessary by the Publisher to begin the codification (prior zoning code, ordinances and new code questionnaire), one copy of a draft of the Zoning Code for the Municipality's examination.

(8) If necessary, hold a conference to make final corrections, additions, and deletions to the Zoning Code. The Municipality will be billed for the travel expenses of the American Legal staff attorney. The Municipality may present changes to pages of the draft at the conference. After the final conference, no additional changes are to be made. Any further changes, additions, or deletions shall be made in the future supplements to the Zoning Code in accordance with III(3) of this Agreement. When the draft, and any changes thereto made by the Municipality, is returned to the Publisher, such return of the draft shall be deemed final authorization by the Municipality to publish the Zoning Code as returned. If additional conferences are requested by the Municipality which require the travel of a member of the staff of the Publisher, then the Municipality shall be advised what the additional cost, if any, for such conference will be.

(9) Deliver to the Municipality, within 3 months of receipt of the corrected draft, 5 printed copies of the Zoning Code meeting the following specifications:

(a) Type to be single or dual column, at the option of the Municipality

(b) Page size to be 8½" x 11"

(c) Printed on high quality paper

(d) All copies to be in hard-covered, 3-ring, loose leaf binders. All binders shall have the Municipality's

name stamped in gold and shall contain divider tabs.

(10) Provide a sample adopting ordinance to the Municipality.

II. THE MUNICIPALITY SHALL:

(1) The Municipality will provide clear copies of all materials necessary to perform the codification, including an up to date copy of any previously published Zoning Code, copies of ordinances, and pertinent resolutions not previously codified, and a completed New Code Questionnaire (provided by the Publisher). (If the Municipality provides meeting minutes to the Publisher to review for legislation contained therein rather than actual ordinances or resolutions, there will be an additional charge of $45.00 an hour to extract ordinances or resolutions from the minutes for use in the new code.)

(2) After receipt of the draft of the Zoning Code and legal report described in paragraph I (2), the Municipality shall have 60 days to review the draft and report and to return to the Publisher its comments about the draft and its answers to the legal report. In the alternative, if the Municipality opts for the legal conference described in paragraph I (9), it must contact the Publisher within 60 days to set up a meeting date. The meeting, itself, need not occur within the same 60 day period. If the Municipality fails to either return its comments and answers to the legal report within 60 days or, if applicable, to set up a meeting date, the Municipality may request that the Publisher extend the deadline in writing. The Publisher may adjust the contract price to cover any increased costs due to the Municipality's delay.

(3) The Publisher agrees to include in the final version of the Zoning Code all ordinances adopted by the Municipality up to the time the manuscript is originally due back to the Publisher under the provisions of (2) above. The Municipality agrees that any ordinances adopted after this date shall be included at the Publishers' supplement rates (as set out in paragraph III(3)(b)) at the time of the inclusion of these ordinances into the Zoning Code.

(4) (a) Pay to the Publisher for shipping of the final Zoning Code order as a base price, the sum of $9,500.00 for its services set out in Section I, payable as follows:

Forty percent (40%) due upon acceptance of this agreement;

Forty percent (40%) within 30 days after submission of the manuscript and invoice;

The balance 30 days after receiving and reviewing the legal report and final delivery of the printed Zoning Code books plus invoice.

If the Zoning Code page contains an image (diagram, photograph, chart, graph, etc.) or table, there is an additional $10.00 per page rate.

(b) The price above is based upon a Zoning Code of the following number of pages according to the format option chosen by the Municipality. Should the final page count of the Zoning Code be fewer or more pages than this estimate, the base price will decrease or increase accordingly at the time of the final invoice:

FORMAT	NUMBER OF PAGES	DECREASE OR INCREASE
8½" x 11" Single-column page	425	$18.00 per page
8½" x 11" Dual-column page	362	$21.00 per page

(5) Pay any invoices within 30 days of the invoice date. Invoices outstanding beyond the 30 day period shall be subject to a late payment equal to 1.5% of the unpaid balance per month, or part thereof.

III. OPTIONAL SERVICES.

The Municipality, by the initials of the person executing the agreement on its behalf, exercises the following options:

INITIAL

(1) Zoning Code Format: (Initial one only)

(a) Single-column format _____

(b) Dual-column format _____

(2) Additional Zoning Code number of copies _____ (with binders: Yes or No) _____

The Municipality may purchase additional codes at (*circle one:*)$100.00 per copy or $80.00 without a binder.

(3) Five year supplemental service plan: _____

For a period of five years after delivery of the code:

(a) The Publisher shall:

1. Incorporate into the code new pertinent ordinances submitted by the Municipality.

2. Revise or make additional entries to the table of contents, parallel reference tables, and index as necessary to reflect the incorporation of additional, changed or deleted material.

3. Within 45 days, deliver to the Municipality 5 printed copies of supplemental pages with an instruction sheet for directing the placement of the new pages in the code.

(b) The Municipality shall:

1. Provide a copy of ordinances or resolutions passed subsequent to publication of the previous code supplement;

2. Pay to the Publisher the sum of $19.00 per reprinted single column page or $22.00 per reprinted dual column page, plus shipping and handling.

The prices above are for a five-year period and cannot be changed except for adjustments in the second, third, fourth, and fifth years of this agreement to reflect any decrease or increase in the United States Consumer Price Index calculable from the month of delivery of the Zoning Code.

If the Zoning Code page contains an image (diagram, photograph, graph, etc.) or table, there is an additional $10.00 per page charge.

(c) Upon completion of the five-year period, this agreement shall automatically renew itself from year to year except that either party may alter or cancel the terms of this agreement at any time upon ninety days written notice.

(4) Zoning Code on CD-ROM (word processing program): _____

At no additional charge, the Publisher will provide the Zoning Code on CD-ROM in one of the following

formats (*circle one*): Microsoft Word compatible, WordPerfect, or PDF.

(5) Subscribers Service: _____

The Publisher will operate a subscription service upon the Municipality's request as follows:

(a) After the Publisher determines production cost and shipping and handling charges, the Municipality has the right to set the total price of the codes for the subscribers. The difference will be credited to the Municipality's future supplement invoices.

(b) Subscribers can be charged in advance or at time of shipment if they wish to subscribe to the supplements. The total cost for this subscription will be for a year's worth of supplements.

(c) Subscribers of the complete Zoning Code will be required to pay in advance of shipment by check or credit card.

(d) The Publisher will incur all mailing costs for the marketing of the Zoning Code. Order forms with an announcement of the Zoning Codes and supplement service availability will be included in this mailing.

(e) Any law firms, realtors, businesses, libraries or other interested parties contacted may inquire about Zoning Code orders by using the Publisher's toll-free number.

(f) The Publisher will print subscribers' orders as needed, and will not require the Municipality to either pre-purchase copies or store extra copies.

(6) Pamphlets:

(a) Pamphlets, sized for 8½" x 11" copy, containing component parts of a Zoning Code, with a cardstock cover, may be ordered: (*circle desired topic and insert number of copies*):

Type of Pamphlet _____ # of copies _____ _____

(b) Cost:

1-50	copies of pamphlet — .075 per printed page
51-99	copies of pamphlet — .070 per printed page
100 or more	copies of pamphlet — .065 per printed page

(c) Optional 3-ring pamphlet binders ($11.50 each) _____

(d) Pocket sized pamphlets are available at rates to be agreed upon.

(7) Online Search and Retrieval program:

(a) The Publisher shall provide the Municipality's Zoning Code of ordinances online and on a flash-drive, downloaded, or CD-ROM with complete instructions and one copy of a manual for $450.00. _____

(b) Future Supplements of Online Zoning Code (cost is in addition to editing charge for printed pages): _____

Internet Updates:_____ annually _____ six months _____ quarterly _____ as ordinances pass

Printed Books Updates:_____ annually _____ six months _____ quarterly _____ as ordinances pass

(d) Optional On-Site Installation & Training (not necessary) at $695.00/day + Travel Expenses. _____

(e) Zoning Code on the Internet at $450.00 per year. _____

(f) Access and Search other codes of ordinances on American Legal Publishing's Website No charge

(g) Advance Legislative Service (PDF): As new ordinances are passed they will be added to the New Ordinance List. This list will have the latest ordinances listed by date passed. Once ordinances are supplemented this list will be cleared. An ordinance can post on the same day. The cost for this service is $7.00 per ordinance. If the entire ordinance needs to stay online then chose our other service called Comprehensive Ordinance List. All ordinances can be listed for $300.00 a year. _____

(h) New Ordinance Notification Service: As new ordinances are passed, American Legal will place a New Ordinance Notice that this Zoning Code section has been amended. Once the ordinance is supplemented into the Zoning Code of ordinances the Notice will be removed. The cost for this service is $5.00 per notice. This service is usually combine this service with the Advance legislative Service or the Comprehensive Ordinance List. _____

(i) Comprehensive Ordinance List (Folio Link):As new ordinances are passed they will be added to the Comprehensive Ordinance List. This list will have the latest ordinances listed by year. The ordinances will be highlighted in yellow until they are added to the Zoning Code book. All ordinances can be listed, even ones that are not usually codified such as annexation, variances, budget, and other miscellaneous ordinances. The ordinance is linked to a pdf copy of the original ordinance. The price for this service is $10.00 an ordinance or charged a maximum fee of $300.00 per year for all ordinances placed online. If you store the ordinances on the Municipality website there is no storage cost. If ordinances are stored on ALP website a price of $100.00 per year for storage. _____

(j) Definition Links Service: American Legal will build defined term links or pop up boxes to any word requested by the Municipality. Many municipality like this service so that a user can see the definition of the word without going back to the defined terms section of the Zoning Code. This service is available for the Zoning Code of Ordinances and/or the Land Development Code. The cost for this service is $95.00 an hour. _____

(k) Archived Zoning Codes Online Service: American Legal Publishing can store previous versions of your Zoning Code and or supplements online for research purposes. The cost for this service is $45.00 for each supplement per year. The maximum yearly cost is $300.00 a year. _____

(l) Translation Software Services: American Legal can place your Zoning Code of in 90 languages for one low annual fee of $75.00 a year. This service will allow citizens to view and read the Zoning Code in many different languages. _____

(m) Custom Banner Services: American Legal can make your online Zoning Code look just like the municipality website. The cost for this service is based on the files that are provided by the Municipality. The one time fee is anywhere from $200.00 and up. Please send the files for an actual price.

(n) Online Meeting Minutes Service: American Legal can store meeting minutes as well as other documents online. Your minutes, resolutions, contracts, annexations can all be placed online and indexed for 75¢ per page, with a yearly $100.00 yearly storage fee. _____

(o) **Package Deal:** The Municipality can chose to get all of the above additional online services h, i, k, l, m, n for a yearly cost of $700.00 a year. Definition links (j) are not included in the package. Minutes would start from January 2017 and going forward. Older minutes from 2016 and previous years would be charged 75¢ per page. _____

IV. TRANSMITTAL AS OFFER.

The transmittal of this Agreement to the Municipality is an offer by the Publisher to perform the stated services at the prices and terms referenced within the Agreement. This offer will expire if not executed by the Municipality by April 30, 2019, unless such date is extended in writing by the Publisher.

IN WITNESS WHEREOF the parties to this contract have hereunto set their hands on the date(s) indicated:

Whitewater Township, Michigan	American Legal Publishing Corporation
By _____	By _____
Title _____	Title Stephen G. Wolf, President
Date` _____	Date _____

CHAPTER 71: TRAFFIC REGULATIONS

Section

General Provisions

71.01 Speed limit in city alleys
71.02 Operation of motor vehicles on unpaved public or private property prohibited

Motorcycles; Motor Scooters and Motor Bikes

71.25 Safety helmet or headgear required
71.26 Operator's permit required

71.99 Penalty

Cross-reference:

Speed limits on designated streets, see Chapter 76, Schedule I
Citations for traffic and parking violations, see §§ 72.150 through 72.157

GENERAL PROVISIONS

§ 71.01 SPEED LIMIT IN CITY ALLEYS.

(A) For purposes of this chapter an ***ALLEY*** shall mean every street or way within a block, which is set apart for public use, vehicular traffic and local convenience. ('72 Code, § 34-4)

(B) No person shall drive a motor vehicle upon any alley in the city at a speed in excess of ten miles per hour. ('72 Code, § 34-5)
(Ord. 2087, passed 2-5-80; Am. Ord. O-87-72, passed 12-23-87) Penalty, see § 71.99

§ 71.02 OPERATION OF MOTOR VEHICLES ON UNPAVED PUBLIC OR PRIVATE PROPERTY PROHIBITED.

(A) It shall be unlawful for any person to operate a motor vehicle, as defined by the Florida Uniform Traffic Control Law, F.S. Chapter 316, as may be amended from time to time, on any unpaved public property, or on any paved or unpaved shoulder of a public road.

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(B) It shall be unlawful for any person to operate a motor vehicle on any unpaved private property, not owned by the operator or his immediate family, without the express written consent of the owner, lessee, tenant or other person entitled to possession and use of such premises; said written consent to be carried on the operator's person.

(C) The foregoing provisions shall not apply to the following:

(1) A licensed and franchised public utility in the conduct of its business;

(2) Any federal, state or local governmental agency;

(3) Any licensed emergency vehicle;

(4) Any situation where such operation is necessary to avoid collision with other traffic;

(5) Where such operation is in compliance with other laws or the directions of a law enforcement officer or official traffic-control devices.
('72 Code, § 34-13) (Ord. O-73-51, passed 6-27-73) Penalty, see § 71.99

AMERICAN LEGAL PUBLISHING CORPORATION
ONLINE SEARCH & RETRIEVAL

Following is information on our online search and retrieval program American Legal offers. Our Internet and network software allows you to create electronic text as well as access any section, word, or reference in that text (i.e. your code or meeting minutes) instantaneously. Our software also provides you with a complete word index. Every word in your code is catalogued.

With our online software you can conduct searches by word, phrase, section number, date, or anything you want. You can also perform stem searches when you are not sure of the ending of the words you want to find (e.g. go% = going, gone, went, etc.) proximity searches (e.g. find "penalty within 5 words of jail"), and more. You can also do searches by title, chapter, table of contents, and in multiple infobases (such as in the Code of Ordinances, Charter, Council Minutes, and any other files) at the same time. Additionally, our network version allows each user to customize his or her version by creating a shadow file with color and style highlights, bookmarks, notes, and pop-up links within the text without affecting the original text.

This program has been recognized by the computer industry to be the leader in search and retrieval.

American Legal Publishing can provide your Code of Ordinances and other materials on a flash drive or you can download materials from our site online in Word, HTML, and PDF.

SAMPLE SEARCHES

Search	Result	Example of Findings
21 years of age	finds every paragraph in the code in which 21 and the words: years, of, age appear	1) 21 years of age 2) age of 21 years
"21 years of age"	finds only the exact phrase "21 years of age"	1) 21 years of age
21 or 18 years of age	finds every place where either 21 years or 18 years of age appears in the code	1) 21 years of age 2) age of 21 years 3) 18 years of age 4) age of 18 years
"21 18"@5	finds every place in the code where 21 and 18 appear within five words of each other	1) anyone between the age of 18 to 21... 2) the prior age of majority of 18 has been changed to 21
go%	finds all words which are variations	1) go 2) gone 3) going 4) went
good$	finds synonyms	1) good 2) advantage 3) benefit 4) usefulness
council*	finds all words beginning with "council"	1) council 2) council's 3) councilman 4) councilwoman 5) councilmember

JUMP LINKS - when clicked on, they will take you directly to another section of the code. For example, clicking on the link *Penalty, see § 70.99* (underlined and in green) following a section, will take you directly to that penalty section.

SHADOW FILE (customized by the user; secures integrity of main data):
Shadow files allow each user to highlight phrases in the computer version of the code for emphasis just as can be done with a printed version of the code. Each user can also add personal notations to the code which do not affect the actual text of the code.

AMERICAN LEGAL PUBLISHING

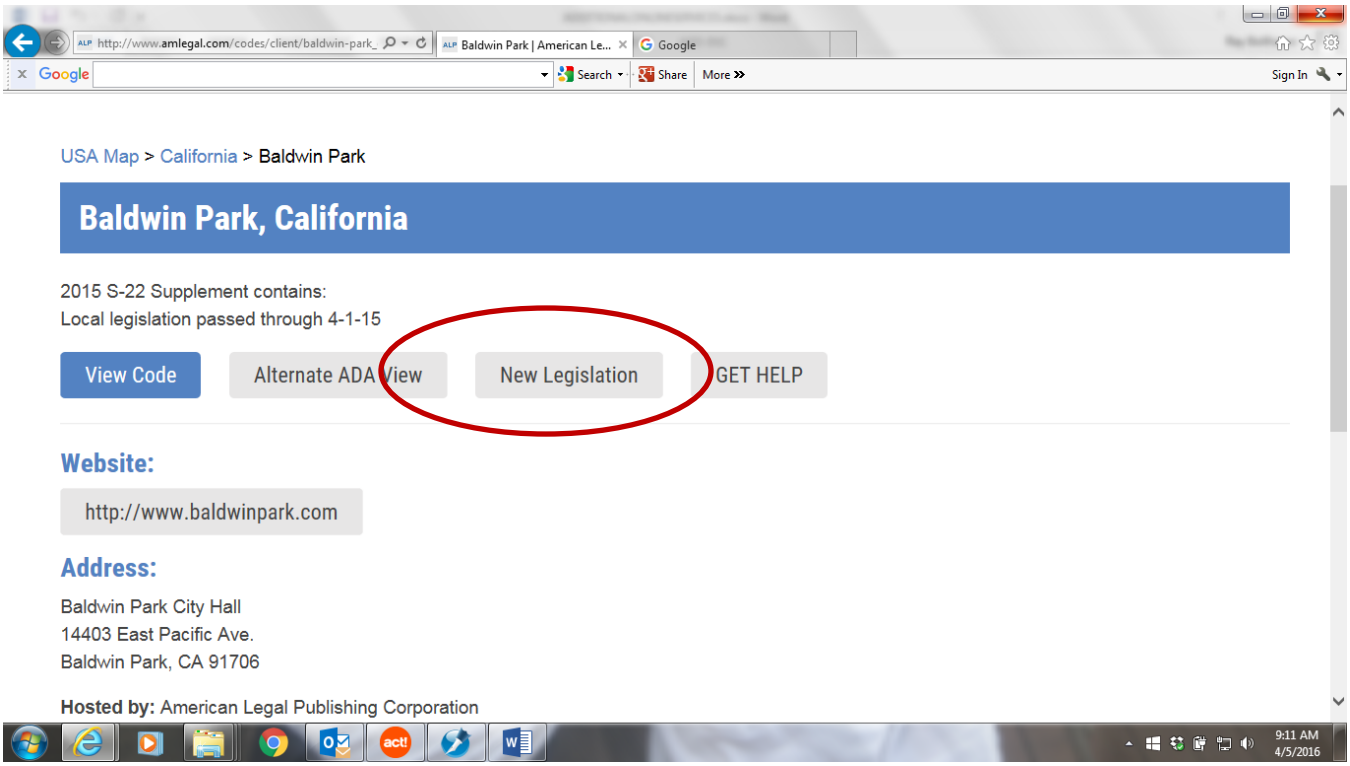
OPTIONAL ONLINE SERVICES

American Legal Publishing Corporation
One West Fourth St., 3rd Floor, Cincinnati, Ohio 45202
1-800-445-5588

NEW ORDINANCES LIST SERVICE

As new ordinances are passed they will be added to the New Ordinances List. This list will have the most recent ordinances. Once ordinances are supplemented this list will be cleared. An ordinance can post to the New Ordinances List on the same day.

Example of where to find the New Ordinances List



Example of the new ordinance list with links to ordinances

Listing new Ordinances that may amend the

BALDWIN PARK, CA
MUNICIPAL CODE

This list provides information documenting the latest ordinances passed by the city that will be incorporated into the Baldwin Park Municipal Code. The code is updated annually.

The complete text of ordinances are linked to the list below.

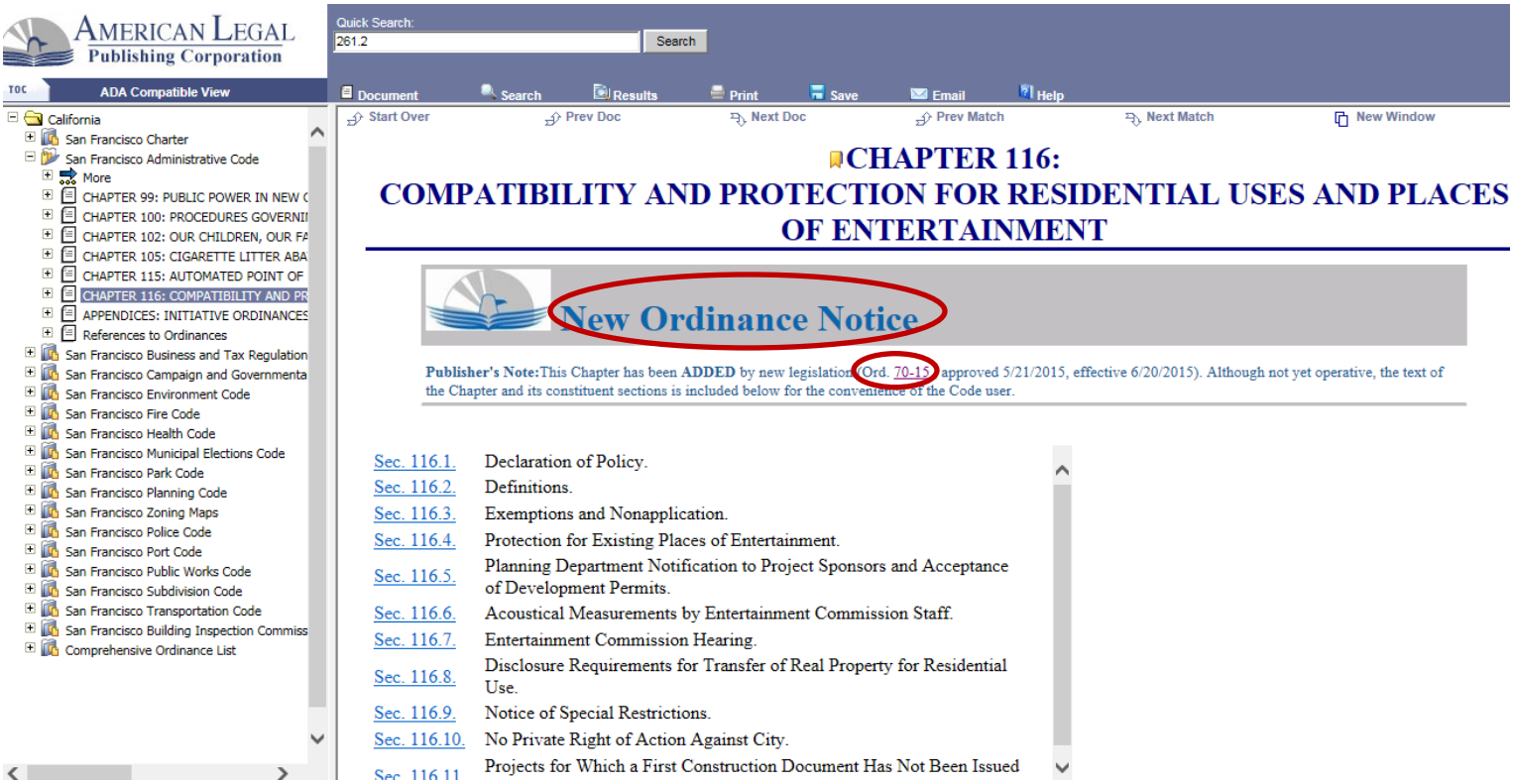
Ordinances passed from February 19, 2014 through April 1, 2015

Ordinance No.	Adopted	Code Section or Subject
1365	10-1-14	Amending § 72.21, parking of trucks, special use vehicles, and the like

NEW ORDINANCE NOTIFICATION SERVICE

As new ordinances are passed, American Legal will place a New Ordinance Notice that this code section has been amended. Once the ordinance is supplemented into the code of ordinances the Notice will be removed.

Example of New Ordinance Notice and link to actual ordinance



Example of a newly passed ordinance retrieved via a link

AMENDED IN BOARD
5/5/15

FILE NO. 141298 ORDINANCE NO. 70-15

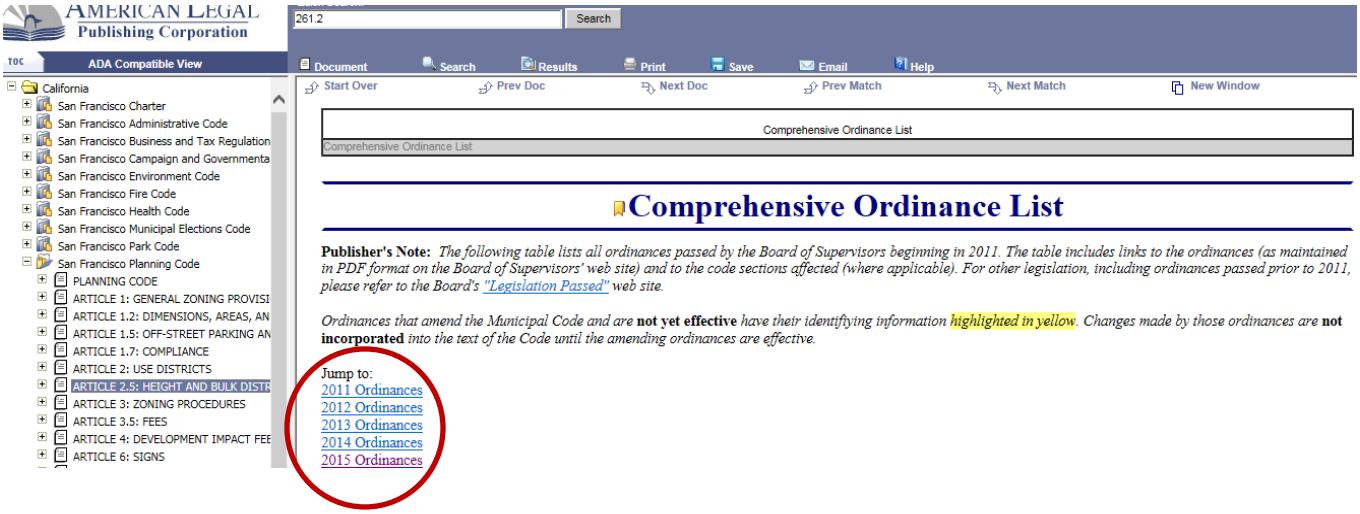
[Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]

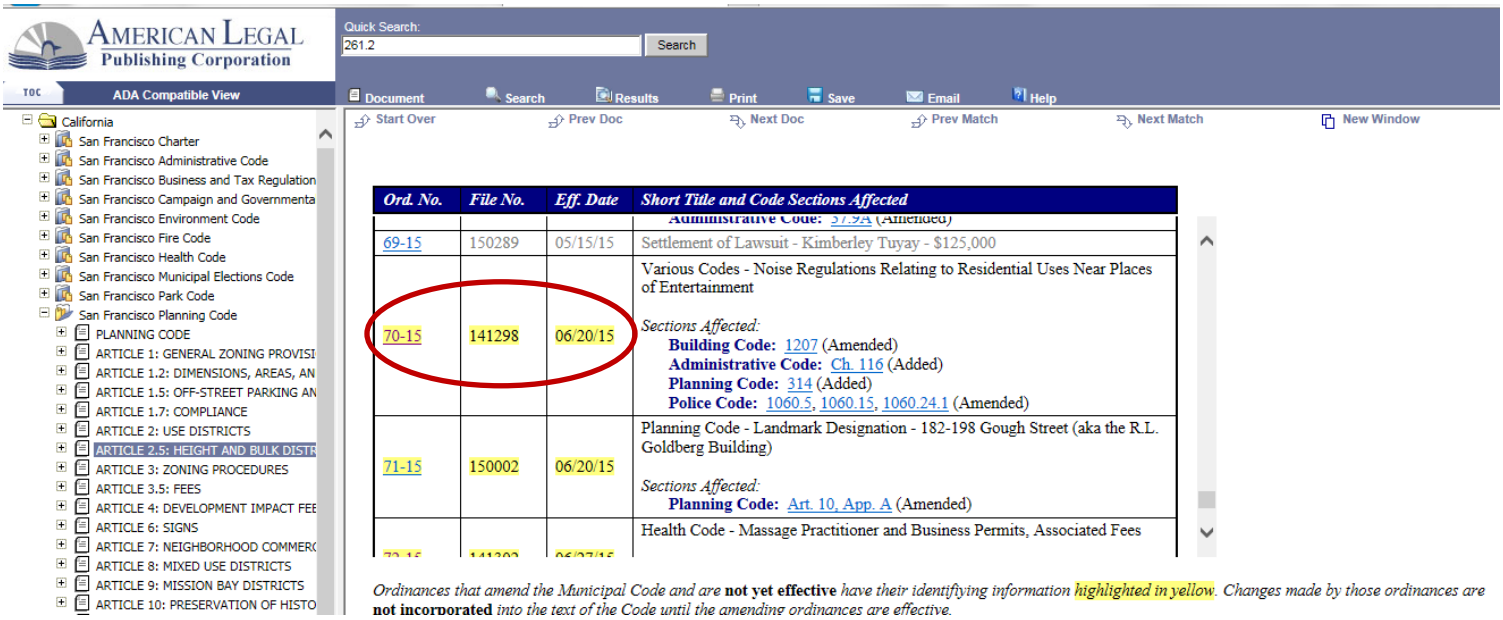
Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the

COMPREHENSIVE ORDINANCE LIST SERVICE

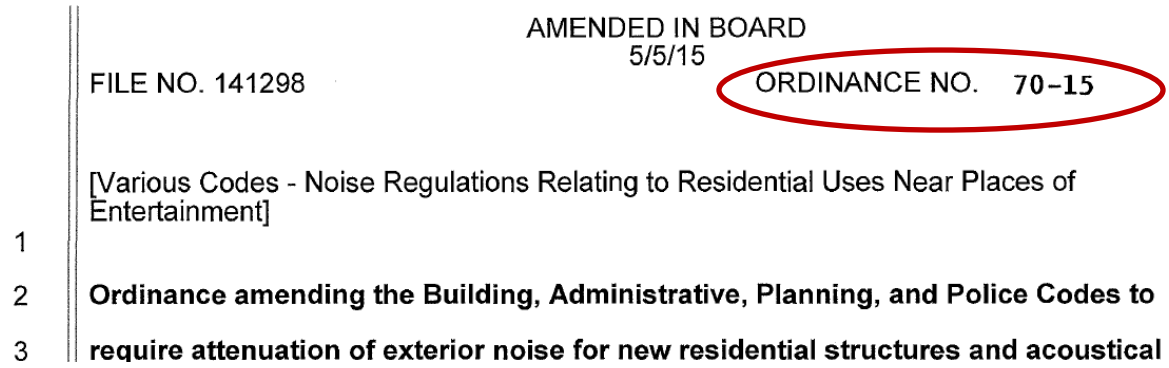
As new ordinances are passed they will be added to the Comprehensive Ordinance List. This list will have the most current ordinances listed by year. The ordinance numbers will be highlighted in yellow until they are added to the code book.

Example of a Comprehensive Ordinance List and a link to an ordinance



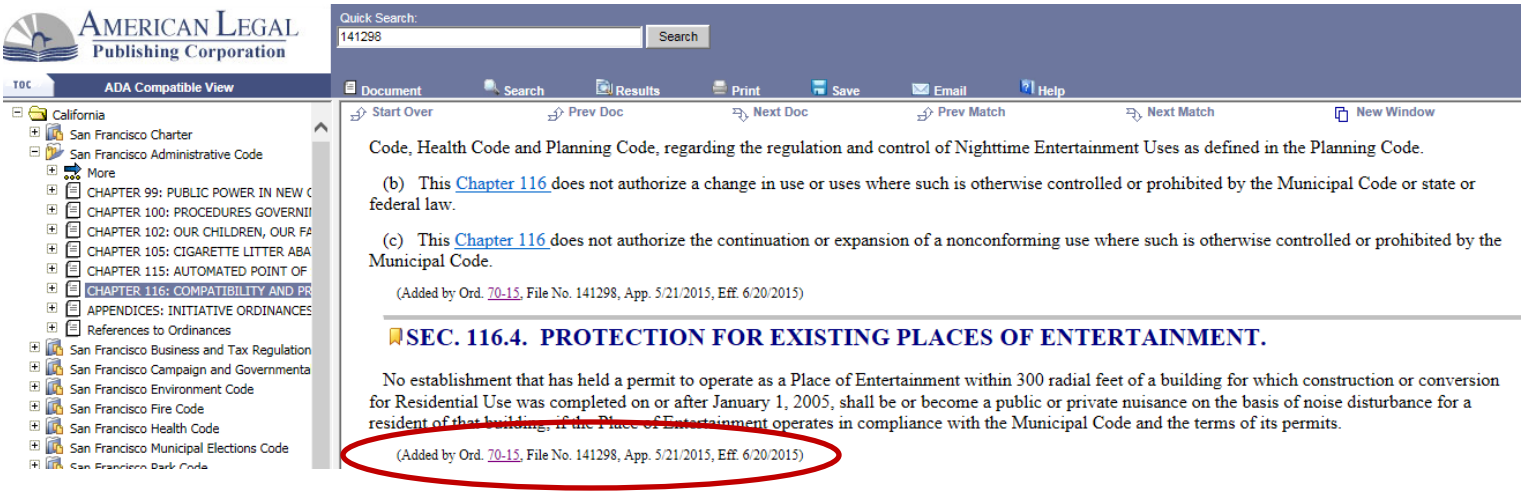


Example of a link to an ordinance



Ordinance History Link is also included in the Comprehensive Ordinance List Service.

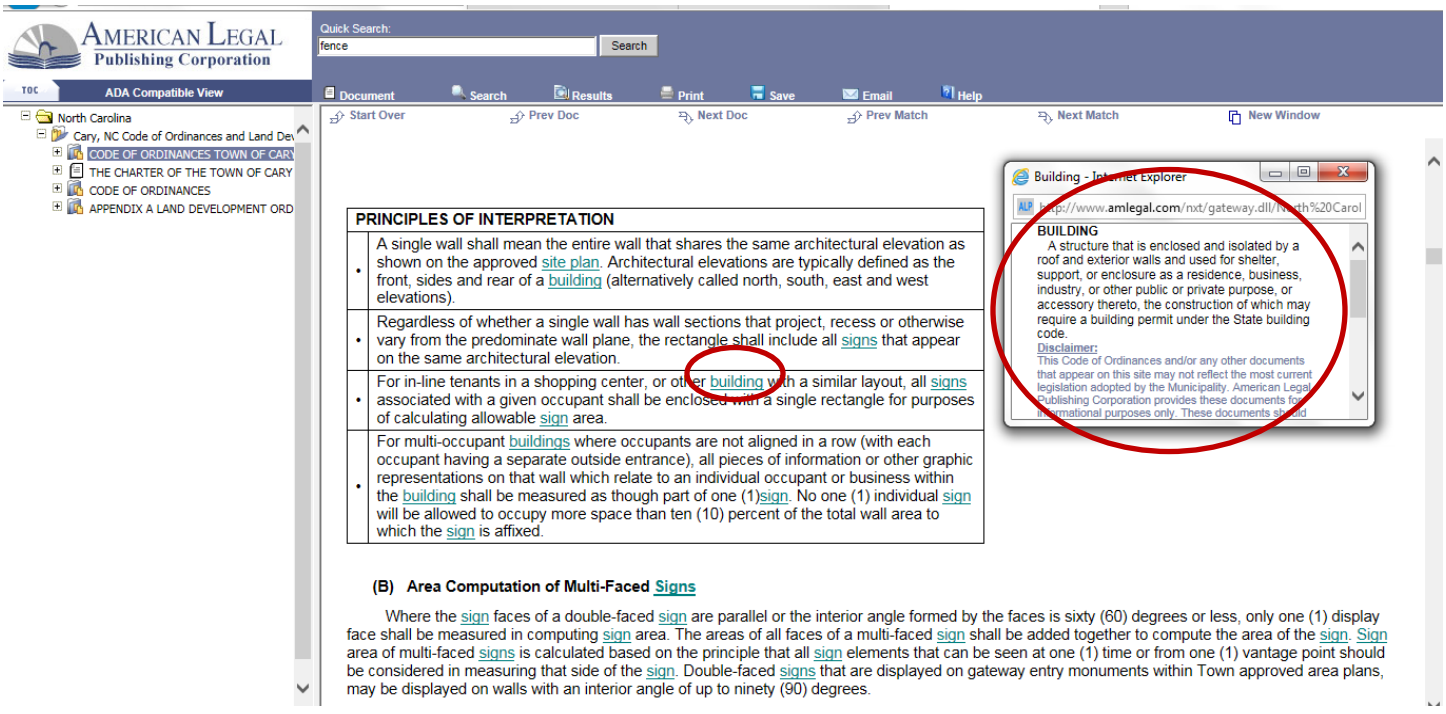
Example of a code book history section link to a newly passed ordinance



DEFINITION LINKS SERVICE

American Legal will build defined term links or pop up boxes to any word requested by the municipality. Many municipalities like this service so a user can see the definition of the word without going back to the defined terms section of the code. This service is available for the Code of Ordinances and the Land Development Code.

Example of a pop up box of a defined term



ARCHIVED CODES ONLINE SERVICE

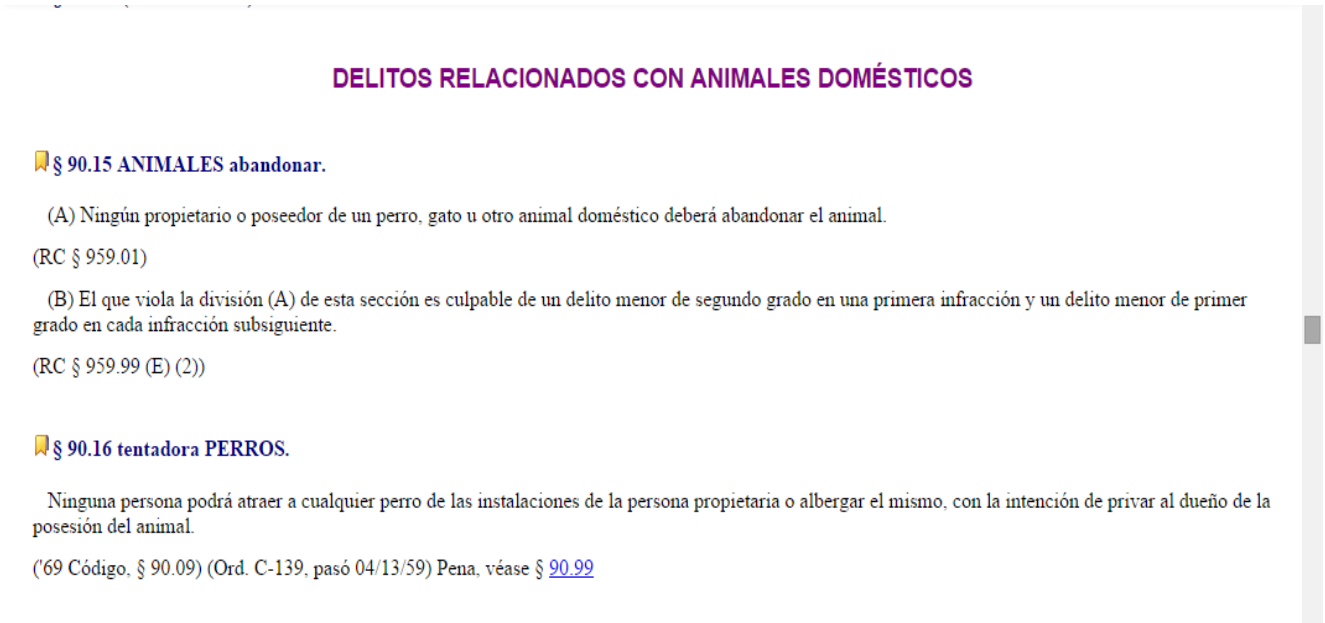
American Legal can store previous versions of your code online for research purposes. Contact our staff for a cost estimate.

Example of the different versions of the prior codes to choose from

TRANSLATION SOFTWARE SERVICES

American Legal can place your code of ordinances in 90 languages for one low annual fee. This service allows citizens to access your code of ordinances in Spanish, Polish, Dutch, Russian, and Arabic, just to name a few.

Example of a code section in Spanish



DELITOS RELACIONADOS CON ANIMALES DOMÉSTICOS

§ 90.15 ANIMALES abandonar.

(A) Ningún propietario o poseedor de un perro, gato u otro animal doméstico deberá abandonar el animal.

(RC § 959.01)

(B) El que viola la división (A) de esta sección es culpable de un delito menor de segundo grado en una primera infracción y un delito menor de primer grado en cada infracción subsiguiente.

(RC § 959.99 (E) (2))

§ 90.16 tentadora PERROS.

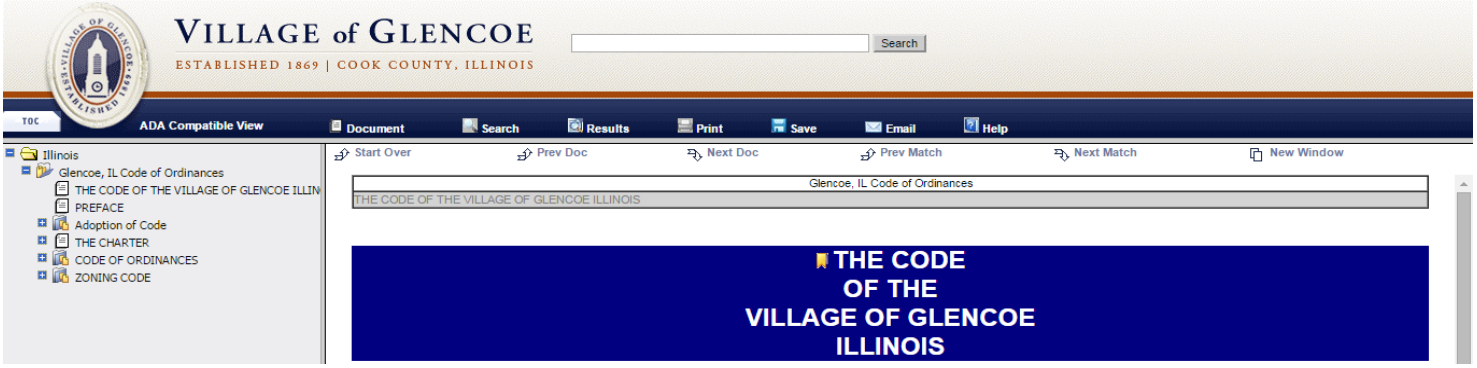
Ninguna persona podrá atraer a cualquier perro de las instalaciones de la persona propietaria o albergar el mismo, con la intención de privar al dueño de la posesión del animal.

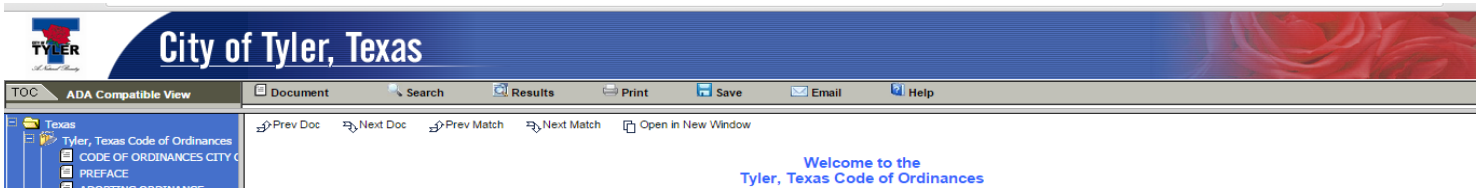
('69 Código, § 90.09) (Ord. C-139, pasó 04/13/59) Pena, véase § 90.99

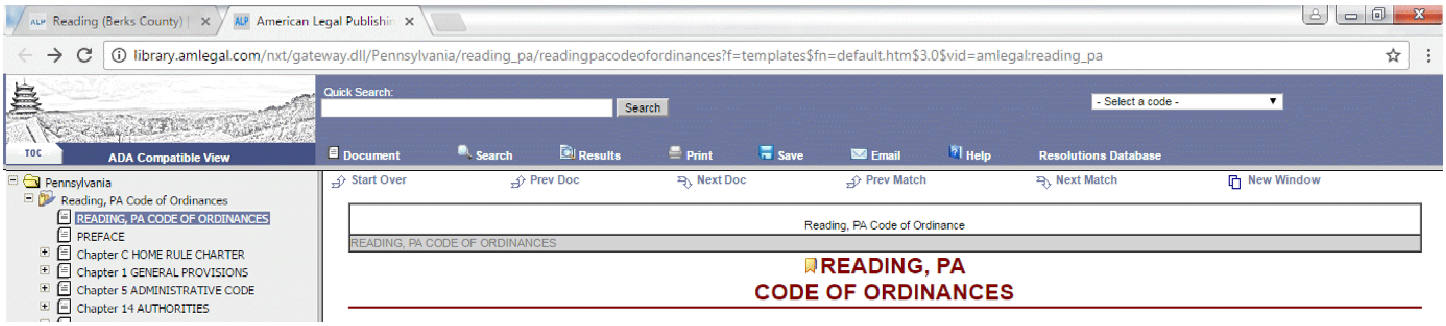
CUSTOM BANNER SERVICE

Would you like your online code to match your website? Below are samples of three municipalities that have customized their banners with American Legal.

Example of three custom banners



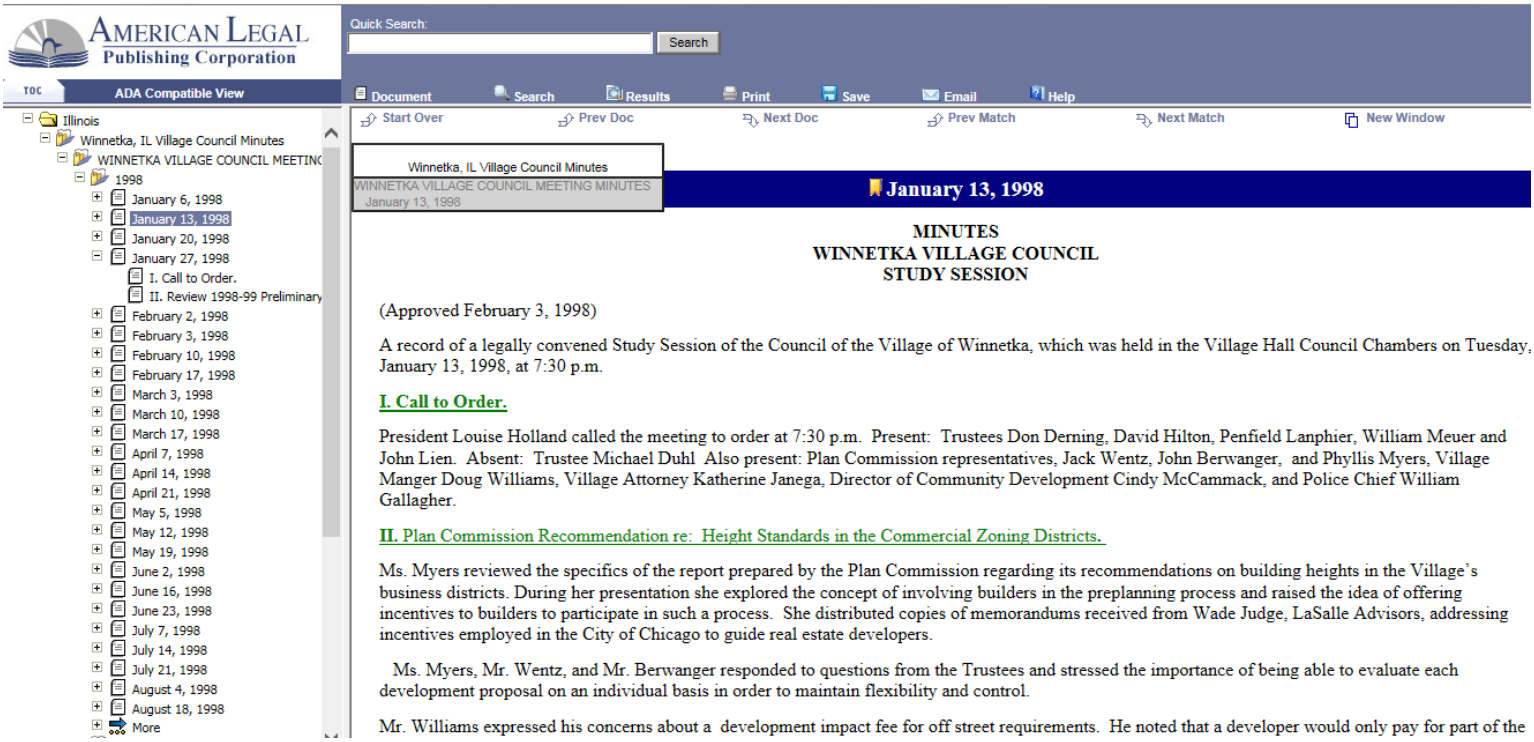




ONLINE MEETING MINUTES SERVICE

American Legal can store meeting minutes as well as other documents online. Your meeting minutes and other documents are instantly indexed and fully searchable online. Our service eliminates the need to purchase hardware, software, support services, and those costly maintenance packages. Our software program is entirely web-based. Simply email us your newly-passed meeting minutes and we will have them online the next day.

Example of the meeting minutes online



GENERAL CODE

A Member of the ICC Family of Companies

Proposal for Codification Services

PREPARED FOR:

Township of Whitewater, Michigan

PREPARED BY:

MARCIA CLIFFORD, ESQ.

CODIFICATION ACCOUNT MANAGER

mclifford@generalcode.com

800.836.8834

DATE:

January 15, 2019

(Valid for six months)

GENERAL CODE

A Member of the ICC Family of Companies

January 15, 2019

Cheryl Gross
Clerk, Township of Whitewater
5777 Vinton Road
Williamsburg, MI 49690

Dear Ms. Gross,

General Code is delighted to present the Township of Whitewater with this proposal for codification services. As detailed in the enclosed proposal, our custom solution incorporates General Code's state-specific knowledge, innovative technology and experienced staff to assemble Whitewater's laws into a Zoning Code that is accurate, enforceable and easily accessible by the Township's constituents and broader community.

As an experienced codifier that has served communities and municipal staff for over half a century, General Code's unique knowledge of local government drives us to create better codification solutions and technology that are grounded in municipal feedback, and support both the current and future needs of your community. Our collaborative approach leverages our team's unique understanding of codification and combines your input with our cutting-edge technology – such as our online Code platform, *eCode360*® – to transform the way municipal officials and citizens access and share Code information.

Beyond the numbers and strategies presented in this proposal, we offer the Township a long-standing commitment to creating community-focused solutions, coupled with our core values, including integrity, personal responsibility and honest care and concern for local governments and the communities they serve. Throughout the codification process, our Michigan Staff Attorney and Account Manager, Marcia Clifford, will be available to meet you and answer any questions the Township may have.

We are committed to helping Whitewater experience a higher standard of codification.

As a member of the International Code Council family of companies, General Code and the ICC are proud to provide robust Code solutions that benefit the community, encourage economic growth, and help the Township save time and resources.

We look forward to serving your community.

Sincerely,

Cristina LoVerde
Vice President of Sales & Marketing

Marcia Clifford
Codification Account Manager

Experience the Higher Standard. Explore the Possibilities.

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Executive Summary

A thorough review of your request has given us a better understanding of your unique needs and helped us determine ways that we can partner with you to organize the Township of Whitewater's legislation into a Zoning Code that is a useful and effective resource for your community. The executive summary below serves as an overview for building a collaborative codification solution that can help the Township achieve its goals. Full solution details are listed in the Recommended Solution section on page 4 of this proposal.

Situation Analysis

The Township of Whitewater's Zoning Ordinance was originally adopted in 1972, and was last compiled in 1994. As a result, your community may not be able to easily find the Township's laws, and your legislation may contain inconsistencies, errors and outdated information that could potentially affect enforceability and alignment with relevant state statutes.

It is our understanding that the Township would like to codify its Zoning legislation, including a comprehensive review, to include all legislation of a general and permanent nature through Amendment No. 72. This process would ensure that legislation is up to date and is in line with state statutes and the current needs of your constituents, in addition to making the overall Zoning Code consistent in organization, format, style, and content.

The Township would also like to provide access to the Zoning Code and make it easier for constituents and staff to find information by implementing a fully searchable online version of its Code, housed on our unparalleled *eCode360* platform.

Our Solution

Our comprehensive codification solution for Whitewater includes:

- **An Editorial and Legal Analysis and recodification of existing materials**
  This process will identify conflicts, redundancies and inconsistencies in your legislation and enable you to incorporate the necessary revisions to assemble a Zoning Code that is enforceable and fully complies with state statutes
- **An online Zoning Code housed on our innovative *eCode360* platform**
  Created for a variety of users, *eCode360* will make the complete text of your Code available online in a format that is easy for your community to use and is fully searchable
- **3 custom printed Code books, with an option for additional printed volumes**
  We will provide you with 3 fully customized print copies of your new Code, with additional copies as requested

Solution Benefits

General Code has extensive experience in Michigan and currently serves over 3,000 municipalities across the United States and Canada. Based on over a half a century of experience working with local governments, we understand the needs and challenges of communities like yours as well as the importance of collaborating throughout the codification process. A comprehensive codification solution from General Code will:

1. Deliver a Code that is always accessible to the public and up-to-date
2. Help you keep Whitewater's legislation enforceable
3. Improve transparency with constituents
4. Save Whitewater's staff time and resources by empowering constituents to find Code information independently

Who Benefits?

1. **Constituents**—Citizens will be able to find and use laws in a comprehensive, up-to-date and understandable format
2. **Staff**—All staff members will be able to gather the information they need to do their jobs and to answer questions from both citizens and other municipal officials
3. **Planners/Developers**—Your new Code will provide a clear view of existing regulations and make it easier to determine the impact of proposed changes and amendments on development and growth initiatives
4. **Attorneys**—Legal staff can draft and amend legislation more efficiently by using *eCode360* to research similar laws that other communities have passed

Whitewater's Investment

The price of General Code's recommended solution will be $7,220.

A detailed breakdown of the investment and available options can be found in the Project Details and Options section on page 12.

Recommended Solution for Whitewater

Based on our discussions with the Township, we have put together a collaborative codification solution built for your community's specific needs. In addition to having years of codification experience, our staff is uniquely qualified to serve your community, based on backgrounds in municipal law, code enforcement, zoning and planning, information technology, and government administration. Our recommended solution includes the following services from General Code:

1. Deliver a Code

General Code will provide the Township with a Zoning Code that is clear, enforcable, and easy for your community to access and use. During the codification process, we will include all legislation of a general and permanent nature through Amendment No. 72 and organize it to logically accommodate different types of legislation. We will also convert your Code into XML format to make your Zoning Code information fully searchable online and easy to update.

2. Provide an Editorial and Legal Analysis

Our project team will do a thorough review and analysis of your legislation and provide recommendations for assembling a Code that is clear, reliable and enforceable. The Editorial and Legal Analysis workbook contains specific questions compiled by your Code consultant while reviewing the Township's legislation. These questions highlight errors, inconsistencies and other issues that may affect the accuracy, clarity and enforceability of your final Code. The Editorial and Legal Analysis workbook guides your stakeholders to make decisions about revisions to the legislation. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the Township officials and the Township Attorney.

Your Online Review Tool, *eCode360 Code Review*

eCode360 Code Review will be a helpful resource as you review the Editorial and Legal Analysis, enabling you to reference and search relevant Code sections online to answer questions and work through conflicts, duplications and inconsistencies within the Code.

3. Publish a Secure Online Zoning Code with *eCode360*

eCode360 is a secure, reliable online platform created specifically to house codified laws and municipal documents. Built with a variety of user needs in mind, *eCode360* will provide Whitewater's citizens, staff and businesses with unparalleled flexibility to quickly access and search your Code on a variety of desktop and mobile devices.

eCode360 Benefits:

A centralized solution—laws, regulations and related documents are integrated into a dynamic, centralized resource so that Code users can find information in one place

Simple to use—*eCode360* is easy and intuitive and offers powerful time-saving features that let your community members easily access, search and share Code sections with incredible speed and precision

Easy to update—General Code will update your *eCode360* site with each supplement to your Code. This saves your staff time while ensuring that your Code information is always accurate and enforceable and available to your constituents

A trusted, "go-to" resource—Empower your staff to answer frequently asked questions with clarity and confidence—even before they are asked

Always evolving—We push the boundaries of what is possible with our *eCode360* platform by consistently releasing innovative functionality based on communities' needs

User Benefits:

Constituents—Members of your community have 24/7 access to research topics and find information on their own, saving phone calls and trips to the Township offices

Clerk/Secretary—*eCode360* allows staff to better serve your community by simplifying information searches to give constituents fast and accurate answers to Code questions

Planner/Developer— *eCode360* provides a clear view of existing situations and makes it easier to determine the impact of proposed changes and amendments on development and growth initiatives

Attorney—Legal staff can draft and amend legislation more efficiently by using *eCode360* to research similar laws that other communities are enforcing

Service Level included in this Project: **Lite**

	eCode360 Lite	Standard *eCode360*	Premium *eCode360*
Annual Maintenance Fee	$695	$995	$1,195
New Laws	x	x	x
Easy and Flexible Searching	x	x	x
Dynamic Table of Contents	x	x	x
Email or Share Links	x	x	x
Printing	x	x	x
Bookmarking Searches	x	x	x
Archive View	x	x	x
"Sticky" Table Headers	x	x	x
Administrative Tools	x	x	x
eCode360 Search App	x	x	x
Linked New Laws		x	x
Public and Private Notes		x	x
Sample Legislation (Multicode Search)		x	x
Download to Word		x	x
Download to PDF			x
New Laws Indicator			x
Customizable Titles			x
eAlert			x
Public Documents Module			x

For more information about *eCode360* and the service levels we offer, see page 21.

4. Publish a Custom Printed Code

General Code will publish 3 printed copies of your Zoning Code in high-quality, custom-imprinted post binders. The Code pages will be designed in an 8 ½-by-11-inch page size, using 11-point Times New Roman font in a single-column format on 100% recycled paper.

General Code lets you customize the look of your final printed Code, including the color of your binder (blue, dark red, green, brown, black or gray) and the color of the silk-screen lettering on the binder cover (white, silver or gold). We can also emboss the Township's Seal on the front and spine for added impact at no additional charge. Each copy of the Code will include a set of tab dividers for individual customization and will also be serial-numbered for easy identification.

5. Provide Ongoing Code Maintenance

Once your new Code is delivered, the process is not truly over. Your community will change and grow, and ultimately, your Code will evolve with it. In order to maintain your Code as an accurate and reliable resource, it is important that the Township keeps the Code up to date after initial publication. General Code's supplementation services are designed to make the process easy, fast and accurate.

For more information about General Code's Supplementation Services, see page 27.

Project Materials

Source Materials

The Township of Whitewater has provided General Code with the following documents, which will be used as the source materials for the recodification project:

- Uncodified zoning legislation adopted from Ordinance No. 6 through Amendment No. 72

Project Scope

This proposal and the scope of this project consider only the legislation submitted for review as listed above. We request that Whitewater set up a process to routinely send any new legislation upon adoption. This additional legislation will be included in the Code up to the point where the editorial work has been completed and will be subject to an additional charge at the end of the project.

Special Considerations

General Code has identified the following specific special considerations that will be addressed by our staff as the project progresses:

- Please note that the scope of this project is limited to the codification of the Zoning Ordinance and amendments thereto.

The General Code Codification Process

Our goal is to organize your legislation into a systematized, clean format, designed to provide you and your community with an easy-to-understand, simple-to-reference, and logically indexed Code.

We Know Your Community

Our Code consultants have an average of 15 years building and maintaining Codes and have helped develop Codes for more than 54 communities across Michigan. This state-specific knowledge gives us an understanding of the shared history, values and concerns of your area, helping us better work with you to build a Code that reflects the values of your community.

We Include You in the Process

The project workflow that General Code has developed is highly collaborative, allowing you to engage with a Code consultant at every key stage of the codification process. Our Code consultants are invested in working with local governments and strive to ensure that your Code improves transparency within your community while accurately reflecting your laws.

Process Outline

Beginning a Code Project

To begin the project, the Township shall provide the source materials for the new Code. For more detail, see the source materials listed on page 7.

Project Launch

At the beginning of the project, General Code will consult with Whitewater's designated contact person to review the project generally and to clarify any initial questions for both General Code and the Township.

Organizational Analysis

During this phase, we will prepare an Organizational Analysis of your legislation for the the Township to review, which will include a proposed Table of Contents of the Code and a listing of legislation reviewed, along with questions about any missing material and adoption dates as well as any other questions pertaining to the completeness of materials being reviewed. The Township will review the Organizational Analysis and make whatever changes it feels are necessary. An editor will incorporate the feedback received into the project and move forward to prepare the Manuscript and the Editorial and Legal Analysis.

Manuscript

As needed, we will prepare a Manuscript using the materials provided by the Township. The Manuscript organizes your legislation into a logical system of chapters arranged alphabetically by subject matter. At this step we will incorporate amendments into the Manuscript, noting repealed or superseded material. The resulting Manuscript will show exactly the legislation that is currently in effect.

Editorial and Legal Analysis

For the second part of the analysis of the Township's legislation, we will prepare an Editorial and Legal Analysis for your review. Our staff of editors and attorneys is in contact with hundreds of communities and will provide you with the benefit of their experience, including information you can use to determine how your legislation can be revised and improved. Your project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be compiled into a workbook with an easy-to-use checklist format. Township officials, including the Township Attorney, will have the final decision-making authority for the resolution of any and all issues.

The Editorial and Legal Analysis will include the following:

- Identification of duplications, conflicts and inconsistencies between or within various sections of the Code
- Identification of duplications, conflicts and inconsistencies with Michigan statutes
- Any practical recommendations to make your legislation more enforceable
- Suggestions regarding fines, fees and penalties
- Suggestions on ways to modernize your legislation

Your Responsibilities

The Township will review the Editorial and Legal Analysis and make the final decisions on any changes that are deemed necessary. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the Township officials and the Township Attorney.

A review period is set by the performance schedule. We stress the importance of staying within the allotted time period to avoid disruptions in the production process and delays in the delivery of the Code. Our staff attorney, Marcia Clifford, is available to meet with the Township to discuss the Editorial and Legal Analysis at no charge, upon request by the Township.

eCode360 Code Review

eCode360 Code Review is a searchable online repository that houses your Code Manuscript and Editorial and Legal Analysis during the review stages of the codification process. When the Manuscript and Editorial and Legal Analysis are ready for review, General Code will activate your *Code Review* site and provide your review committee with a link to a secure online version of your in-process Code and the supporting documents. *Code Review* allows users to reference and search relevant Code sections online as you answer questions and work through conflicts, duplications and inconsistencies within your Code. As the project continues, additional secure drafts will be available on your *Code Review* site, making the review process easy and clear. Upon completion of the project, your *Code Review* site will be replaced by your *eCode360* site and will house the adopted version of your Code, which will be made available to the public.

Final Editing of the Manuscript

Once the Editorial and Legal Analysis is returned, an editor will begin the final editing process. During this time, we will:

- Edit the text to incorporate any revisions and additions previously approved in the Editorial and Legal Analysis phase
- Update the Table of Contents listing all chapters and articles included in the Code, as applicable
- Include cross-references and Editor's Notes, as required, and add historical notations indicating the source and date of adoption of each enactment
- Proofread all copy to correct typographical and spelling errors

Draft

Using *Code Review,* General Code will submit a Draft of the Code for final review by the Township. If the Township requires any additional changes, further charges will apply.

Comprehensive Index

During final publication, General Code will prepare a comprehensive index that is designed to let you quickly and easily locate information in the Code.

Disposition List

We will create a Disposition List that sets forth—in chronological order—the subject matter, date of adoption and disposition of each item of new legislation reviewed with the project. It will also indicate whether those items are included in or omitted from the Code.

Code Adoption Legislation

We will prepare adoption legislation for the proposed Code and give it to the Township Attorney for review and enactment by the governing body.

The Code should be adopted as soon as possible to formally enact the many revisions authorized by the Township and establish the Code as the permanent enforceable system of law in the Township.

If the Code adoption legislation is enacted and returned to us within 90 days of submission, we will include this material in the Code free of charge. Once the Code is adopted, it can be amended directly to change, add or delete material.

Code Delivery; Recordkeeping; Supplement Distribution

After the Code is delivered, we will review the project with Whitewater to ensure that everything meets your expectations. At that time, we will work with you to set up an effective recordkeeping system to keep track of the distribution, sale and maintenance of Codes and supplements.

Project Details and Options

Codification Project Price $7,220

Services included with the codification project:

- Project Launch
- Creation of a New Code, with Project Scope Including Legislation Through Amendment No. 72
- Editorial Work
- Proofreading
- Shipping

Initial deliverables included with the codification project:

- Organizational Analysis
- Editorial and Legal Analysis
- Manuscript
- Draft

Final deliverables included with the codification project:

- Publication of 3 Code Volumes in Standard Imprinted Post Binders
- Comprehensive Index
- Disposition List
- Derivation Table
- Customizable Tabs
- Code Adoption Legislation
- *eCode360* Lite (Setup and First Year)

Standard *eCode360* Annual Maintenance $ 695

The maintenance fee is an annual recurring flat fee. Therefore, we recommend that the Township budget for this service each year. The fee covers annual licensing, web hosting, and posting of new legislation between regular Code supplements. Please note that this does not include the cost for codifying new legislation.

Special Considerations to be Addressed:

- Please note that the scope of this project is limited to the codification of the Zoning Ordinance and amendments thereto.

Optional Components

The following is available to you at an additional charge:

$300	Upgrade to Standard *eCode360* *Annual Maintenance: $995*
$500	Upgrade to Premium *eCode360*, Including PubDocs Module *Annual Maintenance: $1,195*

Please note: Code books in addition to the 3 Code books included in the Codification Project Price may be ordered through the publication date of your Code. Pricing is available upon request.

Future Services

Supplementation Services

Supplementation charges are calculated on a time-and-materials basis.In a time-and-materials system, charges are computed based on the actual work involved in the project. Supplementation involves many different types of work, and it is appropriate to charge different types of work out at different rates. Our formula takes the time logged against the job by each of the functions involved and multiplies it against calculated functional billing rates. The composites of these rates will appear on your invoice in 3 general breakdowns for ease of reference: Editorial work; Composition work; and Finishing work. The Duplication amount (also on the invoice) is calculated using a per-impression figure (number of page sides x number of copies x amount per impression). The total of all of these figures is the amount charged for that supplement.

Performance and Payment Schedule

Codification Project Price $7,220

Performance Schedule

Deliverable	Delivery Date
New Code Project Launch	Within 30 days of contract signing
Submission of the Organizational Analysis	Within 80 days of contract signing and receipt of the materials; the Township has 30 days for review
Submission of the Manuscript and Editorial and Legal Analysis	Within 180 days of receipt of the responses to the Organizational Analysis; the Township has 100 days for review
Submission of Draft	Within 145 days of receipt of responses to the Editorial and Legal Analysis; the Township has 45 days to review
Delivery of the Code	Within 40 days of approval to proceed with the publication of the Code

Performance schedule reflects only business days excluding legal holidays.

Payment Schedule

Percentage of Total Project Price	Milestone
20%	Due within 30 days of contract signing
20%	Due upon submission of the Organizational Analysis
30%	Due upon submission of the Manuscript and Editorial and Legal Analysis
20%	Due upon submission of the Draft
Balance	Due upon delivery of the Code

Authorization and Agreement

The Township of Whitewater, Codification, January 15, 2019

Codification Project Price $7,220

Optional Components

___Upgrade to Standard *eCode360* $300
Annual Maintenance: $995

___Upgrade to Premium *eCode360*, Including PubDocs Module $500
Annual Maintenance: $1,195

Total Investment

Including all of the options selected above, the total project price will be: $ .....

The Township of Whitewater, Michigan, hereby agrees to the procedures outlined above, and to General Code's Codification Terms and Conditions, which are available at http://www.generalcode.com/terms-and-conditions-documents/.

Township of Whitewater, Grand Traverse County, Michigan

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

GENERAL CODE, LLC

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

This document serves both as a proposal and as an agreement. To accept this proposal and delegate authority to General Code to administer the codification project, complete the form above, including authorized signatures. A signed copy of this agreement will be mailed back to Whitewater for its records.

Scan and email the completed form to ezsupp@generalcode.com. You may also fax the completed form to General Code at (585) 328-8189 or return it by mail to General Code, 781 Elmgrove Road, Rochester, NY 14624.

Appendix

Your General Code Team

General Code has assembled a staff of highly trained project managers, editorial assistants, attorneys, legal editors, production staff, account managers, training specialists, service representatives, and software engineers that have unique expertise in codification. With backgrounds in municipal law and local government and years of hands-on experience working with over 3,000 municipalities, every segment of our team is uniquely qualified to partner with your community. We take pride in our strong relationships with local governments that have been built through the personal care and exceptional support provided by our entire staff over the 55 years we have been in business.

General Code is a proud member of the International Code Council family of companies

With a worldwide membership of 64,000, the International Code Council (ICC) is the global leader in developing model codes and standards used in the design, build and compliance process to construct safe, sustainable, affordable, and resilient structures and communities. Most U.S. communities and many global markets choose the International Codes.

General Code's partnership with the ICC strategically aligns our companies' like-minded missions, values and long-standing commitment to building strong partnerships with local governments. It also gives General Code even greater capacity to build on our portfolio of municipality-focused solutions by tapping into the expanded resources and global reach of the ICC.

Michigan Communities We Serve

For more than a half century, we have had the pleasure of forming long-term, collaborative working relationships with municipalities of all types and sizes across the country. Below are some of the municipalities that have trusted General Code to codify their laws:

Berrien County
Charter Township of Watervliet
City of Bridgman
City of New Buffalo
Three Oaks Township
Township of Buchanan
Village of Baroda
Village of Michiana
Village of Stevensville

Branch County
City of Coldwater

Calhoun County
Nottawaseppi Huron Band of the Potawatomi

Cass County
Village of Cassopolis

Eaton County
Village of Bellevue

Grand Traverse County
Grand Traverse Band

Ingham County
Charter Township of Meridian

Jackson County
Blackman Charter Township
Township of Spring Arbor

Kalamazoo County
City of Kalamazoo
Village of Richland
Village of Vicksburg

Kent County
Cascade Charter Township
Township of Cannon

Lapeer County
City of Lapeer

Livingston County
Township of Putnam

Macomb County
Charter Township of Chesterfield
City of Roseville
Village of New Haven

Midland County
Charter Township of Midland

Monroe County
City of Monroe

Muskegon County
Township of Blue Lake

Oakland County
Charter Township of Oakland
City of Royal Oak

Ottawa County
City of Holland
Township of Park
Village of Spring Lake

Roscommon County
Township of Denton

Saginaw County
Charter Township of Buena Vista

Shiawassee County
City of Corunna

St. Clair County
City of Port Huron
Township of East China

Van Buren County
Township of Lawrence
Township of Paw Paw

Washtenaw County
Charter Township of Pittsfield

Wayne County
Charter Township of Huron
City of Rockwood
Township of Grosse Ile
Township of Northville

Municipal Contacts

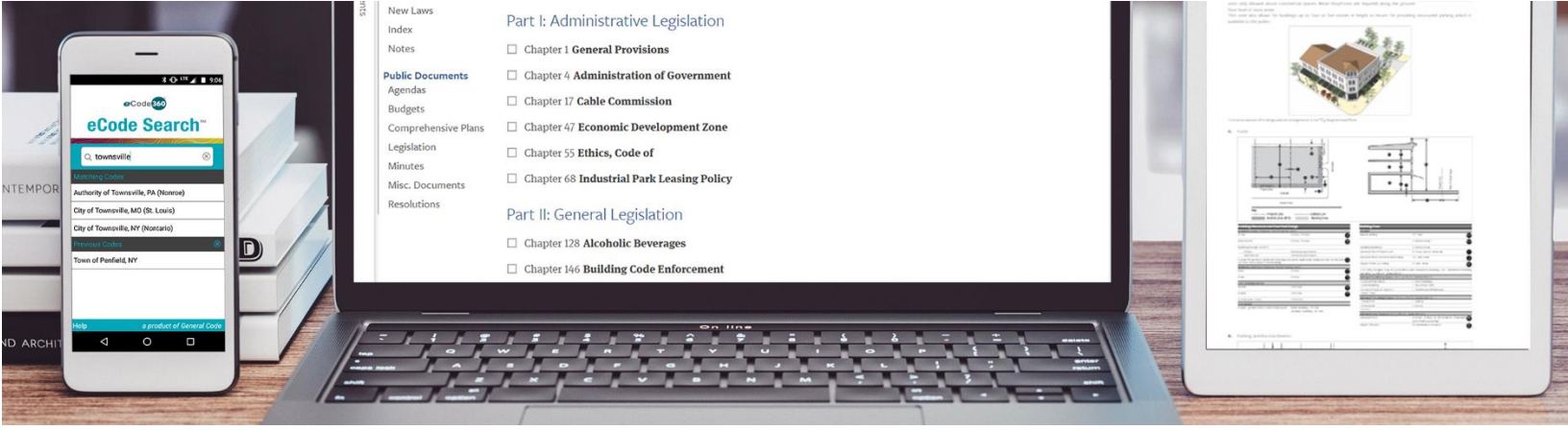
The following municipalities have completed similar projects with General Code. Please feel free to contact anyone on the list.

Township of Paw Paw, MI
Rebecca Payne, Deputy Clerk
(269) 657-4340
dclerk@pawpawtownship.org
eCode360: https://www.ecode360.com/PA3846

City of Kalamazoo, MI
Scott Borling, Clerk
borlings@kalamazoocity.org
(269) 337-8792
eCode360: https://www.ecode360.com/KA2666

City of Bridgman, MI
Alyson Holm, Clerk
aholm@bridgman.org
(269) 465-5144

Township of Northville, MI
Sue Hillebrand, Clerk
shillebrand@twp.northville.mi.us
(248) 662-0491
eCode360: https://www.ecode360.com/NO1919



Online Solutions to Better Serve the Public

General Code supports your community through technologies that transform your users' experience and empower your community to access, navigate and share your Code in exciting new ways. The digital solutions below represent an ever-expanding portfolio of technological innovation built by codifers, planners, zoning experts, and software engineers who understand the importance and value of simplifying the way your community uses your Code.

eCode360

Our *eCode360* platform is designed specifically to house codified laws and municipal information. *eCode360*'s intuitive design, responsive navigation, and robust search functionality drive performance and user satisfaction. Built with a variety of user needs in mind, *eCode360* provides staff, citizens and other constituents with unparalleled flexibility to quickly access and search your Code on a variety of desktop and mobile devices.

Multicode Search[1]

eCode360's Multicode Search function allows you to browse our library of over 2,000 municipal Codes to find reliable answers instantly – even after business hours – to questions like "What do neighboring Townships' Codes say about…?"

Add Public and Private Notes[1]

eCode360 makes it simple for administrators to add public or private notes within your Code with links and annotations to give constituents access to additional information, such as forms, instructions or comments on areas of the Code that are currently being amended or reviewed.

Linked New Laws[1]

Our Linked New Laws feature makes it easy for your community to identify what chapters and articles are affected as your Code is amended. After we post your new legislation, users can click a link next to each ordinance in New Laws and view the sections of your Code that have changed.

New Laws Indicator[2]

Our New Laws Indicator helps users identify sections of your Code that have been changed. When new legislation is posted to *eCode360,* the New Laws Indicator icon will appear beside affected chapters and articles in the Table of Contents and throughout the Code. At the top of amended chapters and articles, the New Laws Indicator box will appear to flag changes and allow users to click to view the applicable legislation in New Laws.

Customizable Titles[2]

Administrative users can add customized titles and comments to your legislation in New Laws, making it easier for constituents and staff to identify new ordinances and access additional information.

Public Documents (PubDocs) Module[2]

The PubDocs Module provides immediate online access to information and documents that are not incorporated into the Code, such as meeting minutes, agendas, resolutions, budgets, pending legislation, and more. PubDocs is integrated with Premium *eCode360* and is concurrently searchable with your Code. PubDocs is a great way to augment your e-government services and improve your overall community outreach.

Archive View

With each supplement of your Code, *eCode360*'s Archive View retains the prior versions of your Code for archive purposes

Customized *eCode360* Banner

eCode360 gives administrative users the ability to add a customized masthead banner and accent colors for a seamless transition from your municipal website to your online Code. Or, if the Township prefers, for an additional fee, General Code can add a customized masthead banner and accent colors on the Township's behalf.

1. This feature is available with Standard and Premium *eCode360* subscriptions only.
2. This feature is available with the Premium *eCode360* subscription only.

eCode360 Service Levels

eCode360 Lite includes the following features:

New Laws: Between regular Code supplements, General Code will temporarily post PDF copies of new legislation to your online Code

Custom Settings for Admin Users: Control the look of your *eCode360* by selecting custom colors and accents, and uploading a custom banner or photo

Easy and Flexible Searching: Search by key words, phrases, section numbers and more

Electronic Index: A comprehensive list of key words and phrases to speed searching

Dynamic Table of Contents: Users can find the information they need and see their current location with a table of contents that moves as users browse

Email or Share Links: Email a link to a specific Code section or share via social media

Printing: Print using simple, user-friendly functionality and a variety of user options

Bookmarking Searches: Save "favorites" to quickly return to sections of the Code

Archive View: View a permanent archive of your Code, updated with each supplement

"Sticky" Table Headers: Table headers remain stationary as you scroll

***eCode360* Search App:** Use your mobile device to search your Code

Standard *eCode360* includes all of the above Lite features plus:

Linked New Laws: As new legislation is posted, we will add links from the New Laws section of *eCode360* to the affected Code chapters or articles

Public and Private Notes: Create personalized links and annotations within the Code

Sample Legislation (Multicode Search): Search across multiple Codes

Download to Word: Administrative users can download Code text to a Microsoft Word document to edit and track changes when drafting new legislation

Premium *eCode360* includes all of the above Lite and Standard features plus:

Download to PDF: Public users can directly download Code text to a PDF document

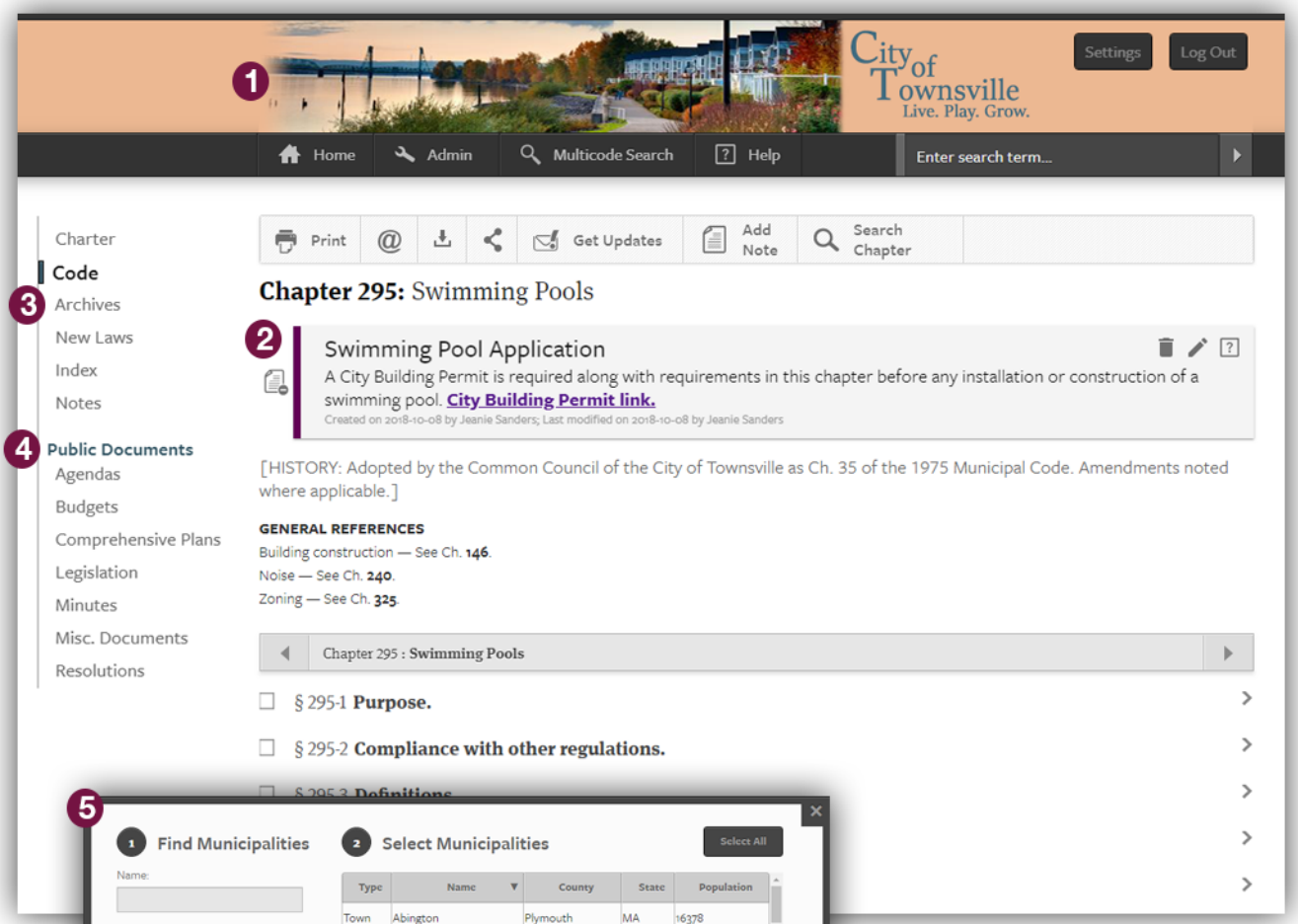
New Laws Indicator: Code Change Indicators help users identify sections of your Code that have been changed and provide links to the new legislation

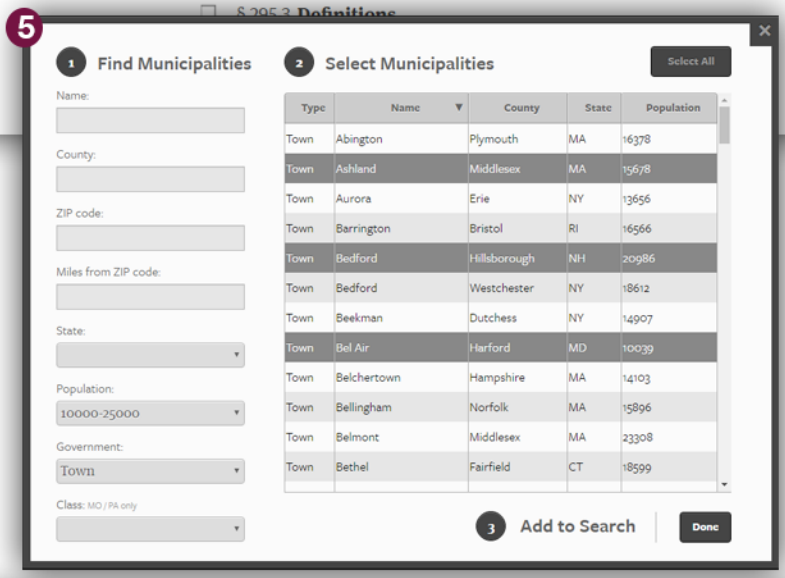
Customizable Titles: Administrative users can add customized titles and comments to your legislation in New Laws

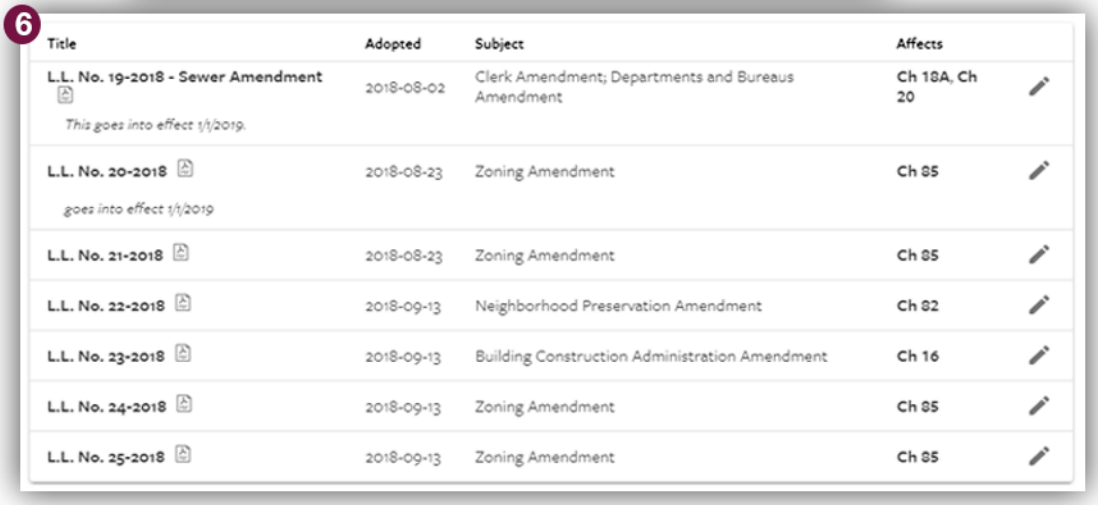
eAlert: Public users can sign up to receive notifications of changes in the Code

PubDocs Module: Post non-Code documents along with your online Code Sample *eCode360* Screens

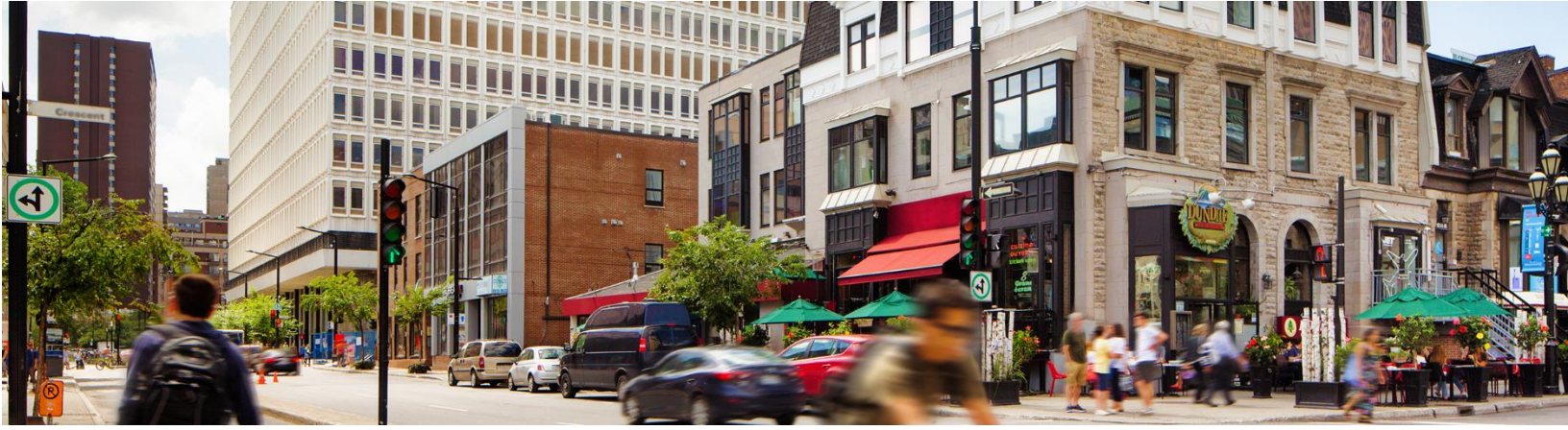
Sample *eCode360* Screens







1. Custom Banner
2. Public and Private Notes
3. View Archived Codes
4. Public Documents Portal
5. Multicode Search
6. New Laws



Visual Zoning™

eCode360® MapLink™ powered by ZoningHub™

eCode360 MapLink is a *Visual Zoning* service that makes it easier for business and property owners, planners, developers, and constituents to find the information they need in your community's Zoning ordinance by presenting Zoning Code data from *eCode360* in an interactive online map. *MapLink* users can click on a map to view details about permitted uses and answer questions such as, "Where can I open my business?" and "What can I do with my property?" With just a few clicks, users interested in economic development can view dimensional requirements, allowable uses, and zoning districts, zoom to an individual parcel to examine its requirements, or search for properties based on land use. By making it easier for users to find the information they need for their development projects, they are more likely to open their businesses in the Township, which can help grow your community.

MapLink uses your municipality's existing GIS map information and seamlessly presents data from *eCode360*, so your interactive map clearly and accurately displays your essential Zoning elements. When a Code supplement including a Zoning change is completed and posted to *eCode360*, your Code data is simultaneously updated in *MapLink*, ensuring that users are always working with the most accurate requirements.

eCode360® Enhanced Graphics™

eCode360 Enhanced Graphics can help drive economic development in your community by presenting an online Zoning Code that is clear, easy to understand and always up to date. *Enhanced Graphics* offers zoning specific features like integrated tables that allow users to view tables in context, multi-column layout options to accommodate natural image placement, searchable image captions, color coding to create easier navigation, and high-quality graphics. Every community is unique, so we also offer custom solutions tailored to suit your community's specific needs.

For more information on *Visual Zoning* services please contact us at
sales@generalcode.com

Formatting & Style

General Code takes pride in offering high-quality printed Code services. Our experience and attention to detail in the design and production of your Code go hand-in-hand with our approach to municipal partnerships.

Organization

The Code will be organized and divided into parts to accommodate different types of legislation. Typically Part I is made up of legislation of an administrative nature, namely, that dealing with the Township's departments, officers and employees; Part II is made up of the legislation that regulates the general public. Within each part, the various pieces of legislation will be organized into chapters, which will be arranged alphabetically by subject matter. For example, all legislation pertaining to the regulation of streets and sidewalks may be found in Part II, in the chapter entitled "Streets and Sidewalks." Wherever there are two or more pieces of legislation dealing with the same subject, they will be combined into a single chapter. In such chapters, the use of article designations will preserve the identity of the individual pieces of legislation. The Township will have the opportunity to review and approve the organization of the Code.

Table of Contents

The Table of Contents lists the various chapters included in the Code and can be used to help locate desired provisions. Space will be reserved for later insertion of new material in its proper alphabetical sequence. Such space is accommodated in the body of the Code by breaks in the chapter numbering and in the page-numbering sequence between chapters.

Pagination

Each chapter forms an autonomous unit in the page-numbering system (1). The first page number in each chapter is the number of that chapter followed by a colon and the numeral "1." For example, Chapter 6 begins on page 6:1, Chapter 53 on page 53:1, etc. If a page were to be added between pages 53:2 and 53:3, it would be numbered 53:2.1. This system makes it possible to add or to change pages in any chapter without affecting pages in other chapters and to insert new chapters without affecting the existing organization.

Scheme

The scheme (2) is the list of section titles that appears at the beginning of each chapter and precedes the text. These titles are written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease of reference, section titles are repeated as section headings in the text.

Section Numbering

In a chapter-related section-numbering system (3), each section of every item of legislation is assigned a number that indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. For example, the first section of Chapter 6 is § 6-1, while the fourth section of Chapter 53 is § 53-4. New sections can also be added between existing sections by using a decimal system. For example, if two sections are to be added between §§ 53-4 and 53-5, they will be numbered as §§ 53-4.1 and 53-4.2.

Legislative Histories

The legislative history (4) for each chapter is located immediately following the scheme for that chapter. The history indicates the specific legislative source from which the chapter was derived, including the enactment number and the date of adoption. In the case of chapters containing parts or articles derived from more than one item of legislation, the source of each part or article is indicated in the text, under its title. Amendments (5) to individual sections or subsections are indicated by boldfaced histories directly in the text.

General References and Editor's Notes

Each chapter containing material related to other chapters in the Code includes a table of General References (6) to direct the reader's attention to those related chapters. Editor's Notes (7) are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Chapter 198

TAXICABS

§ 198-1. License required.
§ 198-2. Licensing power of Board of Selectmen; revocation; records.
§ 198-3. Rates of Fare
§ 198-4. Licensing conditions.
§ 198-5. Use of public ways.

[HISTORY: Adopted by the City Meeting of the City of Springfield. Amendments noted where applicable.]

GENERAL REFERENCES

Vehicle noise restrictions — See Ch. 75.

Vehicle and traffic regulations — See Ch. 111.

§ 198-1. License required.

No person shall set up, use, or drive in the City any unlicensed taxicab or motor vehicle for the conveyance of passengers for hire from place to place.

§ 198-2. Licensing power of Board of Selectmen; revocation; records.

The Board of Selectmen may license taxicabs or motor vehicles for the conveyance of persons for hire from place to place within the City. They may revoke such licenses at their discretion. A record of all licenses so granted or revoked shall be kept by the Board of Selectmen.

§ 198-3. Rates of Fare

A. Minimum zone rates. [Amended 2-12-1980 by Ord. No. 80-73][1]

(1) On all trips originating or terminating north of Riverside Cemetery, the following minimum zone rates may be charged for distances north of said cemetery, which portion of the City is hereby divided into three zones as follows:

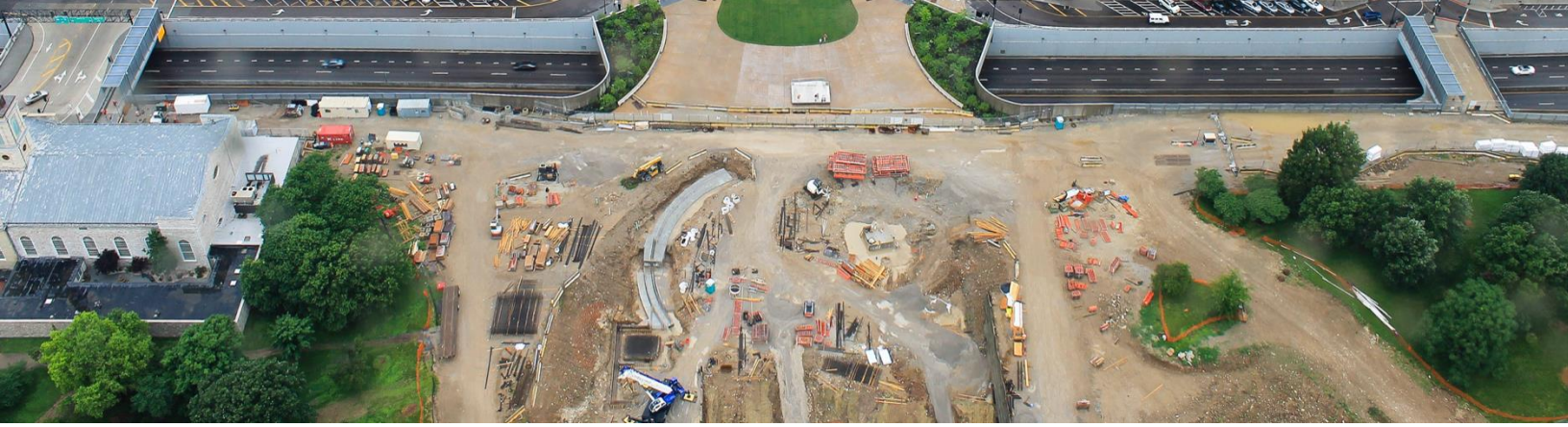
(a) Zone A, from Riverside Cemetery to and including Boxart Street: $2.50, plus $1 for each additional passenger.

(b) Zone B, from Boxart Street to and including Denise Road: $3.50, plus $1 for each additional passenger.

(c) Zone C, from Denise Road to and including Beach Avenue: $4, plus $1 for each additional passenger.

(2) Each zone shall include all areas lying between the lines of its boundary streets extended to the easterly and westerly limits of the City. The minimum rates

1. Editor's Note: This ordinance provided an effective date of 3-31-1980.



Ongoing Code Maintenance

Your Code is always evolving and is an investment you need to protect

Because your Code will evolve and grow with your community, the codification process is not truly over when your new Code is delivered. In order to maintain your community's trust and reliance on your Code, General Code offers supplementation services that will help to keep your Code reliable, accurate and up-to-date. Our supplementation services are designed to make the process easy, fast and accurate. In addition, General Code provides a free sample legislation service to municipalities we serve as well as regular legislative alerts to inform local governments of the latest trends in legislation that may affect their communties.

Materials

After the enactment of new legislation, the Township can forward a copy to us by whatever method is most convenient.

Digital copies of the legislation can be sent via email to ezsupp@generalcode.com. Upon receipt, we will send you an email confirming that we have received your legislation. Should an alternative method of transmission be required for transferring large files, please contact us and we will provide the necessary information.

General Code will hold legislation pending a pre-approved schedule, or begin the job, as directed by the Township. Please note that charges for supplementation services are outside of the scope of this proposal and will be billed separately. An estimate of the charges applicable to a particular supplement is available upon request.

Posting of New Laws

Between regular Code supplements, General Code will temporarily post PDF copies within 1 to 2 business days of receipt of new legislation to your online Code, to provide ready access to information until such time as the legislation can be codified through supplementation. If supplementation does not occur within one year of appending, General Code will remove the link to that new legislation.

Schedule

Code supplements will be provided on a schedule designed to meet the needs of Whitewater. Typical schedules may be quarterly, semiannual, or annual, or upon authorization by the Township. Updates to the electronic version of the Code can occur on a more frequent schedule than printed supplements if the Township prefers.

Our average turnaround time for processing routine supplementation is between 4 and 6 weeks.

Editorial Work on Your Supplement

The editorial work on your supplement specifically focuses on the new legislation being incorporated with each supplement. As part of our process for new legislation, we will:

- Review the legislation to determine proper placement within the Code
- Maintain the structure and style contained in the ordinance, unless changes are required to ensure consistency in the Code
- Use section and subsection numbering
- Create chapter, article, and section titles as appropriate
- Add historical annotations as applicable
- Correct misspellings so that searchability in *eCode360* is not affected
- Check and correct internal section hierarchy, capitalization, grammar, and punctuation
- Check internal and statutory references
- Note and bring to your attention any missing wording

General Code will also update the Table of Contents, Disposition List, and Index. Editorial notes will be appended to sections that require additional explanation. Any tables, drawings, or other graphics required by the Township will be incorporated into the supplement and improved if necessary. For print supplements, an Instruction Page will be created to advise how to insert and remove pages.

Printed Supplements

Amendments to the printed Code occur in the form of printed supplement pages that are issued as replacement pages. Printed supplements include an updated Table of Contents, Disposition List, Index, text pages, and Instruction Page.

Electronic Updates

Amendments to the electronic version of the Code can be provided on their own schedule or can accompany printed supplements. Electronic updates will be incorporated into the Code, and a fully searchable, complete Code will be delivered online.

Delivery

Printed supplements to the Code will be delivered in bulk to Whitewater, unless it chooses to utilize General Code's Distribution Services. The website will be updated in one to two business days.

Experience the Higher Standard.

Explore the Possibilities.

781 Elmgrove Road | Rochester, NY 14624 | 800.836.8834 | generalcode.com

municode

CONNECTING YOU & YOUR COMMUNITY

CODIFICATION, SUPPLEMENTATION AND ONLINE CODE HOSTING SERVICES

Quote for Whitewater Township, Michigan

January 10, 2019 – Quote valid for 90 days

James Bonneville
Midwest Senior Regional Executive
Phone 651-262-6262 Email JBonneville@municode.com
PO Box 2235 Tallahassee, FL 32316

LETTER OF INTEREST

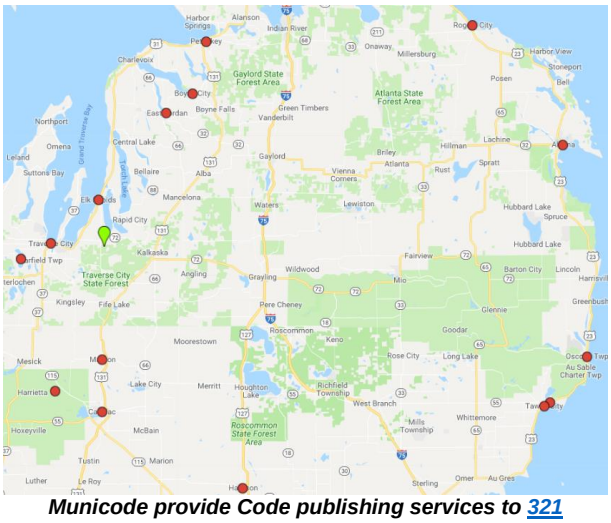
January 10, 2019

Ms. Cheryl Goss
Township Clerk
PO Box 159
Williamsburg, MI 49690 via email: clerk@whitewatertownship.org

Ms. Goss:

Thank you for speaking with Patrick Holiday regarding the codification of the Township's Zoning Ordinance. This proposal will provide the scope of services and pricing details for the codification process, which will result in a Zoning Ordinance that is free from internal conflicts and inconsistencies, conforms to the laws of the State of Michigan, and is easily accessible in print and online to staff and citizens alike. If the Township would like to consider codification of all ordinances, we estimate the cost would be $10,000-$11,000. Please contact us if you would like a formal proposal.

With over 67 years of experience, Municode is the oldest and most trusted codifier in the nation. We currently provide codification services to over 4,500 municipalities throughout the United States (including 321 in Michigan) and host over 3,500 municipal codes online via our code hosting platform, MunicodeNEXT. Whether it's through the legal codification or recodification process, full-service or self-service supplementation options, online legislative search tools, online payment portal, meeting management and agenda software or custom government website design, we have the experience, resources and expertise to provide our local government clients with innovative products, superior technology and excellent customer service. We invite you to visit our corporate website at https://www.municode.com/ to explore our full suite of government services.



Municode provide Code publishing services to 321 municipalities in Michigan, including many near Whitewater.

Our Supplement team includes 14 teams of Legal Editors and Proofreaders who are dedicated to providing the most accurate and efficient supplement process possible for the ongoing maintenance of your new code. Customers who trust Municode with both their online codes and their municipal website enjoy the added benefit of a unified search engine. With a simple button click, you can easily filter your website search results to pull up all matches within your online Zoning Ordinance.

To start the Codification process, simply make your selections on pages 3-5 of this proposal and fill in and sign the signature page on page 13. If you have any questions, please let us know. Midwest Senior Regional Executive James Bonneville (JBonneville@municode.com) can be reached at 919-830-3358. Midwest Territory Account Manager Tracy Stevanov (tstevanov@municode.com, 828-280-2219) and our Vice President of Client Services, Steffanie Rasmussen (800-262-2633 ext. 1148), also welcome your call at any time. Thank you for the opportunity to submit this proposal. We look forward to speaking with you soon.

Sincerely,

Dale M. Barstow
Vice President of Sales
Phone: 800-262-2633 ext. 1225

EXECUTIVE SUMMARY

Codification, Supplementation and Website Hosting

Logic: Give your municipality a fresh start. Engage our full-time attorneys to examine the legal sufficiency of your Zoning Ordinance from top to bottom. Clean up the pagination, reprint all pages and replace binders and tabs, if needed. Quickly and efficiently transition your code to the most advanced suite of web/mobile services available in the nation: ***MunicodeNEXT***

★ **Codification**..... **$7,950**[1]

Timeline..... **10-12 months**

The codification base cost of $7,950 is based on a 300 page, single column 10-point code (or 339 11-point pages or 375 12-point pages).

A full-time, Municode attorney will legally review the ordinances, not just a code editor. We will research zoning legislation only against the State Constitution, State Law, and the Charter, and ordinances will be compared to other ordinances to determine if there are inconsistencies or conflicts within the legislation itself. We will suggest a structure and organization for the code and provide a table of contents indicating the recommended structure. We will also provide State Law references (if applicable) within the code and hyperlinks to internal references within the code. We will provide a legal memorandum containing recommended options and conduct a conference to review the memorandum and recommendations. Our team will edit the text of your code to reflect proper grammar and stylistic consistency; create a subject matter index (if elected); create all tables (contents, State Law reference, prior code comparison, and ordinance disposition); and insert graphics into the printed and electronic versions of the code. A draft code will be provided to you for final review prior to printing and shipment.

★ **Supplement Service** (single column per page rate)..... **$18**

Municode does not charge an extra fee for posting supplements online or printing your supplement pages. All of these services are already included in your supplement per page rate.

★ **Online hosting = MunicodeNEXT! (*first year of online service at no charge!*)** ..... **$395**[2]

The online code is only $395 for our standard service. If you want to further enhance the transparency of your online code, you can upgrade to the MyMunicode bundle for only $1,195 annually with the first year of service provided at no charge!

[1] Please see page 3 for additional pricing details.
[2] Please see page 5 for additional features and pricing available on our MunicodeNEXT platform.

CODIFICATION QUOTATION SHEET

Codification of the Zoning Ordinance base cost, includes **$7,950[3]**

- ★ 300 single column 10-point font pages
- ★ Receipt, review and organization of material. We will utilize the 1972 zoning ordinance and all subsequent amendments to the zoning only. General legislation is omitted from this project.
- ★ Legal analysis & research by a full-time, Municode attorney
  - ★ Preparation of legal memorandum by a Municode attorney
- ★ Conference with attorney (make selections below)
- ★ Implementation of approved legal findings
  - ★ Updating State Law references
  - ★ Editorial preparation and proofreading
  - ★ Page formatting (make selections below)
  - ★ Indexing (if elected)
- ★ Tables[4], Graphics[5] & tabular matter[6]
- ★ Final proofreading and corrections
- ★ Quality control review and printing
  - ★ 5 copies, to include 3-post stamped binders and tabs
  - ★ Adopting ordinance prepared by a Municode attorney

Project is based on the font size & pages below – please only select one:

Font Size Single Column: ❑ 10-point (300) ❑ 11-point (339) ❑ 12-Point (375)

Conference Selection:

❑ On-site conference, each	**Attorney time, travel, lodging and per diem**
❑ Teleconference or web-based conference, 3-hour session	**No charge[7]**

Format Elections ***(Please check or circle desired elections below)***

Font: Times New Roman - Will be used as the font unless otherwise indicated.

Other choices include: Palatino, Century Gothic, Gill Sans, Arial, Bookman, Garamond, and New Century Schoolbook

Binder Color: ❑ Semi-Bright Black ❑ Dark Blue ❑ Hunter Green ❑ Burgundy

Binder Stamping Color: ❑ Gold ❑ Silver

Items not included in base cost

★ Pages **over** 300 10-point, single column pages per page (or equivalent)	**$24**
★ Freight	**Actual**
★ State sales tax	**If applicable**
★ Post your code on MunicodeNEXT	**See selections on page 5**

Payments for Codification project - *Your project can be budgeted over two fiscal years*

★ Execution of Agreement	**$2,780**
★ Submission of the Legal Memorandum	**$1,990**
★ Submission of Draft Code	**$1,990**
★ Delivery	**Balance**

[3] Legislation added to the project must be approved and received prior to the established cutoff date. Following the delivery of the final code draft for client proofing, any extensive changes requested in the Code content, and/or any material added to the Code that was not previously contemplated, will be subject to an additional Proof Update fee.

[4] The following tables will be created and are included in the base cost: supplement history table, code comparative table, State Law reference table and ordinance history table. An additional hourly charge applies for creation, modification, addition or updating of any table or schedule other than those enumerated in this footnote. This includes Traffic and Fee tables or schedules.

[5] Includes printing all copies.

[6] Tabular matter is defined as algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.

[7] For the initial 3-hour session, then $150 per hour thereafter.

SUPPLEMENTATION QUOTATION SHEET

Supplement Service Base Page Rate[8]

Page Format	Base Page Rate
Single Column	$18 per page

Base page rate above includes:

- ★ Acknowledgement of material
- ★ Data conversion, as necessary
- ★ Editorial work
- ★ Proofreading
- ★ Updating the index (if elected)
- ★ Schedule as selected by you[9]
- ★ Updating electronic versions[10] and online code
- ★ Printing 5 copies

Base page rate above excludes:

★ Freight	**Actual**
★ State sales tax	**If applicable**
★ Images, Graphics[11] & tabular[12] matter, each	**$10**
★ MyMunicode or online code	**Selections on page 5**

Electronic media options for Zoning Ordinance (sent via download) [13]

❑ Folio Bound Views	**$295 initially then $100 per update**
❑ WORD (DOCX)	**$150 initially then $75 per update**
❑ Adobe PDF of the code	**$150 initially then $75 per update**
❑ Adobe PDF of each supplement	**$150 initially then $75 per update**

Invoices for Supplements and Additional Services will be submitted upon shipment of project(s).

[8] All prices quoted in this section may be increased annually in accordance with the Consumer Price Index – Bureau of Labor Statistics.
[9] Schedule for supplements can be weekly, bi-weekly, monthly, bi-monthly, quarterly, tri-annual, semi-annual, annual or upon authorization. Electronic updates can occur more frequently than printed supplements.
[10] We do not charge a per page rate for updating the internet; however, a handling fee is charged for PDF, Word, Folio or additional electronic media items ordered.
[11] Includes printing of all copies.
[12] Tabular matter is defined as tables, algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.
[13] "delivery" is defined as making updated electronic data available to you via download or FTP. Fee applies whenever content is delivered as PDF, Folio or Word, via one of the aforementioned mediums.

WEBSITE HOSTING QUOTATION SHEET (MunicodeNEXT)

Online features can be purchased on an a la carte basis, or through our budget-friendly, feature-rich MyMunicode bundle for the best value. Please visit our online library of over 3,500 codes on MunicodeNEXT here. You can sign up to participate in one of our webinars here or view a pre-recorded version of the webinar here.

Please check the appropriate box (es) to indicate your selection:

STANDARD WEB HOSTING

❑ **Online Code = *MunicodeNEXT,*** annually ***Fee waived for first year of online service!*** **$395**

Mobile friendly site. Full functionality and optimal screen resolution on all devices. In-line images & scrolling tables & charts. Narrow, Pinpoint & Advanced (including Boolean) Searching. Previous and Hit buttons, Persistent breadcrumb trail. Print or Save as formatted WORD (DOCX). Google Translate supports over 90 languages. Social Media/Email. Share links to sections via email, Facebook, Twitter, etc.

OPTIONAL SERVICES

❑ **CodeBank** annually **$150**

Permanent online collection of previous versions of the code.

❑ **OrdBank** annually (or per ordinance) **$325**

Permanent online collection of ordinances with hyperlinks from history notes, supplement history table, and code comparative table to ordinances. This service applies to amendatory (included) ordinances only. **($35)**

❑ **OrdBank + OrdLink** annually (or per ordinance) **$425**

Provides hyperlinks from newly adopted amendatory legislation to sections of the code to be amended. **($60)**

❑ **CodeBank Compare + eNotify**[14] annually **$250**

Compare any two versions of your online code (starting with the first Municode supplement). Notify provides readers email updates each time the code is updated.

❑ **MuniPRO** Service annually **$295**

Search over 3,500 online codes/ordinances. Attach notes to codes and drafts of new legislation.

❑ **Custom Banner** one-time fee **$250**

Customize MunicodeNEXT to match the look of your website.

❑ **MuniDocs**[15] annually, upgraded self-loading capabilities – ***no charge until July 1, 2019!*** **$350**[16]

Host any other municipal documents in a fully searchable format, including Minutes, Agendas, Resolutions, Budgets and more for self-loading to the MuniDocs platform!

My Municode - Value Pricing!

❑ **MyMunicode** annually ***Fee waived for the first year of online service***! **$1,195**[17]

Includes MunicodeNEXT (Online Code), OrdBank, CodeBank, CodeBank Compare + eNotify, MuniPRO, and Custom Banner

RECOMMENDED ADDITIONAL SERVICE **(See pages 11 & 12 to review additional services)**

❑ **MunicodeMEETINGS** Agenda Management Software, annually **$3,400**

Cloud-based agenda meeting management system. Streamlines and automates agenda process. Increases agenda process visibility, easy agenda updates, approval workflow, live council voting & roll call, email notifications, a unified document search and automated approval routing.

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[14] Enrollment in CodeBank is required in order to receive the CodeBank Compare/eNotify technology.

[15] Your MuniDocs files can also serve as storage for archived ordinances within the MuniDocs platform. Unlike our online OrdBank feature, these self-loaded archived ordinances will not be linked to the legislation within the online Code. All ordinances for codification and all ordinances for linking via our OrdBank feature can be emailed to us at ords@municode.com.

[16] Includes up to 25 GB storage. Quote for additional storage available upon request.

[17] Total value if each item were to be purchased a la carte would be approximately $1,415 per year with participation in our OrdBank service.

COMPANY PROFILE

History, Mission, and Team

With over 67 years of experience, Municode's mission is to connect public sector organizations with their communities. Our solutions promote transparency and efficiency - such as custom website design, meeting and agenda management, the legal codification process, and our robust suite of online legislative search tools.

Municode has been in business for over sixty-seven years and partners with more than 4,500 government agencies across all fifty states. Municode is a privately-owned corporation and is financially sound with no debt. Our leadership focuses on improving Municode through investments in its people and its technology. Our culture is conducive to the longevity of our employees; Our clients can establish a long-term partnership with our experienced and stable workforce.

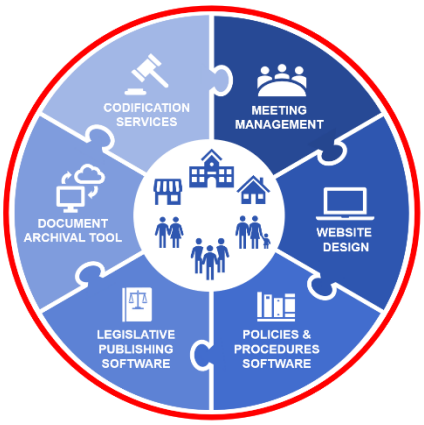
Municode is home to over 230 employees (most of whom enjoy a 10+ year tenure). Our headquarters in Tallahassee, Florida includes four buildings totaling 56,000 square feet. Our West Coast office is located just south of Portland in Lake Oswego, Oregon. We also have individual team members working in several states across the country.

Our Vision: Simple, Seamless Integration

Our vision is to create seamless integration between our service offerings. The goal is to reduce staff workload, while at the same time, increasing the ability for municipalities to connect with their communities.

The following example integration points are either in place today or envisioned in our future strategic roadmap.

- Unified search across all platforms (website, meetings, online codes)
- Auto-publish agendas and minutes from the Meetings platform to the Website
- Ordinance auto-publishing from the Meetings platform to your online code, queued for supplementation, Code of ordinance cross-references to legislative voting history, minutes, and video/audio



SCOPE OF SERVICES

Codification & Republication Summary

During the Codification process, the attorney assigned to your project will organize and examine every Chapter, Title and Section of your Zoning Ordinance in order to ensure that it is free from internal conflicts and inconsistencies and conforms to the laws of the State of Michigan. Your Municode attorney will be available to consult with you and your staff at any time during the Codification process. This personal dialogue ensures that your code will accurately reflect the intent of your ordinances and the unique needs of your community. The complete process is outlined below.

Ordinances. All legislation of a general and permanent nature, passed in final form by you as of the cutoff date established by you and your Municode attorney, will be included in the code. All material that we receive will be acknowledged via e-mail, in order to establish a record of included ordinances. Legislation not of a general and permanent nature will be omitted from the code unless otherwise instructed by you. Notations can be added in the code to reference legislation adopted by reference, if elected.

Attorney Analysis and Review of Material. Your Municode attorney, along with his/her team of legal editors, proofreaders and indexers will be assigned to this project. Our legal team will research the Code and all legislation submitted by you to ensure conformity with state statutes. The ordinances will also be compared to other ordinances in order to determine if there are any inconsistencies or conflicts within the legislation itself. Ordinances enacted, or added, subsequent to the date of this agreement, or items not contemplated within the scope of service, may be included later at an agreed upon page rate. We will suggest a structure and organization for the code and provide a Table of Contents indicating the recommended structure.

Page Format Options. We will work with you to determine the desired formatting and style of the new code, and will review page composition format options, such as font type, font size, page layout, and graphics appearance and placement with you. We will help you choose a format that produces a professional document that is easily researched.

References. We will provide State Law References within the code. Editorial notes will be provided as appropriate. Internal references within the code will be hyperlinked in the online version.

Legal Memorandum. We will provide you with a user-friendly Legal Memorandum containing all of our analyses and recommendations. This memorandum will reflect our attorney's Legal Review and will provide you with recommended options intended to remove conflicts and inconsistencies; conform to State Law, when appropriate; and ensure compliance with your charter. This approach facilitates collaboration and dissemination among departments, thus making the process as easy for you as possible. Our goal is to make the codification process simple and smooth for you.

Conference. Within 30 days of your receipt of the Legal Memorandum, we will conduct a conference, either in person or via telephone or webinar, to review the Legal Memorandum and our recommendations. All interested personnel may be included, but your attorney and clerk are essential. Issues discovered during the legal research will be discussed at the conference, with the goal of the conference being to come to agreement on any required changes. Your attorney has the final decision-making authority for resolution of issues brought up at the conference or noted in the Legal Memorandum.

Editing and Proofreading. Our team will edit the text of your code to reflect proper grammar and stylistic consistency. We will not reword any provision that changes the substantive intent of the code, unless you approve the revision. However, non-substantive revisions to improve readability are a part of the process. We will proofread your code. The text will be reviewed for sense and structure and to ensure the implementation of the decisions by your attorney and our attorney.

Index, Graphics and Tables. Our team will create a hierarchical, subject matter Index (if elected) and all tables (contents, State Law Reference, prior code comparison and ordinance disposition) for your code as necessitated by the materials provided. We will insert the graphics you have provided into the printed and electronic versions of the code.

Post Conference Code Draft. After editing and proofreading, a post-conference Code Draft incorporating solutions captured in the Legal Memorandum and agreed upon at the legal conference will be delivered to you for final review prior to printing and shipping. We guarantee typographical correctness. Any errors attributable to our team will be corrected at no charge during the term of this agreement. After the code draft is provided additional material can be added to the project for an additional charge.

Adopting Ordinance. Our attorney will provide an adopting ordinance upon completion of the codification.

Printing and Binding. We will print your new code on high quality acid-free paper, with an SFI (Sustainable Forest Initiative) certification. These copies will be housed in heavy duty, 3-post leatherette binders (with 4 color choices), name-stamped on the front and spine of each binder. Divider tabs for each major section of the code and index (if elected) will also be provided.

The time frame for completion of the codification and republication project is within **10 to 12 months**, excepting any delays occasioned by the Township.

Your participation in the Scope of Services for Codification & Republication of the code is anticipated to be as follows:

Codification and Republication

- ★ Provide all ordinances and code material, preferably in WORD format;
- ★ Provide images, graphics and tabular matter, preferably in original format;
- ★ Be available to answer any questions from the Municode Attorney conducting the project;
- ★ Attend the conference to discuss the findings of the Legal Memorandum;
- ★ Work with the Municode Attorney to resolve the findings of the Legal Memorandum;
- ★ Work with Municode to determine the desired formatting and style of the new code;
- ★ Return the draft code to Municode with any revisions noted;
- ★ Adopt the newly recodified Zoning Ordinance.

Supplementation Services

Municode's full-service supplementation process has been designed for timeliness, efficiency, simplicity and most of all, for our customers' convenience. Supplements can be provided on the schedule of your choice. In addition to printed supplements, we can deliver the updates in Word, PDF and/or Folio formats.

We pride ourselves on a turnaround time of **30 to 35 days for printed supplements** and can provide you with h "always up to date" **electronic update services within 10 to 15 days** at the same per page rate quoted for printed supplements. With printed supplementation, the online Zoning Ordinance is updated within **3 days** after shipping the supplement, and there is no additional fee for this service.

A recent analysis of our 2017 printed supplement Services indicated an editorial error rate of less than .1%, which is made possible by our attention to detail, ongoing communication with our clients, and strict quality control checks to ensure we continue to produce the best printed and electronic supplements available in our industry. Any errors attributable to Municode during the preparation, printing and maintenance of the Zoning Ordinance will be corrected at no cost. The printed supplement process is outlined below:

1. Receipt of new legislation will be acknowledged within 24 hours. Our production support team will record the adoption date, effective date and ordinance number(s) and ensure that all necessary exhibits, tables and graphics are included. You will be advised promptly if any pertinent information is missing from your submission. Your material will then be immediately forwarded to our Supplement team for codification. If our OrdBank service (advance legislation service) is selected, the legislation will be posted online within 48 hours in PDF format as "Adopted Legislation not yet Codified".

2. Editorial Review – Our editorial team will review all ordinances received to determine whether the ordinance should be included in your Zoning Ordinance; where the ordinance should be placed; whether the ordinance conflicts with your existing Zoning Ordinance format; what material should be removed from your existing Zoning Ordinance; whether history notes will be added; what tables will be updated and whether the Table of

Contents in the front of the Zoning Ordinance and at the Chapter/Title level should be amended. If any significant errors or numbering issues are noted, your editor will contact you for clarification. No substantive changes to your legislation will be made by our editorial team, however minor typographical errors will be corrected as part of the supplement process. Should the editorial, legal and/or proofreading team find discrepancies in your ordinances, we will communicate with you to ensure that the ordinances are correct and consistent with the existing Zoning Ordinance.

3. Indexing – If an Index is elected, your supplement will now be sent to our indexing team, where all new legislation is indexed and cross-referenced in all appropriate locations.
4. Proofreading – The proofreader assigned to your editorial team will then examine your supplement line by line to ensure editorial accuracy, code hierarchy and layout and to confirm that your supplement is grammatically correct and free of errors in spelling and capitalization. Your supplement is examined again line by line to ensure that the improvements made by the editorial team were thorough and accurate. During this process, the original ordinance is compared again with the newly added text to further ensure editorial accuracy.
5. Posting the supplement online (MunicodeNEXT) – After your supplement has been completed, your online Zoning Ordinance will be updated within 3 days and any electronic products requested will be provided. You will receive notification that the website has been updated via email. If our CodeBank Compare + eNotify service is selected, citizens will be notified each time the online Zoning Ordinance is updated. When your Zoning Ordinance is updated on MunicodeNEXT, all internal cross-reference links are updated. With our OrdBank feature, each history note will be linked to the ordinance that amended the respective section.

6. Printing and Shipping – We will print, cut, 3 hole-punch, insert divider tabs and ship your supplement to you quarterly unless otherwise instructed. You can change your supplement schedule at any time, and there is no additional charge for more frequent supplementation. *Instruction Sheet:* With each printed supplement, we will furnish a page of instructions for removal of the obsolete pages and insertion of the new pages; as well as a *Checklist* of up-to-date pages with each supplement.

Website Hosting Services (MunicodeNEXT)

Our web hosting platform, MunicodeNEXT, includes both Standard and Premium features, designed to provide a wide variety of additional capabilities for the research and navigation of your Zoning Ordinance, as well as for preserving its history. With our MunicodeNEXT advanced features, your staff and citizens need only click the link provided on your municipality's website to access your full Zoning Ordinance. They not only have access to your complete and current Zoning Ordinance, but to all archived versions of your code, every official copy of your ordinances, the power to compare versions of your code over time, the ability to be notified every time your code is updated, and the ability to translate your code into over 100 languages via ***Google Translate***, which is included at no additional charge. We encourage you to visit our online library of over 3,500 codes hosted on MunicodeNEXT: https://library.municode.com/.

Our web application is WCAG 2.0 Level AA compliant and will scale to the viewport of any modern smartphone or tablet running iOS, Android, or Windows Phone 7 or higher. Our tech stack includes HTML5 & CSS3, Javascript (AngularJS), and a restful API written in C# running on .Net Core. All content is rendered in standard HTML and is viewable in all modern browsers including PC: Microsoft Internet Explorer 10 or later, Firefox 3.6 or later, and Chrome 18 or later. macOS®: Safari™ 5.0 or later, Firefox 3.6 or later, Chrome 18 or later.

We house our public facing website in a secure, SAS70, PCI compliant data center owned and operated by Flexential in Atlanta, Georgia). All systems are backed up and synchronized between our Tallahassee, Florida and Atlanta, Georgia locations for full geographic redundancy. We actively monitor the status of our hosting facility. We utilize Veeam Backup & Recovery to take daily snapshots of all servers in both of our data centers. Snapshots are performed from 8 pm EST to 5 am EST, are replicated between sites and are routinely tested. Biometric authentication is required to enter the data center facility, and anyone entering the premises must be either active customers or authorized vendors with badge and PIN access. Each rack is locked with a combination lock to prevent unauthorized entry or access. The facility is monitored by camera 24/7 to further provide physical security.

We secure our systems using enterprise grade security products. We employ firewalls from Palo Alto networks to secure the perimeter and endpoint security from Carbon Black to provide anti-virus scanning and threat detection on all servers, desktops, laptops, virtual machines and mobile devices. Carbon Black actively scans all file access on all endpoints of our network and quarantines any suspected malware, immediately sending notification to our systems administration staff. We use Nimble and 3Par SANs for all our storage needs. Each SAN member is fully redundant – redundant power supplies, controllers, NICs, etc. The drives on each array are configured as either RAID 5, RAID 50, or RAID 60 arrays.

Our powerful search engine allows users enter simple or advanced searches and supports Boolean operators, stemming, wildcards, proximity searches, and a global synonym list. Users can easily search the code using keywords or phrases, and can print, download and/or email any portion of your code. Search terms can be applied to the entire code or narrowed to search only within specific chapters or sections. Our recent website upgrade allows users to sort results by relevance or book order! Our collapsible Table of Contents, continuous next-hit feature and internal and external hyperlinking and cross-referencing features simplify and enhance the navigation of your online code, allowing your staff and citizens the capability of simultaneously searching your code, ordinances, minutes, resolutions, budgets and more.

MunicodeNEXT is designed with accessibility in mind. Our application is fully responsive, ensuring all features are available on appropriately sized desktop, tablet, and smartphone viewports. Designed to provide easy access and an intuitive interface, it is extremely well-suited for use on tablets and mobile devices running iOS or Android. Our application also conforms to Level AA of the Web Content Accessibility Guidelines 2.0.

MunicodeNEXT Premium Feature Summary

- ★ **CodeBank** will enable you to have instant access to past versions of your code after each supplementation.
- ★ **CodeBank Compare + eNotify** provides you with the ability to select a past version of your online code and compare it to any other version of the code each time the code is updated. The differences will be shown via Highlights (added materials) or Strikethrough (deleted material).
- ★ **eNotify** allows users to enroll to receive an email notification each time your online code is updated. A “modified,” “removed” or “added” badge is shown within the online table of contents to alert users of recently amended sections of your code.
- ★ **OrdBank** will create one click access to every amendatory ordinance via linked history notes. Ordinances are permanently stored online in the OrdBank repository and filed in annual folders.
- ★ **OrdLink** will create highlights within your online code to help users identify what amendatory ordinances have been recently adopted and what code sections have been amended.
- ★ **MuniPRO** allows you to search over 3,500 codes in the Municode library, save frequently used or complex searches, create notes to attach to any publication and draft new ordinances.
- ★ Our **MuniDocs** feature has recently been upgraded to allow clients to upload a wide variety of .rtf, .doc, .docx, and .pdf documents to browse and search alongside the code. Uploading is as simple as dragging and dropping the document from your computer into the upload dialog box on the improved administrator dashboard, where previously uploaded documents can also be managed. When uploaded, users can choose from a wide list of predefined document types, including minutes, agendas, resolutions and more. These documents are immediately converted to PDF and indexed for search, organized in nested folders – allowing the public to browse and search them immediately.

ADDITIONAL SERVICES AVAILABLE FOR PURCHASE

Municode offers a wide variety of services, all of which have been designed primarily to serve local governments. Please contact us for information and pricing on any of the services listed below, all of which may be purchased under this contract and all of which are competitively priced.

Website Design and Hosting Services

Let our team of web analysts and developers create or redesign a website for your municipality that provides your staff and citizens with a stunningly beautiful website that is simple for staff to use, easy for citizens to access, responsive, interactive, dynamic, and extremely efficient! Using the popular Drupal, open-source framework, we will work with you to understand your history, anticipate your future, define your priorities and achieve the long-term goals of your community.

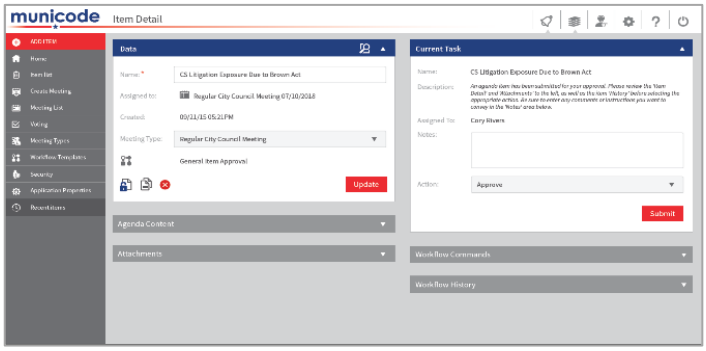
When Municode designs your completely mobile friendly website, our goal is to improve your image and your community profile, increase the self-service capacity of your residents, and empower your staff to create, edit and maintain website content as simply and efficiently as possible. The result will be an unparalleled municipal website solution at a very compelling price.

- ❑ **Request MunicodeWEB Demo/Proposal**

Meeting and Agenda Management

Municode provides a cloud-based agenda meeting management system that enables our clients to save time and money by streamlining and automating the agenda process. With zero set-up requirements, minimal budget impact, built in automatic upgrades and internal and external IT support issues managed directly by Municode's expert team of web analysts and system developers, your staff will spend significantly less time on agenda management, while still maintaining total administrative control of your agenda packets.

Municode provides the highest level of government transparency to your citizens. We will show you how to live stream your meeting videos at no cost and can provide archived video and audio linking capabilities that will allow your constituents to access the exact point in the meeting video where a specific piece of business is discussed. You can take roll call and record votes live in the meeting – and legislators can also vote directly from their Mac, PC, iPad, or Android device!



Other benefits include agenda process visibility, easy agenda updates, approval workflow, live Council voting & roll call, Email notifications, a Unified Document Search and automated approval routing. When you are ready to publish your Agenda, our "single click publishing" will provide you with automatic agenda and packet creations.

- ❑ **Request MunicodeMEETINGS Demo/Proposal (*see pricing page 5*)**

Payment Solutions - Point and Pay

Our preferred payment solutions partner, Point & Pay (https://www.pointandpay.com/) makes paying bills easier! Everything they do is backed by their best-in-class user interfaces, insightful features and high-quality service and support. Point and Pay can assist in processing City/County taxes, utility bills, permits & licensing, and more. With a focus on mobile interfaces, they enable your customers to conveniently pay bills whenever and wherever they want!

- ❑ **Request Point and Pay Demo/Proposal**

MCCi Services:

Laserfiche Enterprise Content Management Software and Services

MCCi understands the challenges organizations face every day with paper-based processes. We provide innovative solutions that transform these challenges into smart practices that improve efficiency, productivity and organizational structure. Recognized as one of the nation's top 20 Most Promising Government Technology Solution Providers, we are also the largest Laserfiche provider in the world. MCCi is passionate about helping organizations run their office more efficiently – saving time, money and resources! With 900 clients nationwide, MCCi is the largest provider of Laserfiche solutions in the world.

Digital Imaging Services

Through MCCi, Municode can help with your digital imaging services needs include scanning, indexing and integration of hard copy documents, electronic documents, and microfilm/microfiche. MCCi provides the most powerful index retrieval search engine available.

Open Records Request Software

JustFOIA is an affordable, easy to use, completely web-based hosted service that was created specifically to help you manage and track public records requests. Since JustFOIA is completely web-based, you are able to login anywhere that has an internet connection. You simply type in your customized web address and enter your credentials, safely and securely. Your service is available 24/7, every single day of the year.

JustFOIA helps agencies receive, track and report on open records requests. JustFOIA is a hosted solution that is user-friendly, affordable, and integrated with Laserfiche Enterprise Content Management.

- ❑ **Request MCCi Demo/Proposal**

Internet-based Document Editing and Presentation System

enCodePlus is a unique Internet-based document editing and presentation system used for authoring, displaying, and managing all aspects of land development regulations or zoning ordinances. Developed by community planners, **encode**Plus assists in the creation of land development and zoning ordinances that are fully customizable, easy to navigate and rich with features including GIS interactive mapping, a "Land Use Look Up" tool, hyperlinking to outside resources, historical archiving and in-line graphics.

From its humble beginnings as a stand-alone Windows PC program, **enCode**Plus has matured to meet the needs of an innovative and exacting group of land use code writers and their client communities. To learn more about how **enCode**Plus can be an economic driver for your municipality and positively impact the transparency and navigability of your zoning or land development ordinance, please visit this link: http://www.encodeplus.com/

- ❑ **Request enCodePlus™ Demo/Proposal**

SIGNATURE PAGE

This proposal shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by Municode and the Township of Whitewater Township, Michigan.

Term of Agreement. This Agreement shall begin upon execution of this Agreement and end three years after the publication date of the new code. Thereafter, the supplement service shall be automatically renewed from year to year provided that either party may cancel or change this agreement with sixty (60) days written notice.

Submitted by:

MUNICIPAL CODE CORPORATION

Municode Officer: Dale M Barstow

Title: Dale M. Barstow, Vice President of Sales

Date: January 10, 2019

Accepted by:

TOWNSHIP OF WHITEWATER, MICHIGAN

By: _____

Title: _____

Date: _____

municode

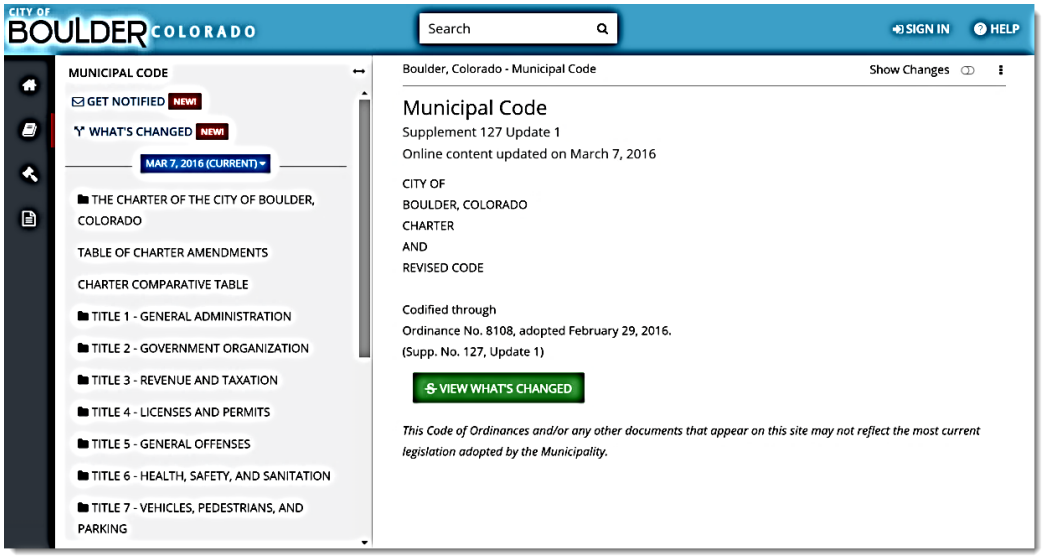
CONNECTING YOU & YOUR COMMUNITY

ATTACHMENT A

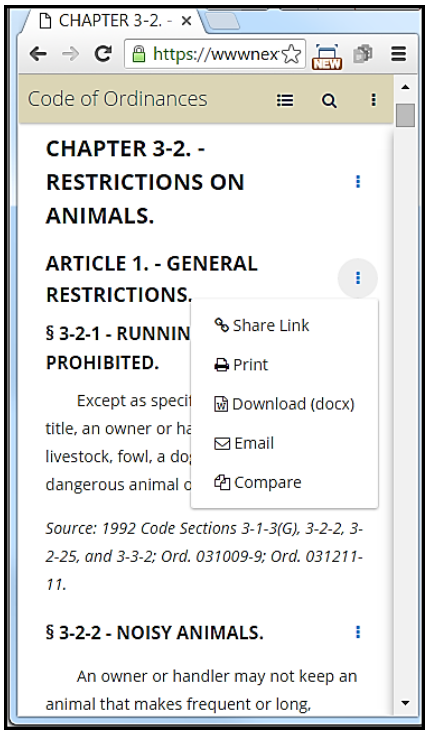
MunicodeNEXT Standard & Premium Features

STANDARD FEATURES OF MunicodeNEXT

Responsive Design – Our team designed MunicodeNEXT to function on any device. Over 20% of our traffic is generated from a smartphone or tablet. Our user interface, based on Google's Material Design guidelines, ensures any device that accesses our application will have access to our full suite of features.

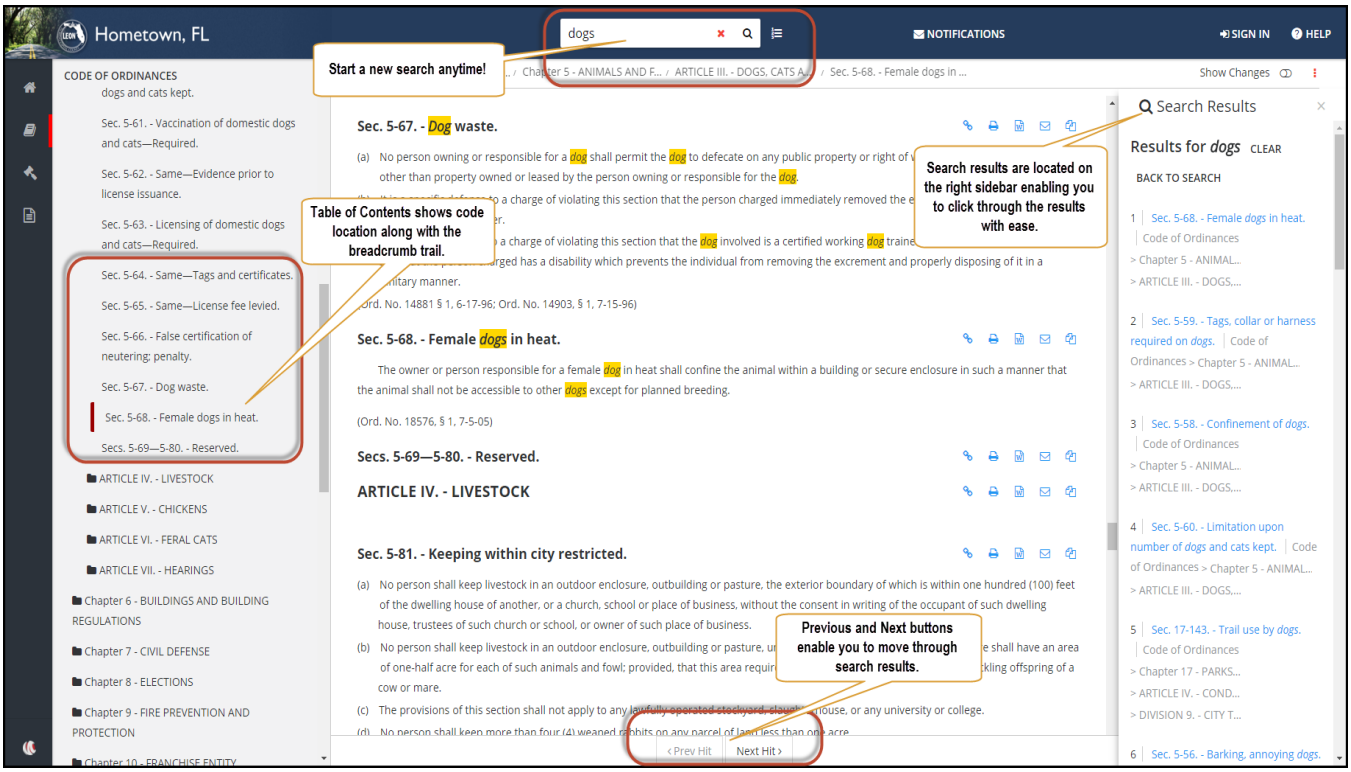


Mobile and Tablet friendly – Our application uses touch friendly icons, easy to access menus, and fly overs to expose all functionality while maintaining a clean, intuitive interface.



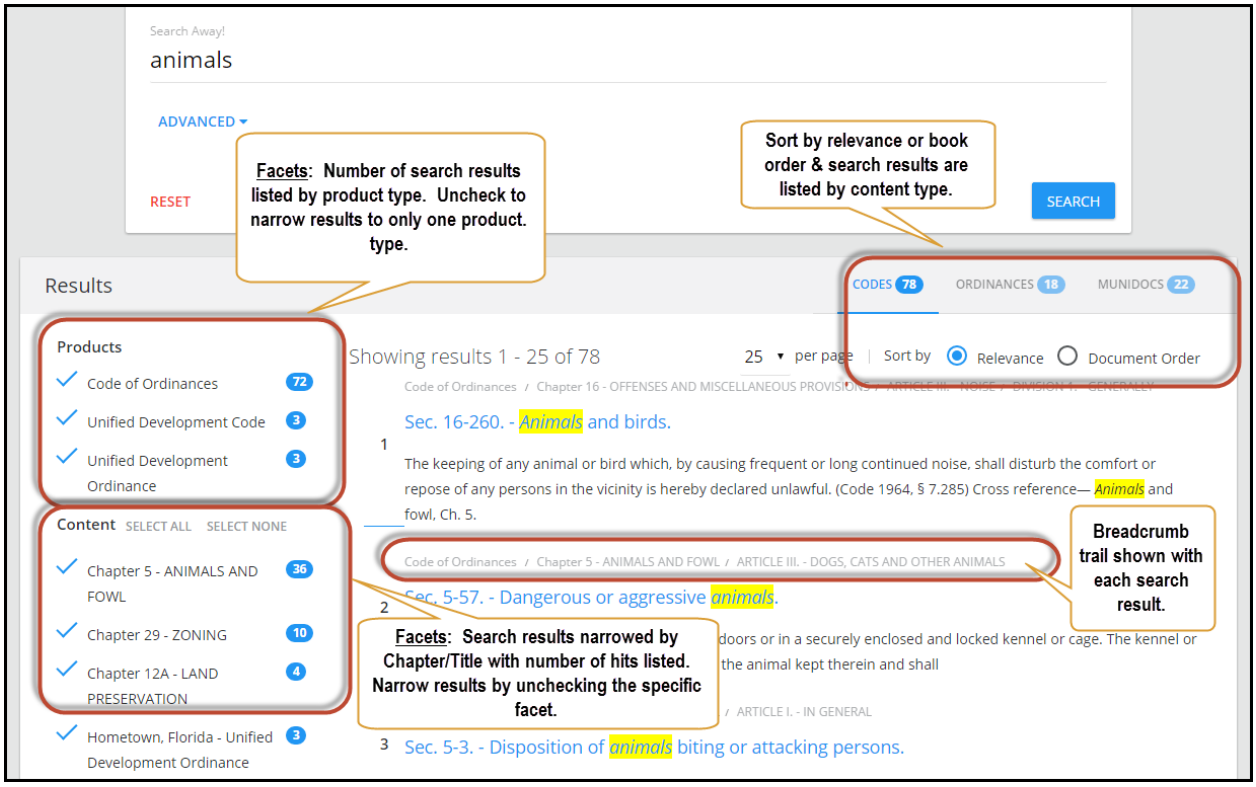
Print/Save/Email – Users can print, save (as WORD) or email files at the section level, as well as at the article or chapter level. You can print, save or email non-sequential sections from multiple portions of your Code(s). Not all codification companies enable you to download WORD documents directly from the website. Being able to do so greatly enhances your ability to draft new legislation.

Searching – Municode leverages a powerful open source search platform that also power sites such as Stackexchange, Github, and Wikipedia. Search starts on a dedicated page, then moves to a persistent right-hand sidebar as you cycle through the results. This enables you to quickly move through search results without clicking "back" to a search results page. The Code is also indexed by the section, returning more accurate, granular results. Search results can be sorted by relevance or book order as seen in the screenshot below.



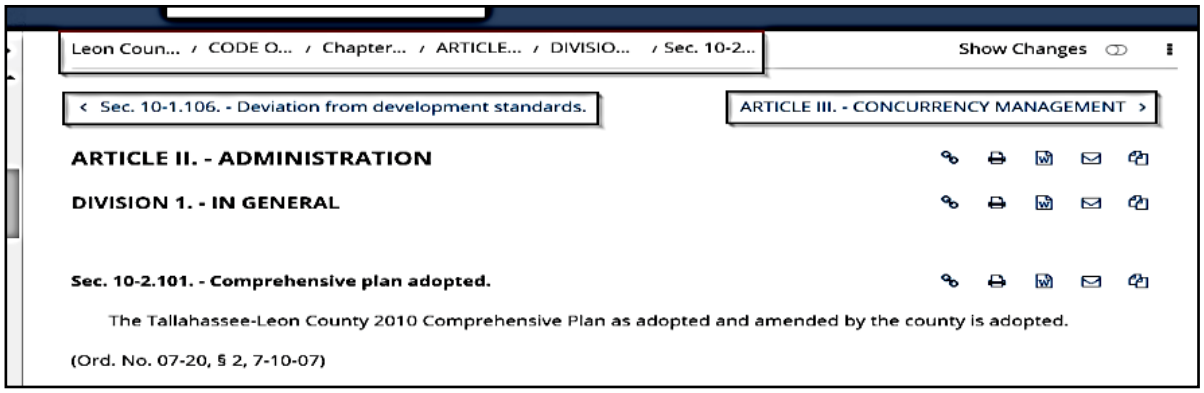
Municode Search Components:

- ★ **Advanced Searching** – You and your power users can conduct searches using Natural Language (think Google) or Boolean Logic.
- ★ **Multiple Publications** – If you have multiple publications (Code, zoning, etc.), they will all be searchable from one interface.
- ★ **Searchable ordinances** – With our OrdBank service, ordinances posted pre and post-codification are full-text searchable.
- ★ **Searching all content types** – If you use our OrdBank or MuniDocs service, you can search any combination of the Code, ordinances, and MuniDocs simultaneously. Search results are labeled for easy identification.
- ★ **Narrow Searching** – Your users could search selected chapters or titles in order to pinpoint their searches and find what they are looking for as quickly as possible!
- ★ **Stored Searching** – MunicodeNEXT allows all search result listings to be bookmarked under your browser's bookmark tabs. Users need only conduct a search and press Ctrl+D to add the search result listing to your browser's tabs.



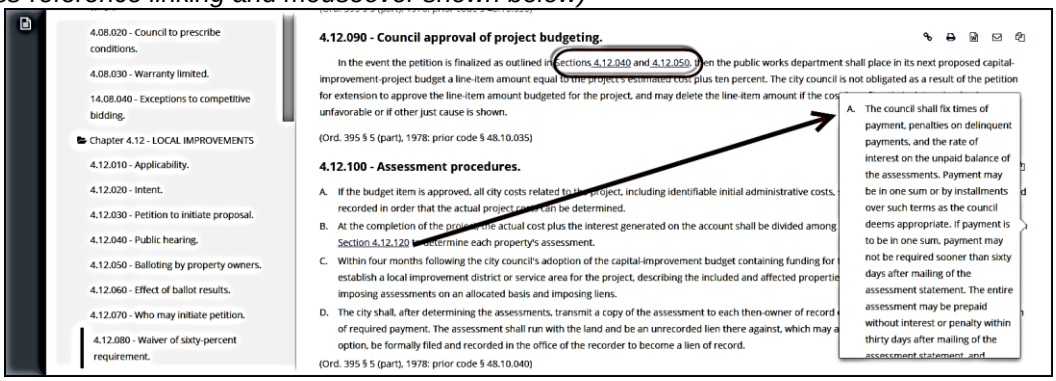
Search enhancements provided with our latest website upgrade include (see screenshot above):

Browsing – MunicodeNEXT provides a persistent breadcrumb trail when browsing or searching and a Previous/Next button at the top and bottom of any document you're viewing. The table of contents and content pane also stay in sync as you scroll to deliver the most intuitive reading experience possible.



- ★ **Internal Cross-Reference Linking** – Cross-references within your Code are linked to their respective destination Article, Chapter or Section.
- ★ **Collapsible TOC** – The table of contents collapses, providing additional real estate with which you may view your Code. Easily view your maps, graphs and charts by simply enlarging the item.
- ★ **Mouseover (cluetips)** – Navigate to your Code and any linked cross-reference will quickly display in the pop-up preview window.
- ★ **Google Translate** – includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

(Cross-reference linking and mouseover shown below)



Translation – MunicodeNEXT includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

Social Media Sharing – You and your users are able to share Code sections via Facebook and Twitter. This will make it easier for you and your team to utilize social media in order to engage your citizenry and enhance your level of transparency.

Static Linking – Copy links of any section, chapter or title to share via email or social media.

Scrolling Tables and Charts – Headers stay fixed while you scroll through the table/chart.

GIS – We can provide a permalink to any Code section and assist staff to create a link from your GIS system to relevant Code sections.

In-line Images & PDFs – We take great care to ensure that your images match online and in print and are captured at the highest quality possible. Our online graphics can be enlarged by hiding the table of contents to maximize the image. Municode can also incorporate PDFs of certain portions of the Code that have very specific viewing and layout requirements.

Website Accessibility – Our current website complies with level A of the Web Content Accessibility Guidelines (WCAG) 2.0.

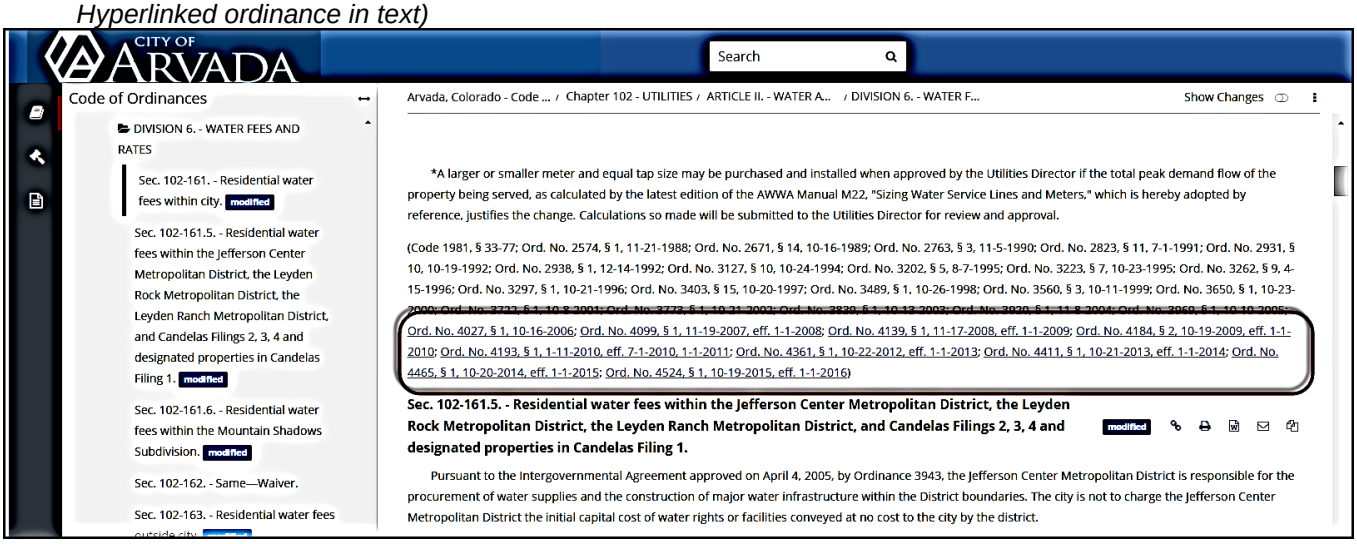
Support – Phone, email and web support for citizens and staff: 24-hour email response; phone support from 8:00 a.m. to 8:00 p.m. (Eastern). A variety of video tutorials are offered, and we are always available to host a personalized webinar for you and your staff to demonstrate our online features.

PREMIUM FEATURES OF MunicodeNEXT

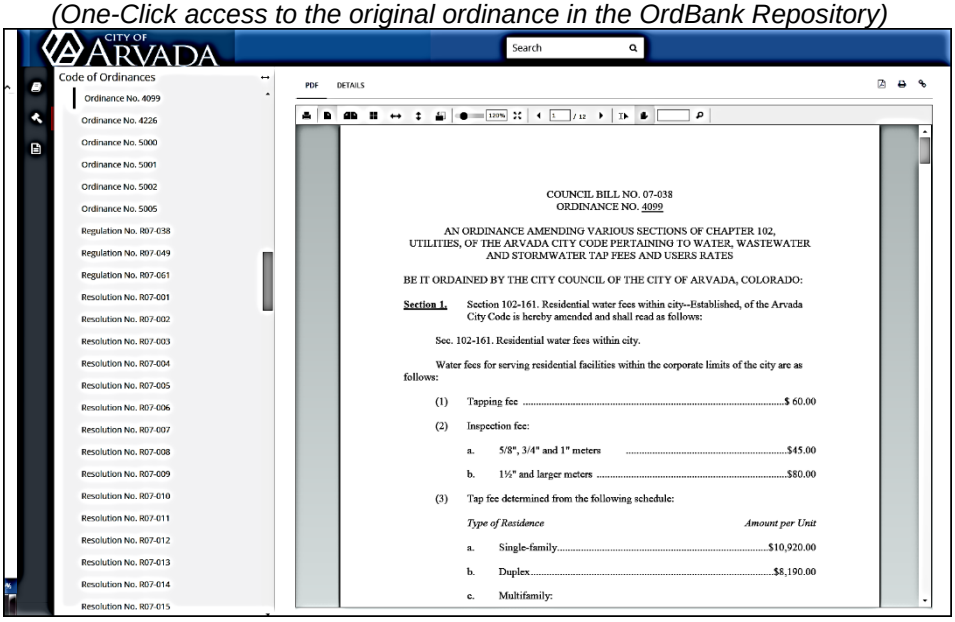
Custom Banner. We can customize the look and feel of your Code to more closely match your website. Please note the custom banners in each of the screenshots provided in this sample.

OrdBank. With our OrdBank solution, newly adopted legislation will be posted online in between supplements. Upon the completion of your supplement, the ordinances will be linked in your history notes and stored in your OrdBank Repository under the “OrdBank” tab.

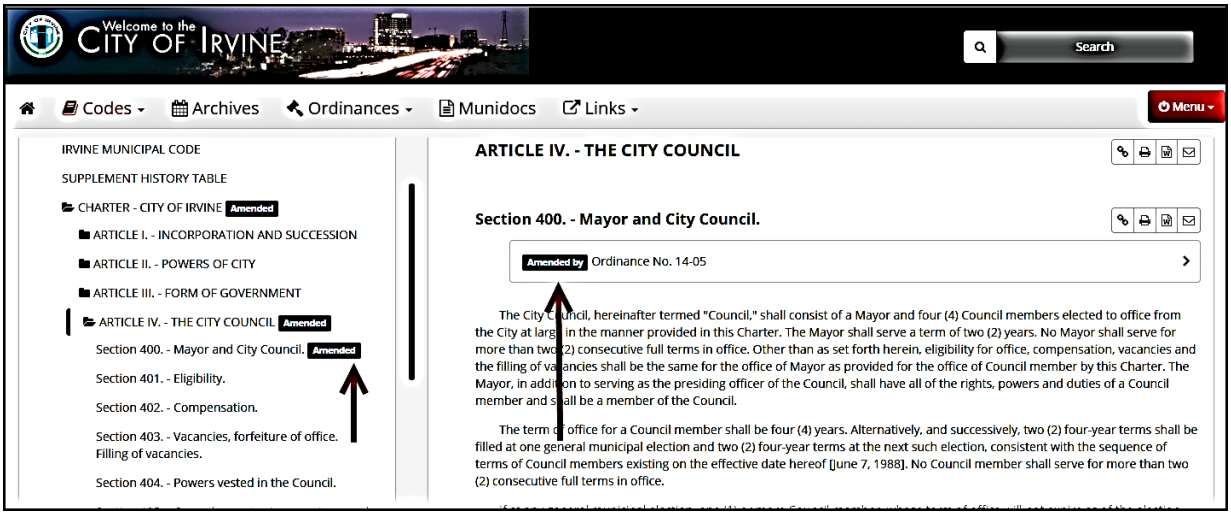
Hyperlinked ordinance in text)



(One-Click access to the original ordinance in the OrdBank Repository)

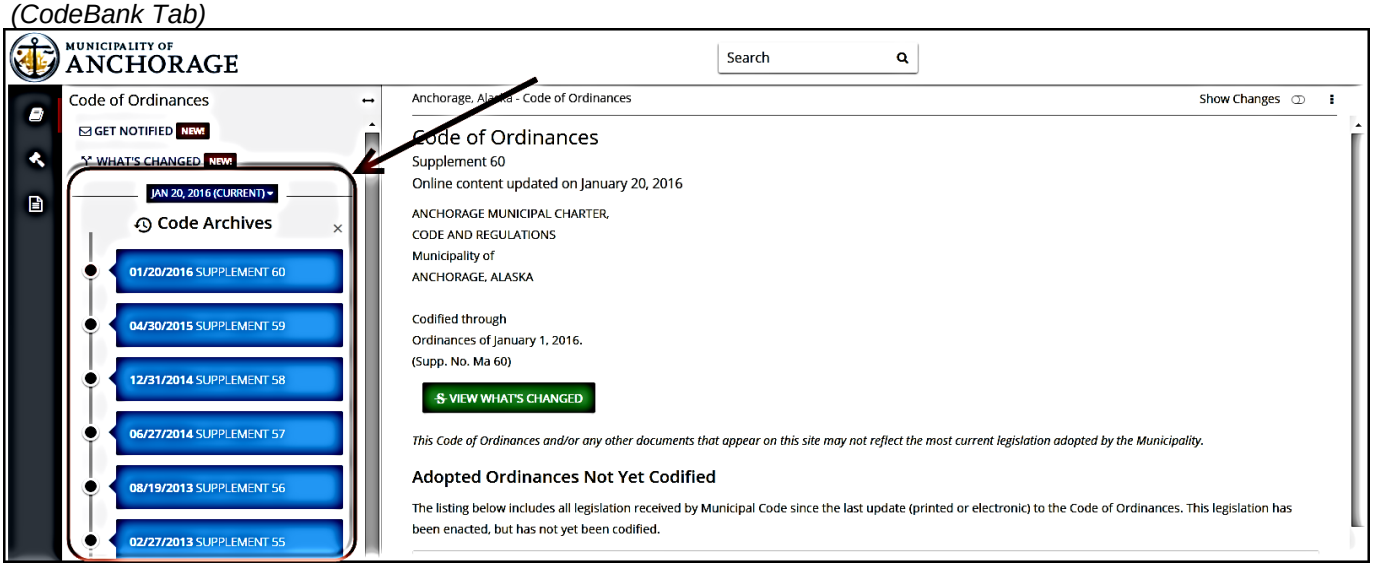


OrdLink + OrdBank. Prior to incorporating the ordinances into your Code via supplementation, the OrdLink feature can hyperlink newly adopted ordinances to the section being amended. Linked sections are highlighted in the table of contents and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into your Code, they are added to your OrdBank repository and hyperlinked to your history notes. This service lets everyone know that new ordinances have been adopted.



CodeBank. Our CodeBank feature provides an online archival platform for previous supplements of your Code. Empower your staff and citizens to access every previous version of your Code with one click.

(CodeBank Tab)

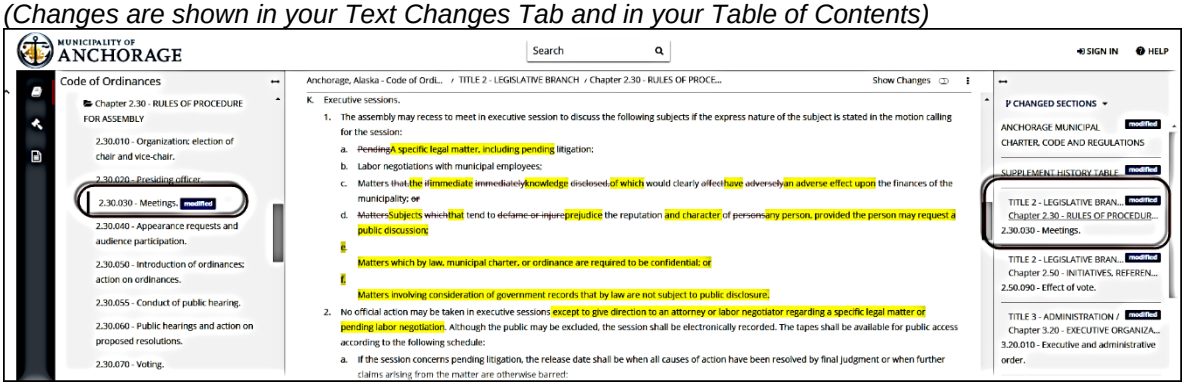


CodeBank Compare. Our CodeBank Compare service is a powerful feature that provides users the ability to select a past version of your online Code and compare it to any other version of your online Code. The differences will be shown via highlights (added material) or strikethrough (deleted material). The CodeBank feature is required in order to access CodeBank Compare. Users will be notified of the changes in the table of contents and within the text of the Code via “modified,” “new” or “removed” badges. Users can also select an option to view all of the changes in a single view, complete with strikethrough and highlights showing the specific textual changes that were made. The CodeBank Compare service will show all amendments to your Code that were implemented during the most recent update.

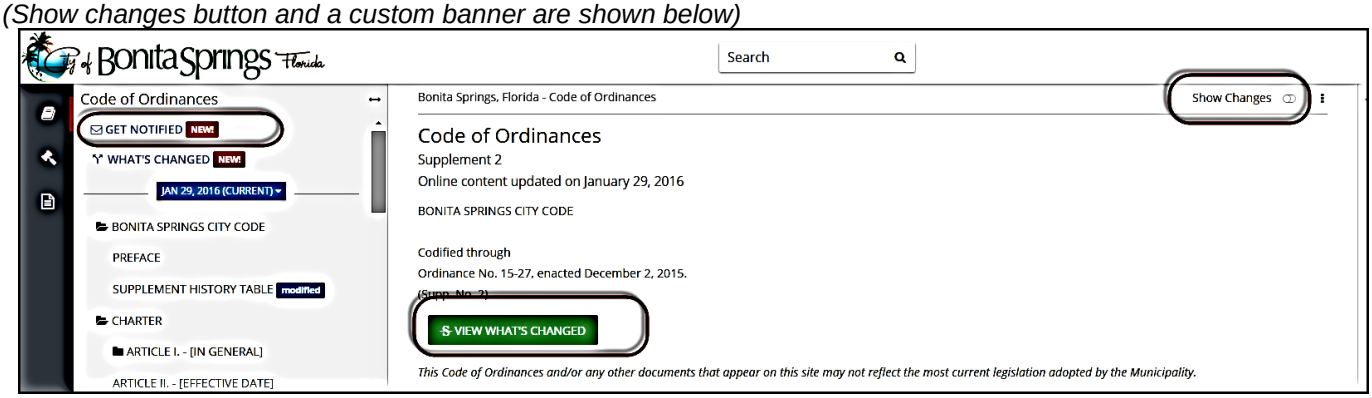
eNotify. Our eNotify service allows users to enroll online and receive email notifications each time your online Code is updated. This will empower your staff and citizens to receive instant notifications every time your online Code is updated. The CodeBank Compare feature is required in order to utilize the eNotify service.

Compare enhancements provided with our latest website upgrade include the ability to show changes in every version of the Code stored in CodeBank.

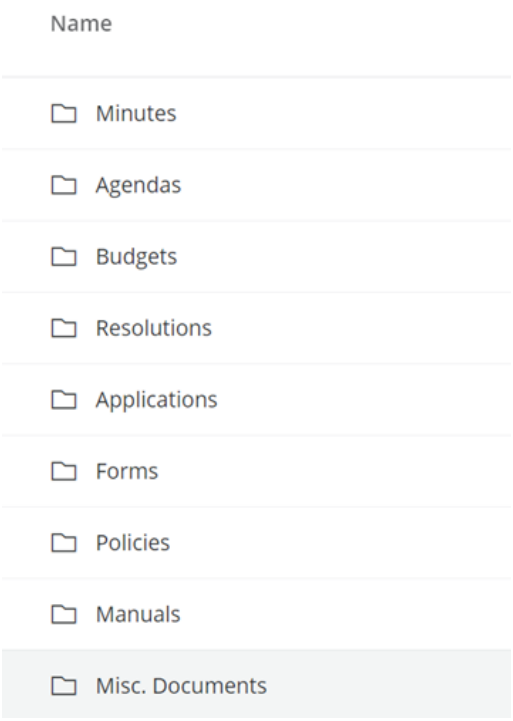
(Changes are shown in your Text Changes Tab and in your Table of Contents)



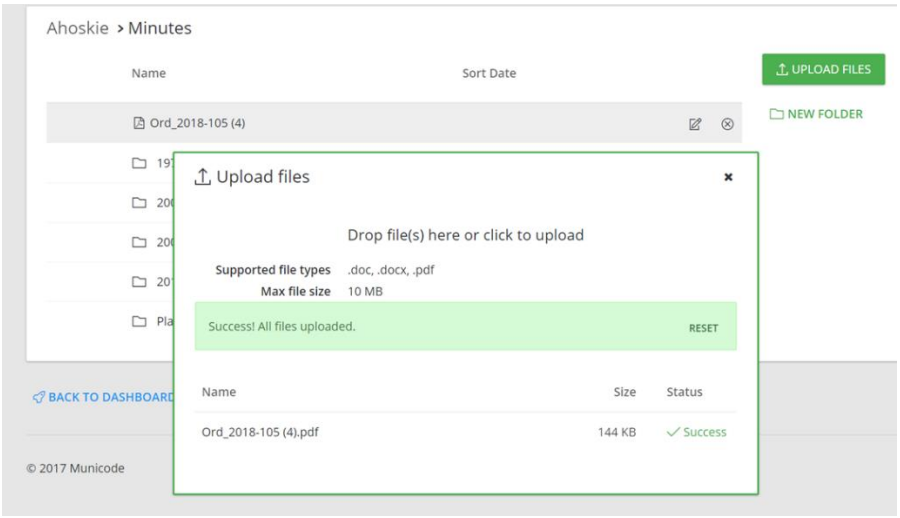
(Show changes button and a custom banner are shown below)



MuniDocs. MuniDocs Upload allows you to upload many types of documents to browse and search alongside your online code and is fully searchable and filterable. After users login, they are presented with a dashboard that allows them to upload new documents and manage previously uploaded documents. When uploaded, users are able to pick from a list of predefined document types



Uploading a document is as simple as dragging and dropping the document from your computer into the upload dialog box on the admin dashboard. Uploaded documents are immediately converted to PDF and indexed for search. Users may upload .rtf, .doc, .docx, and .pdf documents and organize these documents by nested folders. The public can then browse and search these documents immediately.



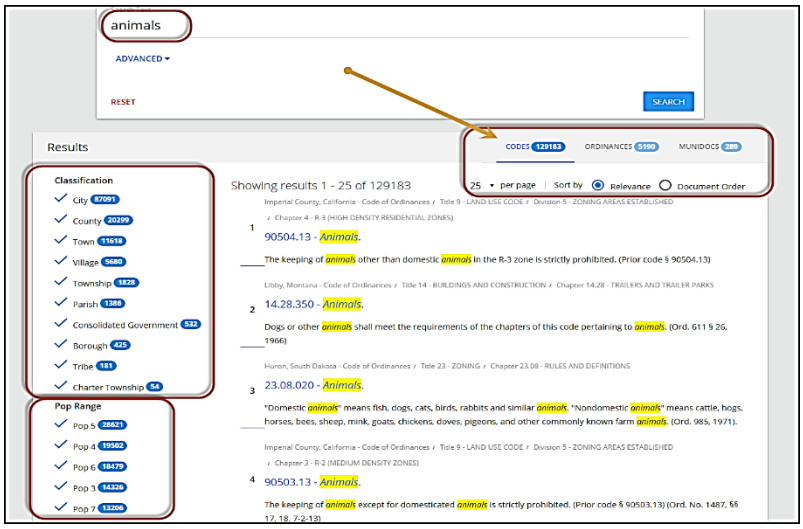
MuniPRO. MuniPRO Searching allows you to search the over 3,500 Codes we host (the entire country, a single state or individually selected Codes of your choosing). MuniPRO searches are ideal for researching local regulations of special interest or to find out how other communities are dealing with similar issues. If the IP based model is selected, only Multiple Code Searching is available. MuniPRO provides subscribers with the following tools:

- ★ **Multiple Code Search.** Search all Codes within one state, multiple Codes within one state, or search all Codes in the entire US hosted by Municode. Search results are sorted by relevancy and indicate the source publication, showing excerpts and keyword highlighting.

- ★ **MuniPRO Saved Searches.** Save frequently used or complex searches for easy retrieval from the MuniPRO Dashboard.

- ★ **MuniPRO Notes**. Create a note and attach it to any section in any publication. Note icons are present when viewing the section, alerting the user to a previously written note. A global listing of notes can be accessed and managed from the MuniPRO Dashboard.

- ★ **MuniPRO Drafts**. Begin a new ordinance draft to keep track of pending legislation. Drafts icons are present when viewing the section, alerting the user to a previously created draft. A global listing of drafts can also be accessed and managed from the MuniPRO Dashboard.



Zoning Administrator

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Sent: Monday, January 28, 2019 11:41 AM
To: Lindsey Wolf
Subject: Proposed ZO Amendments 73/74 - Attorney Questions
Attachments: 2019.01.04 Zoning Ordinance Amendment (73 and 74).docx; 2019.01.04 Proposed ZOA #73 Article 14 Waterfront (Redline).docx; 2019.01.03 Proposed ZOA #74 Article 6 Residential R1 (Redline).docx; 2019.01.03 Proposed ZOA #73 Article 7 Residential R2 R3 (Redline).docx; Excerpt of Draft 01.22.2019 Twp Bd Minutes re Proposed ZOAs 73 and 74.pdf

Lindsey –

See below for the questions from Attorney Patterson concerning Proposed Zoning Ordinance Amendments 73 and 74. At the board's 1/22 meeting, this issue was on the board's agenda, but Goss, Hubbell, and Lawson felt the questions should be answered by the planning commission. Popp said he was going to forward some questions to the PC.

Also attached is an excerpt of the board's 1/22 minutes on this topic.

Cheryl A. Goss, CMMC
Whitewater Township Clerk
5777 Vinton Road, P.O. Box 159
Williamsburg, Michigan 49690
Telephone: 231.267.5141 X 24
Fax: 231.267.9020
clerk@whitewatertownship.org
Office Hours: Mon/Tue/Wed/Thurs 8:30 am to 5:00 pm

From: Christopher Patterson [mailto:cpatterson@fsbrlaw.com]
Sent: Tuesday, January 15, 2019 12:07 PM
To: Cheryl A. Goss; Ron Popp
Cc: Jacob Witte
Subject: RE: Review of Ordinance Amendment Nos. 73 & 74

Cheryl and Ron:

We completed compilation of ordinance amendment Nos. 73 &74. For convenience, we combined the edits into a single final formatted ordinance amendment. Since the Planning Commission still expects to hold a public hearing on the ordinance, this should not impose any issues by combining them at this stage. If you prefer that they remain separated, please let us know and we can do so.

Attached is the final ordinance amendment incorporating the Township's request. We also have redlines of each zoning district showing the changes, which are attached. In compiling the final version, we do note the following issues/changes that will require further attention:

1. After reviewing the changes regarding churches, it was unclear why the use requirements were included as supplementary standards as opposed to being defined as a use permitted by right when

under 5,000 square feet or a use allowed as a special use when 5,000 square feet or larger. We therefore removed the supplementary regulations 6.13 and noted the two uses as permitted by right or as a special use depending on size. We also removed the language regarding playground equipment or accessory structures as this is already required by other provisions of the Zoning Ordinance.

2. In the Township's original redlines, Subsections 7.10(C), (D), and (E) were deleted, with a comment noting that these sections were "redundant to R1." 7.10(C), which addresses home occupations, and (D), which addresses churches, may have been redundant to the uses permitted in R1, but 7.10(E), which would have allowed schools as a permitted use was not. The R1 District only allows schools as a special land use. While schools would still be permitted in R2 as a special land use because Subsection 7.11(A) allows for all special uses permitted in R1, it is not clear if schools were originally intended to be a permitted use in the R1 District. These subsections may need to be revisited if that is the case. The draft ordinance provided retains the Township's changes to make schools a special use in the R2 district.

3. In the Township's original redlines, Subsections 7.60(B) and (E) were deleted, with a comment noting that it was "redundant to R1." Multi-family dwellings were not a permitted use in the R1 or R2 Districts and schools are only permitted as a special use in the R1 or R2 Districts, so these sections were not redundant. Schools were not addressed elsewhere in R3 and multi-family dwellings were added to the R3 district as a special use. This is somewhat inconsistent with the regulations in R2, which lists two-family dwellings as a permitted use. We want to make sure that the Township desires multi-family dwellings and schools to be regulated in this manner. The draft ordinance provided is consistent with the Township's redline, with multi-family dwellings as a special use and no provision for schools (which would be allowed as special use, as they are allowed in R1 and R2).

4. The removed text from Section 14.10 previously applied to land that is "having water frontage, used for easement or beach purposes and ***does not contain any structure***." Although there was a comment in the original redlines that read "reorganized below with no change in standards," the limitation to undeveloped lots does not appear to be replicated elsewhere in Article 14. We would like to confirm that this was intentional. We did not carry over the provision requiring that there be no structures on the lot in the attached draft ordinance.

Please let us know if we need to make any adjusts based on the comments noted above.

Sincerely,

Chris

Christopher S. Patterson
Member • Fahey Schultz Burzych Rhodes

Direct: 517.381.3205 • Cell: 269.744.4807
Office: 517.381.0100 • Fax: 517.381.3185
fsbrlaw.com • cpatterson@fsbrlaw.com

4151 Okemos Road, Okemos, MI 48864 USA
U.S. News & World Report Ranked Best Law Firm

From: Christopher Patterson
Sent: Wednesday, December 19, 2018 8:55 PM

7.00

ARTICLE VII

MULTIPLE RESIDENTIAL R-2 & R-3

RESIDENTIAL R-2

7.01 INTENT.

It is the intent of the Residential District R2 to provide a dedicated space for residential structures, specifically, single and two-family dwellings, and accessory structures incidental thereto.

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7.10 ~~USES~~ PERMITTED USES. ~~R-2~~

The following uses are permitted by right in the R-2 District~~No building or structure or any part thereof shall be erected, altered or used, or land or premises used, in whole or in part in Residential District R-2 for other than one or more of the following specified uses, viz~~:

A. All uses permitted ~~and as regulated in~~by right in the Residential District R-1.

B. Two family dwellings.

~~**C.** Home occupations carried on in a family dwelling provided that there be no external evidence of such occupation excepting a name plate not more that four (4) square feet in area, without illumination and of a character in keeping with the neighborhood and provided, further, that said occupation does not require nor effect any change in the external character of the building.~~

~~**D.** Churches provided that off-street parking shall be provided to the extent of an area equal to the area of the building.~~

C~~E~~. Schools ~~provided that off-street parking shall be provided to the extent of an area equal to the area of the building~~.

D~~F~~. Farming of all types~~, provided that the keeping of livestock and poultry shall comply with the requirements set forth in Section 6.10 F~~ subject to the requirements of Article 37, Supplementary Provisions.

E~~G~~. ~~The Planning Commission may consider as a Special Use Permit any other use similar to the uses permitted in the zoning district~~Libraries.

7.11 USES PERMITTED BY SPECIAL USE PERMIT.

The following uses are permitted upon securing a Special Use Permit in accordance with the procedures of Article 25:

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A. All special uses permitted and as regulated in the Residential District R-1.

B. Planned Unit Developments.

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C. Residential Care Facilities, Convalescent or Nursing Homes.

7.12~~1~~ BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS.~~:~~

All structures, lots and ~~structure set back from property lines~~setbacks shall comply with the regulations established in Article ~~XII~~ 12 of this Ordinance.

7.13 SUPPLEMENTARY STANDARDS – Reserved for Future Use.

7.50 RESIDENTIAL R-3.

7.51 INTENT.

It is the intent of the Residential District R3 to provide a dedicated space for residential structures, specifically multi-family dwellings, townhouse, apartments, and other compatible uses.

7.60~~12~~ ~~USES~~ PERMITTED ~~R-3~~USES.

The following uses are permitted by right in the R-3 District~~No building or structure or any part thereof shall be erected, altered or used, or land, or premises used, in whole or in part in Residential District R-3 for other than one or more of the following specified uses, viz~~:

A. All uses permitted ~~and as regulated~~by right in Residential District ~~R-1 and in Residential District~~ R-2.

~~**B.** Multiple dwellings.~~

7.61 SPECIAL USES.

The following uses are permitted upon securing a Special Use Permit in accordance with the procedures of Article 25:

A. All special uses permitted and as regulated in the Residential District R-2.

B. Multi-family dwelling such as townhouses and apartments.

~~**C.** Home occupations carried on in a family dwelling provided that there be no external evidence of such occupation excepting a name plate not more than four (4) square feet in area, without illumination and of a character in keeping with the neighborhood and provided, further, that said occupation does not require nor effect any change in the external character of the building.~~

~~**D.** Churches provided that off-street parking shall be provided to the extent of an area equal to the area of the building.~~

~~**E.** Shools provided that off-street parking shall be provided to the extent of an area equal to the area of the building.~~

~~**F.** Farming of all types, provided that the keeping of livestock and poultry shall comply with the requirements set forth in Section 6.10 F.~~

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~~**G.** Any other use would be by special use permit as approved by the Planning Commission.~~

7.62~~13~~ BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS.~~:~~

All structures, lots and ~~structure set back from property lines~~ setbacks shall comply with the regulations established in Article ~~XII~~ 12 of this Ordinance.

7.63 SUPPLEMENTARY STANDARDS – Reserved for Future Use.

~~7.14 Uses permitted by Special Use Permit~~

~~1. Planned Unit Development~~

~~2. The Planning Commission may consider as a Special Use Permit any other use similar to the uses permitted in the zoning district.~~

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ARTICLE VI

RESIDENTIAL R-1

6.01 INTENT.

It is the intent of the Residential District R1 to provide a dedicated space for residential structures, specifically Single-Family Dwellings, and the structures and uses typically associated with a residential area.

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6.10 ~~USES~~ PERMITTED USES.

~~No building or structure or any part thereof shall be erected, altered or used, or land or premises used in whole or in part in Residential District R-1 for other than one or more of the following specified uses, viz~~The following uses are permitted by Right in the Residential District R-1:

A. Single family dwellings.

B. Publicly owned and operated parks and recreational facilities.

~~**C.** Residences which do not conform to the standards of Section 3.13-A of this Ordinance shall not be used for dwelling purposes within the Township except that such nonconforming mobile homes can be located within a mobile home park or a mobile home plat zoned for such uses or except as may be elsewhere in these ordinances provided or unless used for temporary residence purposes as hereinafter provided.~~

C~~D~~. The keeping of animals for home use and enjoyment subject to all applicable requirements of Article ~~XXXVII, Section 37.20,~~37, Supplementary Provisions.

~~**E.** Accessory buildings such as a detached garage or boathouse for the storage of automobiles and boats, provided, however, that the same comply with setback restrictions and side yard requirements of the dwelling.~~

~~**F.** Storage of any or all property or equipment must be in compliance with building setback requirements from all property lines.~~

D. Adult foster care facilities serving 6 or less individuals.

E. Family day-care homes serving 6 or less individuals.

F. Churches under 5,000 square feet in area.

G. Home occupations subject to the requirements of Article 37, Supplementary Provisions.

H. Accessory buildings and uses customarily incidental to the same.

~~**6.11 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS:**~~

All structures, lots and structure set-back from property lines shall comply with the regulations established in Article XII of this Ordinance.

6.12 ARTIFICIAL BODY OF WATER.

An artificial body of water shall be permitted in compliance with all State and Federal regulations.

6.13 SPECIAL REQUIREMENTS.

The following special requirements shall apply to the Boardman River and its tributaries described in Article V, Section 5.10 of this Ordinance.

A. A managed vegetative strip shall be maintained within fifty (50) feet of the water's edge, as follows:

1. This vegetative strip shall consist of native trees, shrubs, and other vegetation and materials.

2. Cutting of existing trees and shrubs shall not be allowed except in accordance with a plan approved by the Zoning Board of Appeals. In passing upon such applications, the Zoning Board of Appeals shall consider all relevant factors pertaining to the purpose of the vegetative strip which is: to stabilize the river banks, prevent erosion, absorb nutrients in water runoff from adjacent lands, provide shading for the stream to maintain cool water temperature and screening of adjacent man-made structures.

3. No ponds shall be constructed, no earth moved, surface soils removed or filled for building within the managed vegetative strip.

4. Utility lines shall be installed only as follows:

a) New distribution lines for utilities within the housing setback line shall be placed underground unless overhead lines are less disruptive to the environment.

(b) Brushy vegetation shall be restored to the disturbed area in the managed vegetation strip.

(c) Local service lines to private dwellings shall originate from the landward side of the dwelling.

(d) Chemical control of vegetation shall be prohibited within the managed vegetative strip.

5. Fencing, grazing, riding trails and soil tilling for farm crops is prohibited within the managed vegetative strip.

6. The use of the managed vegetative strip for stock watering areas, stream crossing of horseback trails is subject to the approval of the Zoning

~~Administrator, who may require a plan from the Soil Conservation District as part of the requirement for use.~~

6.~~14~~ 11 USES PERMITTED BY SPECIAL USE PERMIT.

The following uses are permitted upon securing a Special Use Permit in accordance with the procedures of Article 25~~The following uses of land and structures may be permitted by the application to the Planning Commission for and the issuance of a special use permit when specified procedures and requirements, as outlined in the article in section cited, are complied with~~:

A. Bed and Breakfast Establishments.

B. Schools.

C. The keeping, breeding or training of dogs for monetary gain or for profit, subject to all applicable requirements of Article 37, Supplementary provisions.

D. Adult foster care facilities serving more than 6 individuals.

E. Family day-care homes serving more than 6 individuals.

F. Group day-care homes serving more than 6 individuals.

G. Churches 5,000 square feet or greater in area.

H. Planned Unit Developments.

~~1. Bed and Breakfast Establishments: subject to all requirements of Article XXV, Sections 25.12, 25.13 and 25.20.~~

~~2. Schools subject to all applicable requirements of Article XXV, Site Plan Review and other applicable Articles of the Ordinance.~~

~~3. The keeping, breeding or training of dogs for monetary gain or profit shall be subject to all applicable requirements of Article XXV, Site Plan Review and Article XXXVII, Section 37.30, Supplementary Provisions.~~

6.1~~1~~2 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS.~~:~~

All structures, lots and ~~structure set back from property lines~~setbacks shall comply with the regulations established in Article ~~XII~~12 of this Ordinance.

6.13 SUPPLEMENTARY STANDARDS – Reserved for Future Use.

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~~ARTICLE XIV~~

~~EASEMENT TO WATERFRONT~~

14.10 ~~MINIMUM AREA AND FRONTAGE~~SHARED WATERFRONT EASEMENTS.

In the event that a waterfront property is used for shared easement purposes the following conditions shall apply:

A. A waterfront property accessed by one off-water dwelling unit shall have a minimum of twenty thousand (20,000) square feet and a minimum frontage on the water of not less than one hundred (100) feet.

B. Where a waterfront property is accessed by more than one off-water dwelling unit, an additional fifty (50) feet of continuous frontage on the water is required for each additional off-water dwelling unit accessing the property.

14.11 SPECIAL REQUIREMENTS FOR THE BOARDMAN RIVER VALLEY.

The following special requirements shall apply to all properties within fifty (50) feet of the Boardman River and its tributaries.

A. A managed vegetative strip shall be maintained within fifty (50) feet of the water's edge, as follows:

1. Vegetative strips shall consist of native trees, shrubs, vegetation and other natural materials.

2. Existing native vegetation should be preserved whenever possible.

3. No ponds shall be constructed, no earth moved, surface soils removed or filled for building within the managed vegetative strip.

4. Utility lines shall be installed only as follows:

(a) New distribution lines for utilities within the housing setback line shall be placed underground unless overhead lines are less disruptive to the environment.

(b) Brushy vegetation shall be restored to the disturbed area in the managed vegetation strip.

(c) Local service lines to private dwellings shall originate from the landward side of the dwelling.

5. Chemical control of vegetation shall be prohibited within the managed vegetative strip.

6. Fencing, grazing, riding trails and soil tilling for farm crops is prohibited within the managed vegetative strip.

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7. The use of the managed vegetative strip for stock watering areas and stream crossing of horseback trails is subject to the approval of the Zoning Administrator, who may require a plan from the Soil Conservation District, or Department of Environmental Quality (DEQ) as part of the requirement for use.

B. Any variance from these standards shall be in accordance with a plan approved by the Zoning Board of Appeals. In evaluating such applications, the Zoning Board of Appeals shall consider all relevant factors pertaining to the purpose of the vegetative strip which is to:

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1. Stabilize the river banks.

2. Prevent erosion.

3. Absorb nutrients in water runoff from adjacent lands.

4. Provide shading for the stream to maintain cool water temperature.

5. Screen adjacent man-made structures.~~In the event any land having water frontage is used for easement or beach purposes and does not contain any structure then it shall have a minimum area of twenty thousand (20,000) square feet and a minimum frontage on the water of not less than one hundred (100) feet when said lot is used by one off-water lot or unit containing a single family dwelling. An additional fifty (50) feet of continuous frontage on the water is required for each additional off-water lot or condominium unit in excess of one. If permitted off water multi-family dwellings and or condominium units shall be subject to the standards listed above per single family dwelling or condominium unit.~~

WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT
ORDINANCE NO. 73

At a meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall on _____, 2019, at __:____ p.m., Township Board Member _____ moved to adopt the following Ordinance, which motion was seconded by Township Board Member _____:

> *An Ordinance to amend the Whitewater Township Zoning Ordinance, as amended to develop a standard and more user-friendly format, to simplify and clarify regulations, to revise and organize permitted and special uses, to move all waterfront-related regulations to one article, to prepare for recodification, and to repeal any ordinances or parts of ordinances or resolutions in conflict with this Ordinance; in order to maintain the public health, safety, and welfare of the residents of and visitors to Whitewater Township.*

THE TOWNSHIP OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN, ORDAINS:

SECTION 1: AMENDMENT TO ARTICLE VI. The Whitewater Township Zoning Ordinance, Article VI shall be amended to add the following new and additional Section 6.01, which shall read as follows:

6.01 INTENT.
It is the intent of the Residential District R1 to provide a dedicated space for residential structures, specifically Single-Family Dwellings, and the structures and uses typically associated with a residential area.

SECTION 2: AMENDMENT TO ARTICLE VI, SECTION 6.10. The Whitewater Township Zoning Ordinance, Article VI, Section 6.10 shall be amended to read as follows:

6.10 PERMITTED USES.

The following uses are permitted by right in the Residential District R-1:

A. Single family dwellings.

B. Publicly owned and operated parks and recreational facilities.

C. The keeping of animals for home use and enjoyment subject to all applicable requirements of Article 37, Supplementary Provisions.

D. Adult foster care facilities serving 6 or less individuals.

E. Family day-care homes serving 6 or less individuals.

F. Churches under 5,000 square feet in area.

G. Home occupations subject to the requirements of Article 37, Supplementary Provisions.

H. Accessory buildings and uses customarily incidental to the same.

SECTION 3: AMENDMENT TO ARTICLE VI, SECTION 6.11. The Whitewater Township Zoning Ordinance, Article VI, Section 6.11 shall be amended to read as follows:

6.11 USES PERMITTED BY SPECIAL USE PERMIT.

The following uses are permitted upon securing a Special Use Permit in accordance with the procedures of Article 25:

A. Bed and Breakfast Establishments.

B. Schools.

C. The keeping, breeding or training of dogs for monetary gain or for profit, subject to all applicable requirements of Article 37, Supplementary provisions.

D. Adult foster care facilities serving more than 6 individuals.

E. Family day-care homes serving more than 6 individuals.

F. Group day-care homes serving more than 6 individuals.

G. Churches 5,000 square feet or greater in area.

H. Planned Unit Developments.

SECTION 4: AMENDMENT TO ARTICLE VI, SECTION 6.12. The Whitewater Township Zoning Ordinance, Article VI, Section 6.12 shall be amended to read as follows:

6.12 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS.

All structures, lots and setbacks shall comply with the regulations established in Article 12 of this Ordinance.

SECTION 5: AMENDMENT TO ARTICLE VI, SECTION 6.13. The Whitewater Township Zoning Ordinance, Article VI, Section 6.13 shall be amended to read as follows:

6.13 SUPPLEMENTARY STANDARDS – Reserved for Future Use.

SECTION 6: AMENDMENT TO ARTICLE VI, SECTION 6.14. The Whitewater Township Zoning Ordinance, Article VI, Section 6.14 shall be deleted in its entirety.

SECTION 7: AMENDMENT TO ARTICLE VII. The Whitewater Township Zoning Ordinance, Article VII, shall be amended to add the following new and additional Section 7.01, which shall read as follows:

7.01 INTENT.

It is the intent of the Residential District R2 to provide a dedicated space for residential structures, specifically, single and two-family dwellings, and accessory structures incidental thereto.

SECTION 8: AMENDMENT TO ARTICLE VII, SECTION 7.10. The Whitewater Township Zoning Ordinance, Article VII, Section 7.10 shall be amended to read as follows:

7.10 PERMITTED USES.

The following uses are permitted by right in the R-2 District:

A. All uses permitted by right in the Residential District R-1.

B. Two family dwellings.

C. Schools.

D. Farming of all types, subject to the requirements of Article 37, Supplementary Provisions.

E. Libraries.

SECTION 9: AMENDMENT TO ARTICLE VII, SECTION 7.11. The Whitewater Township Zoning Ordinance, Article VII, Section 7.11 shall be amended to read as follows:

7.11 USES PERMITTED BY SPECIAL USE PERMIT.

The following uses are permitted upon securing a Special Use Permit in accordance with the procedures of Article 25:

A. All special uses permitted and as regulated in the Residential District R-1.

B. Planned Unit Developments.

C. Residential Care Facilities, Convalescent or Nursing Homes.

SECTION 10: AMENDMENT TO ARTICLE VII, SECTION 7.12. The Whitewater Township Zoning Ordinance, Article VII, Section 7.12 shall be amended to read as follows:

7.12 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS.

All structures, lots and setbacks shall comply with the regulations established in Article 12 of this Ordinance.

SECTION 11: AMENDMENT TO ARTICLE VII, SECTION 7.13. The Whitewater Township Zoning Ordinance, Article VII, Section 7.13 shall be amended to read as follows:

7.13 SUPPLEMENTARY STANDARDS – Reserved for Future Use.

SECTION 12: AMENDMENT TO ARTICLE VII, SECTION 7.14. The Whitewater Township Zoning Ordinance, Article VII, Section 7.14 shall be deleted in its entirety.

SECTION 13: AMENDMENT TO ARTICLE VII. The Whitewater Township Zoning Ordinance, Article VII, shall be amended to add the following new and additional Section 7.50, which shall read as follows:

7.50 RESIDENTIAL R-3.

SECTION 14: AMENDMENT TO ARTICLE VII. The Whitewater Township Zoning Ordinance, Article VII, shall be amended to add the following new and additional Section 7.51, which shall read as follows:

7.51 INTENT.

It is the intent of the Residential District R3 to provide a dedicated space for residential structures, specifically multi-family dwellings, townhouse, apartments, and other compatible uses.

SECTION 15: AMENDMENT TO ARTICLE VII. The Whitewater Township Zoning Ordinance, Article VII, shall be amended to add the following new and additional Section 7.61, which shall read as follows:

7.61 SPECIAL USES.

The following uses are permitted upon securing a Special Use Permit in accordance with the procedures of Article 25:

A. All special uses permitted and as regulated in the Residential District R-2.

B. Multi-family dwelling such as townhouses and apartments.

SECTION 16: AMENDMENT TO ARTICLE VII. The Whitewater Township Zoning Ordinance, Article VII, shall be amended to add the following new and additional Section 7.62, which shall read as follows:

7.62 BUILDING SIZES, LOT SIZES AND YARD REQUIREMENTS.

All structures, lots and setbacks shall comply with the regulations established in Article 12 of this Ordinance.

SECTION 17: AMENDMENT TO ARTICLE VII. The Whitewater Township Zoning Ordinance, Article VII, shall be amended to add the following new and additional Section 7.63, which shall read as follows:

7.63 SUPPLEMENTARY STANDARDS – Reserved for Future Use.

SECTION 18: AMENDMENT TO ARTICLE XIV. The Whitewater Township Zoning Ordinance, Article XIV, shall be amended to have the following heading:

ARTICLE XIV
WATERFRONT PROPERTY

SECTION 19: AMENDMENT TO ARTICLE XIV, SECTION 14.10. The Whitewater Township Zoning Ordinance, Article XIV, Section 14.10 shall be amended to read as follows:

14.10 SHARED WATERFRONT EASEMENTS.
In the event that a waterfront property is used for shared easement purposes the following conditions shall apply:

A. A waterfront property accessed by one off-water dwelling unit shall have a minimum of twenty thousand (20,000) square feet and a minimum frontage on the water of not less than one hundred (100) feet.

B. Where a waterfront property is accessed by more than one off-water dwelling unit, an additional fifty (50) feet of continuous frontage on the water is required for each additional off-water dwelling unit accessing the property.

SECTION 20: AMENDMENT TO ARTICLE XVI. The Whitewater Township Zoning Ordinance, Article XVI, shall be amended to add the following new and additional Section 14.11, which shall read as follows:

14.11 SPECIAL REQUIREMENTS FOR THE BOARDMAN RIVER VALLEY.

The following special requirements shall apply to all properties within fifty (50) feet of the Boardman River and its tributaries.

A. A managed vegetative strip shall be maintained within fifty (50) feet of the water's edge, as follows:

1. Vegetative strips shall consist of native trees, shrubs, vegetation and other natural materials.

2. Existing native vegetation should be preserved whenever possible.

3. No ponds shall be constructed, no earth moved, surface soils removed or filled for building within the managed vegetative strip.

4. Utility lines shall be installed only as follows:

(a) New distribution lines for utilities within the housing setback line shall be placed underground unless overhead lines are less disruptive to the environment.

(b) Brushy vegetation shall be restored to the disturbed area in the managed vegetation strip.

(c) Local service lines to private dwellings shall originate from the landward side of the dwelling.

5. Chemical control of vegetation shall be prohibited within the managed vegetative strip.

6. Fencing, grazing, riding trails and soil tilling for farm crops is prohibited within the managed vegetative strip.

7. The use of the managed vegetative strip for stock watering areas and stream crossing of horseback trails is subject to the approval of the Zoning Administrator, who may require a plan from the Soil Conservation District, or Department of Environmental Quality (DEQ) as part of the requirement for use.

B. Any variance from these standards shall be in accordance with a plan approved by the Zoning Board of Appeals. In evaluating such applications, the Zoning Board of Appeals shall consider all relevant factors pertaining to the purpose of the vegetative strip which is to:

1. Stabilize the river banks.

2. Prevent erosion.

3. Absorb nutrients in water runoff from adjacent lands.

4. Provide shading for the stream to maintain cool water temperature.

5. Screen adjacent man-made structures.

SECTION 21: SEVERABILITY. The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 22: EFFECTIVE DATE. This Ordinance shall become effective seven (7) days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

SECTION 23: REPEAL. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

_____
Ron Popp, Whitewater Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Whitewater Township Board at a duly scheduled and noticed meeting of that Township Board held on _____, 2019, pursuant to the required statutory procedures.

2. A summary of the above Ordinance was duly published in the _____ newspaper, a newspaper that circulates within Whitewater Township, on _____, 2019.

3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.

4. I filed an attested copy of the above Ordinance with the Grand Traverse County Clerk on _____, 2019.

ATTESTED:

_____
Cheryl Goss, Whitewater Township Clerk