

CALUMET SPECIAL VILLAGE COUNCIL MEETING  
 CALUMET VILLAGE TOWN HALL  
 340 SIXTH STREET  
 CALUMET, MICHIGAN 49913  
 June 11, 2019 - 7:00 PM

**Present:** President David Geisler

Trustees: Joshua Rowe, Roxanne King, Nathan Anderson, Brian Abramson,  
 Doug Harrer

Also present from the village: Village Administrator Caleb Katz, Village Clerk Kevin Weir

Public present: 1 member of the public present

**Absent:** Trustee Andrew Ranville, Treasurer Stephani Camp

**I. 7:00 PM President David Geisler called the meeting to order and the pledge was recited**

**II. Acceptance of Agenda**

**III. Agenda**

**1. Petitions from the Public**

None

**2. Zoning Board of Appeals Appointments**

A discussion was had regarding how to constitute the Zoning Board of Appeals.

Motion made by Trustee Anderson and seconded by Trustee Rowe to restate Ordinance 127A, to establish the Village Council as the Zoning Board of Appeals and the Village Administrator as Zoning Administrator.

Motion Amended by Trustee Anderson and seconded by Trustee Rowe to reflect that dates (pg 11) and the clerk (pg 12) on the proposed ordinance be updated. The restatement will read as stated below inclusive of amended changes.

President David Geisler polled the council:

Yes: King, Rowe, Anderson Geisler

No: Abramson, Harrer

Motion Carried 4/2

**Ordinance No. 127A**

**Village of Calumet, Michigan**

**AN ORDINANCE TO AMEND ORDINANCE NO. 127  
 OF THE ORDINANCES OF THE VILLAGE OF CALUMET**

An ordinance to amend by complete restatement both Section 22 (Zoning Board of Appeals) and Section 24 (Violations and Penalties – Enforcement) of Ordinance No. 127, Zoning Ordinance, of the ordinances of the Village of Calumet.

**NOW, THEREFORE, THE VILLAGE OF CALUMET HEREBY ORDAINS:**

**Section 1. Restatement of Section 22.** Section 22 of Ordinance No. 127 of the ordinances of the Village of Calumet is hereby repealed and replaced by new Section 22 which reads as follows:

SECTION 22: ZONING BOARD OF APPEALS

SUBDIVISION 1. Creation and Membership

1. The Village Council, consisting of the President and six Trustees when all council seats are filled, is hereby established as the Zoning Board of Appeals and shall perform the duties and exercise the powers as provided in PA 110 of 2006 and in such a way that the objectives of this Ordinance shall be observed.
2. (A) One member shall be a member of the Planning Commission.  
(B) The creation, membership and reappointment of a Zoning Board of Appeals shall meet the requirements of the Michigan Zoning Enabling Act of 2006.
3. A member of the Zoning Board of Appeals who also serves as a member of the Planning Commission must abstain from voting on a matter being considered by the Zoning Board of Appeals that he or she voted on as a member of the Planning Commission where the facts and circumstances associated with the particular decision under review make abstention necessary to satisfy the due process requirement of impartial decision making.

SUBDIVISION 2. Organization

1. **Rules of Procedure:** The Zoning Board of Appeals shall adopt rules and/or procedures for the conduct of its meeting and the performance of its powers and duties. The procedures shall be in accord with the provisions of the Ordinance and applicable State law. The Board shall annually elect a chairperson, a vice chairperson, and a secretary.
2. **Meeting Times:** Meetings of the Zoning Board of Appeals shall be held at the call of the Chairperson and at such other times as the Board may specify in its rules of procedure. The applicable provisions of Public Act 267 of 1976, as amended, MCL 15.261 et seq. (Open meetings Act) shall apply.
3. **Quorum:** A majority of the total membership of the Board shall comprise a quorum.
4. **Minutes:** Minutes shall be kept of each meeting and the Zoning Board of Appeals shall record into the minutes all findings, conditions, facts, and other relevant factors, including the vote of each member upon each appeal case. All meetings and records shall be open to the public. All minutes shall be filed in the office of the Village Clerk. The Village Clerk, or the Clerk's agent, shall act as recording secretary to the Zoning Board of Appeals, including recording the minutes, publishing legal notices, and providing notices to property owners and others required by law.
5. **Application to Zoning Board of Appeals:** Application shall not be accepted unless all of the following information is submitted:
  - (A) A completed application form (provided by the Village);
  - (B) An accurate, scaled site plan (if appropriate) with enough information to clearly indicate the nature of the issue being considered. The Zoning Administrator shall determine the completeness of such plans.
  - (C) An application fee as may be determined by the Village Council from time to time.
  - (D) A written explanation from the applicant indicating why the application meets the applicable review standards of this Ordinance.
6. **Public Hearing:** Upon receipt of an application as required by this Section, the Zoning Board of Appeals shall fix a reasonable date, time, and place for a hearing and shall publish a notice of hearing in a newspaper of general circulation within the Village, and shall send such notice to the applicant not less than fifteen (15) days before the hearing date. Notice shall also be sent to all persons to whom real property is assessed within three hundred (300) feet of the property involved in the appeal and to the occupants of all structures located within three hundred (300)

feet of the property, including properties and occupants located outside the Village, if any. The Board may adjourn any meeting held in order to obtain additional information, or to provide further notice as it deems necessary. If the name of an occupant is not known, the term “occupant” may be used in providing notification.

### SUBDIVISION 3. Powers and Duties

The Zoning Board of Appeals shall hear only those matters which it is authorized to hear by Public Act 110 of 2006, and render its decision based upon the criteria contained in accordance with the indicated standards:

#### 1. Administrative Appeals

(A) The Zoning Board of Appeals shall hear and decide appeals where it is alleged that there is an error in fact judgment, procedure, or interpretation in any order, requirement, permit, or decision made by the Zoning Administrator or other body enforcing the provisions of this Ordinance.

#### (B) Site Plan Review

- (i) The Zoning Board of Appeals shall review and make final determination on properly filed appeals from action by the Planning Commission with respect to Site Plan Reviews conducted pursuant to this Ordinance.
- (ii) The Zoning Board of Appeals has the power to sustain, reverse or remand for further consideration the decision of the Planning Commission when it is found that the decision is inconsistent with the provisions of this Ordinance or that there was an error of fact involved in the decision. In making the determination, the Zoning Board of Appeals shall examine the application and all accompanying data as well as the records of the actions with respect to the Site Plan Review.

#### 2. Interpretations

- (A) The Zoning Board of Appeals shall have the power to make an interpretation of the provisions of this Ordinance when it is alleged that certain provisions are not clear or that they could have more than one (1) meaning. In deciding upon the request, the Board shall insure that its interpretation is consistent with the intent and purpose of this Ordinance and the Section in which the language in question is contained.
- (B) The Zoning Board of Appeals may also make a determination of the precise location of the boundary lines between zoning districts in accordance with this Ordinance, and records, surveys, maps, and aerial photographs.
- (C) The Zoning Board of Appeals may determine the classification of any use of land not specifically mentioned as a part of the provision of any district, so that it conforms to a comparable permitted or prohibited use of land in accordance with the purpose and intent of each district.
- (D) The Zoning Board of Appeals may issue a determination of the off-street parking and loading requirements of a use of land not specifically mentioned in this Ordinance such that it conforms to a comparable permitted or prohibited use of land.

#### 3. Variances

- (A) The Zoning Board of Appeals, after public hearing, shall have the power to grant requests for variances from the provisions of the Ordinance where it is proved by the applicant that there are practical difficulties in the way of carrying out the strict letter of the Ordinance relating to the construction, equipment, or alteration of buildings or structures so that the spirit of the Ordinance shall be observed, public safety secured, and substantial justice done.
- (B) **Non-use Variance (practical difficulty):** A non-use variance may be allowed by the Zoning Board of Appeals only in cases where there is reasonable evidence of **practical difficulty** in the official record of the hearing and that all of the following conditions are met:

- (i) That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district. Exceptional or extraordinary circumstances or conditions include:
  - (a) Exceptional narrowness, shallowness or shape of a specific property on the effective date of this Ordinance; or
  - (b) By reason of exceptional topographic conditions or other extraordinary situation on the land, building or structure; or
  - (c) By reason of the use or development of the property immediately adjoining the property in question, whereby the literal enforcement of the requirements of this Ordinance would involve practical difficulties; or
  - (d) Any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary.
- (ii) That the condition or situation of the specific parcel of property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.
- (iii) That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.
- (iv) The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.
- (v) The variance will not impair the intent and purpose of this Ordinance.
- (vi) The immediate practical difficulty causing the need for the variance request was not created by any affirmative action of the applicant.

#### SUBDIVISION 4. Voting Requirements, Effect of Variances, Resubmission

1. Non-Use Variance, Interpretation or Administrative Appeal: The concurring vote of a majority of the entire membership of the Zoning Board of Appeals shall be necessary to decide in favor of the applicant for a non-use variance or other matter upon which the Board is required to pass.
2. Finality of Decisions: All decision of the Zoning Board of Appeals shall become final when the Board certifies its decision in writing or approves the minutes of its decision.
3. Variance Time Limit: Every non-use variance granted under the provision of this Ordinance shall become null and void unless the construction authorized by such variance has been commenced within one (1) year after the granting of the variance.
  - (A) An Applicant may, at no cost, request up to one (1) six (6) month extension of this variance from the Zoning Board of Appeals if the extension is applied for in writing prior to the expiration of the variance approval.
  - (B) The Zoning Board of Appeals may grant such extension provided that the original circumstances creating the need for the extension were beyond the control of the applicant.
4. Resubmission: No application for a variance which has been denied wholly or in part by the Zoning Board of Appeals shall be resubmitted for a period of one (1) year from the date of the denial, except on the grounds of newly discovered evidence or proof of changed conditions found, upon inspection by the Board, to be valid.

#### SUBDIVISION 5. Conditions of Approval

The Zoning Board of Appeals may impose, in writing, specific conditions with an affirmative decision pursuant to PA 110 of 2006. The breach of any such condition shall be a violation of the Ordinance.

#### SUBDIVISION 6. Bonding

The Zoning Board of Appeals may require that a bond be furnished to insure compliance with certain conditions imposed with the granting of any appeal or variance.

#### SUBDIVISION 7. Certification of Compliance

The Zoning Administrator shall certify whether all conditions and other requirements of the variance have been fulfilled as a precondition to the issuance of any permit required for development, construction, occupancy or use within the area governed by the variance.

**Section 2. Restatement of Section 24.** Section 24 of Ordinance No. 127 of the ordinances of the Village of Calumet is hereby repealed and replaced by new Section 24 which reads as follows:

### SECTION 24: VIOLATIONS AND PENALTIES: ENFORCEMENT

#### SUBDIVISION 1. Responsibility

1. **Deputy Administrator:** Where the provisions of the Ordinance authorize or direct the Zoning Administrator to perform any act or carry out any function, such act or function may also be carried out by a deputy or deputies designated by the Village Council.
2. **Basic Duties:** The Zoning Administrator shall have the power to grant certificates of zoning compliance and to make inspections of premises necessary to carry out his or her duties in the enforcement of this Ordinance and to otherwise carry out the duties assigned herein.
3. **Official Zoning Map:** The Zoning Administrator or designee shall be responsible for maintaining the Official Zoning Map.
4. **Violations:** The Zoning Administrator shall order discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings or structures; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with, or to prevent violations of, its provisions.

#### SUBDIVISION 2. Zoning Ordinance Amendments, Initiation

1. **Time Frame for Application Submittal:** All applications for amendments to the Zoning Ordinance shall be submitted to the Zoning Administrator at least thirty (30) days prior to the first consideration by the Village Planning Commission.
2. **Initiation of Amendments and Application Requirements:** Requests for amendments to the Zoning ordinance may be initiated in writing by the owner of the property requested for rezoning, or his or her authorized representative. Requests may also be made by the Village Planning Commission or the Village Council through official action of the Commission or Council taken at a public meeting which has been properly noticed as required by law.

In the case of an amendment requested by a property owner or his or her authorized representative, the request shall include the following:

- (A) Completion of a Zoning Amendment Application as provided by the Zoning Administrator. This application shall include:
  - (i) The name and address of the person making the request and all persons having a legal or equitable interest in any land for which rezoning is requested.
  - (ii) In the case of a text amendment, the specific section to be amended and the proposed text change.
  - (iii) If the requested amendment requires a change in the zoning map, the common address, legal description of the area requested for change and present and proposed district classifications shall be provided. The applicant shall also indicate, by map form, the location of the property for which rezoning is requested. If, in the opinion of the Zoning Administrator, Planning Commission, or Village Council, the information submitted does not provide a clear delineation of the specific area to be rezoned, the Zoning Administrator, Planning Commission, or Village Council, as the case may be, shall require the applicant to submit a boundary survey of the property in question. This

survey shall include a written legal description and drawing of the area to be rezoned. The boundary survey, including a legal description and map, shall be completed by a Land Surveyor registered by the State of Michigan.

- (iv) The nature of the amendment shall be fully identified in writing.
- (v) The applicant shall pay all fees for the application required by the Village of Calumet.

### SUBDIVISION 3. Amendment Procedure

After submission of the application and fee, amendments to this Ordinance shall be processed as provided in the Zoning Enabling Act, Public Act 110 of 2006.

### SUBDIVISION 4. Consideration of Amendment

The following guidelines shall be used by the Planning Commission and Village Council pursuant to consideration of amendments to the Zoning Ordinance:

#### 1. Text Amendment.

- (A) The proposed text amendment corrects an error in the Ordinance.
- (B) The proposed text amendment clarifies the intent of the Ordinance.
- (C) The proposed text amendment addresses changes in State law.
- (D) The proposed text amendment promotes compliance with changes in other Village Ordinances and county, State or federal regulations.
- (E) In the event that the amendment adds a use to a district, this use shall be fully consistent with the character of the range of uses provided for within the district.
- (F) The amendment shall not result in problems of incompatibility among land uses within a zoning district or among adjacent districts.
- (G) The proposed text amendment is supported by the findings, reports, studies or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical considerations.
- (H) As applicable, the proposed change shall be consistent with the Village's ability to provide adequate public facilities and services.
- (I) The proposed change shall be consistent with the Village's desire to protect public health, safety and welfare of the community.

#### 2. Map Amendment (Rezoning).

- (A) Map amendments shall be consistent with the goals, policies and future land use of the Village of Calumet. If conditions have changed since the adoption of the Master Plan for the Village, map amendments shall be consistent with these changes and trends in changes.
- (B) Map amendments shall be compatible with the physical, geological, hydrological and other environmental features of, and with uses permitted in, the applicable zoning district.
- (C) Map amendments shall take into account the capacity of existing and planned infrastructure including streets, sanitary sewers, storm sewers, water conduits, sidewalks, and street lighting so that such infrastructure is adequate to support the land uses defined for proposed zoning districts.
- (D) Existing Village facilities and services including but not limited to, police and fire protection, and waste collection shall have sufficient capacity to support those uses provided for within the proposed zoning district classification.
- (E) The proposed change shall be governed by sufficient standards to ensure that the potential for problems of incompatibility between the proposed and adjoining districts shall be minimal.
- (F) The requested rezoning will not create an isolated and unplanned spot zone.
- (G) Other factors deemed appropriate by the Planning Commission may also be considered.

### SUBDIVISION 5. Consideration of Amendment by Village Council

Upon receipt of a report and summary of hearing comments from the Planning Commission as provided for in the Zoning Enabling Act, Public Act 110 of 2006, the Village Council may hold an additional public hearing, if it considers it necessary or may proceed to adopt or amend the proposed amendment. If the Village Council proposes to amend the amendment then the procedures described in the Zoning Enabling Act, Public 110 of 2006, shall be followed.

### SUBDIVISION 6. Zoning Compliance Permits

1. Unless otherwise exempted by this Ordinance, the construction, erection, alteration, expansion, moving, repair, or use of any land, building, or structure shall require receipt of a zoning permit and issuance of a certificate of zoning compliance. No building permit shall be issued for the construction, erection, alteration, expansion, moving or repair of any building or other structure until a certificate of zoning compliance has been issued therefor. Issuance of such a certificate of zoning compliance shall indicate that the use and plans for which the permit is requested comply with this Ordinance.
2. It shall be unlawful to use or occupy or permit the use or occupancy of any building, structure, or premises, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use as permitted under the terms of this Ordinance until a certificate of zoning compliance shall have been issued hereunder by the Zoning Administrator. The certificate shall state that the building, structure, and lot and use thereof, conform to the requirements of this Ordinance.
3. The Zoning Administrator shall maintain a record of all certificates of zoning compliance.
4. Certificates of zoning compliance authorize only the use, arrangement and construction set forth in the application and any appended plans, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance, and is punishable as provided by law. Any change in approved plans shall occur as provided for in this Ordinance and shall require the issuance of an amended certificate of Zoning compliance.

#### SUBDIVISION 7. Performance Guarantee

1. As a condition of approval of a site plan, special land use, planned unit development, variance or other such zoning action, the Zoning Administrator, Planning Commission, Village Council, or Zoning Board of Appeals, as appropriate, may require a bond or other financial guarantee of sufficient sum to assure the installation of those features or components of the approved activity of construction which are considered necessary to protect the health safety and welfare of the public and of users or inhabitants of the proposed development. Such features or components, hereafter referred to as "improvements," may include but shall not be limited to roadways, curbs, landscaping, fences, walls, screens, lighting, drainage facilities, sidewalks, utilities and similar items.
2. Performance guarantees shall be processed in the following manner:
  - (A) The applicant shall prepare an itemized cost estimate of the required improvements, which shall then be reviewed and approved by the Zoning Administrator. The amount of the performance guarantee shall be one-hundred (100) percent of the following costs:
    - (i) Purchase and/or construction improvements.
    - (ii) Installation of improvements.
    - (iii) Architectural and/or engineering design or related professional costs.
    - (iv) Reasonable amount for contingencies, but in no case less than five (5) percent of the total of the costs enumerated in (i) through (iii) above.
  - (B) The required performance guarantee shall be in the form of an irrevocable bank letter of credit, surety bond, or other form of guarantee acceptable to the party that requires the guarantee.
  - (C) Upon receipt of the required performance guarantee, the Zoning Administrator shall issue a certificate of zoning compliance for the development or activity covered by the guarantee.
  - (D) The Zoning Administrator, upon the written request of the applicant, shall rebate portions of the performance guarantee upon determination that the improvement for which the rebate has been requested have been satisfactorily completed. The portion of the performance guarantee to be rebated shall be in the same amount as stated in the itemized cost estimate for the applicable improvement.
  - (E) When all of the required improvements have been completed, the applicant shall send written notice to the Zoning Administrator of completion of the improvements. Thereupon, the Zoning Administrator shall inspect all of the improvements and shall recommend to the Planning Commission, Village Council, or Zoning Board of Appeals, as appropriate, approval, partial approval, or rejection of the improvements with a statement of the reasons for any rejections.

- (F) The Planning Commission, Village Council, or Zoning Board of Appeals, as appropriate, shall either approve, partially approve, or reject the improvements. The Zoning Administrator shall notify the applicant in writing of the action of the Planning Commission, Village Council, or Zoning Board of Appeals, as appropriate, within thirty (30) days after the official action of the Commission, Council, or Zoning Board of Appeals. Where partial approval is granted, the applicant shall be released from liability pursuant to relevant portions of the performance guarantee, except for the portion sufficient to secure completion of the improvements not yet approved.
- (G) A record of authorized performance guarantees shall be maintained by the Zoning Administrator.

#### SUBDIVISION 8. Ordinance Violations

1. Any building or structure moved, erected, razed, converted, or used and any use of land or premises which is carried on in violation of the Ordinance is declared to be a nuisance per se. All buildings, structures, and land uses considered to be in violation of this Ordinance shall be reported to the Zoning Administrator.
2. After an order to correct the violation has been issued by the Zoning Administrator, the property owner (owner of the property upon which the violation is located) shall have thirty (30) days to correct the violation. If the violation cannot be corrected within this time, the Zoning Administrator may with just cause, extend the correction period for an appropriate amount of time up to a period of six (6) months. The approved extension period shall be at the discretion of the Zoning Administrator.

In all cases, a request for extending the period of time for correcting a violation shall be made by the applicant. A request shall be in writing directed to the Zoning Administrator and shall include specific detail on why the violation occurred, the requested time frame for correcting the violation, and actions to be taken by the land owner to ensure correction of the violation.

The written request shall be delivered to the Zoning Administrator no less than twenty-one (21) days prior to the expiration of the extended time frame as originally approved by the Zoning Administrator.

In the event that a longer period of time is required:

- (A) The Zoning Board of Appeals, upon petition, may grant up to six (6) additional months to correct the violation if conditions warrant such an extended period of time. The six (6) month extension shall commence at the end of the extended period as approved by the Zoning Administrator, pursuant to the procedure stated above.
- (B) If the violation involves a special land use or planned unit development, the request for the extended period of time shall be made to, and approved by, the Village Council. Any violation not corrected within the required time frame shall be reported to the Village Council.

In the event that the Zoning Administrator determines that the violation poses an imminent threat to the health, safety, and welfare of the occupants of the premises on which the violation is located or to the general public, the Zoning Administrator may require that immediate measures be taken to correct the violation.

3. Any person, firm, corporation, or organization who violates, disobeys, omits, or refuses to comply with any provision of this Ordinance or lawful order of the Zoning Administrator, Planning Commission, Zoning Board of Appeals, or Village Council issued in pursuance of the Ordinance shall be responsible for a civil infraction punishable by the sanctions set forth below. Each day in which a violation continues may be deemed a separate infraction.
4. The sanction for any violation of this Ordinance which is a municipal civil infraction shall be a civil fine as provided herein, plus any costs damages, expenses, and other sanction authorized by Act 12 through 26, Public Act of Michigan of 1994, as amended, or successor legislation.
5. The Zoning Administrator and/or the County Building Inspector, together with law enforcement officers, are authorized officials to issue municipal civil infraction citations and municipal civil infraction violation notices for violation of this Ordinance.



- 6. A violation of this Zoning Ordinance shall be a municipal civil infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six (6) month period. Civil fines for first offenses, repeat first offenses and repeat second offenses will be established from time to time by the Village Council and, in default of action by the Village Council, shall be minimums of \$300 for a first offense, \$350 for a repeat first offense, and \$400 for a repeat second offense and with a maximum of \$500 in each of these cases. In addition, the Village shall also be entitled to equitable relief to abate the violations and to such other relief as may be available to the Village pursuant to Chapters 83 and 87 of the Michigan Revised Judicature Act, as amended at the present time or in the future.

SUBDIVISION 9. Severability Clause

This Ordinance and its various Subdivisions, sections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, section, clause, or word is adjudged unconstitutional or invalid for any reason, by any Court of competent jurisdiction, such invalidity shall not affect the remaining portions or applications of this Ordinance which can be given effect without the invalid portion or application, provided that such remaining portions are not determined by the Court to be inoperable.

SUBDIVISION 10. Conflicting Provisions

Where a provision of this Ordinance conflicts with a provision of another Ordinance, the strictest provision shall prevail.

SUBDIVISION 11. Savings Clause

This Ordinance shall not impair or affect any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time this Ordinance takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if this Ordinance had not been adopted.

Proceedings commenced before this Ordinance takes effect may be consummated under and according to the Ordinance in force at the time such proceedings are or were commenced. All prosecution, or other actions, pending at the effective date of this Ordinance, or offenses or acts committed prior to the effective date of this Ordinance, may be continued or instituted under and in accordance with the provision of the Ordinance in force at the time of such offense.

**Section 3. Adoption.** This amendment to the Zoning Ordinance of the Village of Calumet, Ordinance 127, is hereby adopted at a special meeting of the Village Council held on the 11<sup>th</sup> day of June, 2019.

**Section 4. Publication and Effective Date.** The Village Clerk shall publish this Ordinance in the manner required by law. This Ordinance shall become effective immediately upon its publication.

VILLAGE OF CALUMET

By \_\_\_\_\_  
DAVID GEISLER,  
Its President

PASSED AND ADOPTED this 11<sup>th</sup> day of June, 2019.

Attest:

\_\_\_\_\_  
KEVIN P. WEIR,  
Village Clerk

Yeas: Nathan Anderson, David Geisler, Roxanne King, and Joshua Rowe.

Nays: Brian Abramson and Douglas Harrer

Absent: Andrew Ranville

I hereby certify that the foregoing is a true and complete copy of Ordinance No. 127A, duly adopted by the Village Council of the Village of Calumet, County of Houghton, and State of Michigan, at a special meeting held on June 11, 2019, and that this meeting was conducted and a public notice of this meeting was given, pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan 1976, and that the minutes of this meeting were kept and will be or have been made available, as required by said Act.

I further certify that the following members were present at said meeting: Brian Abramson, Nathan Anderson, Douglas Harrer, Roxanne King, Joshua Rowe and David Geisler (Village President); and that the following member was absent: Andrew Ranville.

I further certify that the Ordinance has been recorded in the Ordinance Book of the Village, and that such recording has been authenticated by the signatures of the Village President and the Village Clerk.

I further certify that the foregoing was published in The Daily Mining Gazette, a newspaper of general circulation in the Village of Calumet, on the \_\_\_\_ day of June, 2019.

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KEVIN P. WEIR,  
Village Clerk

### **3. Adjournment**

Motion made by Trustee Anderson and seconded by Trustee Harrer to adjourn at 7:30 PM

President David Geisler conducted a voice vote:

Yeas: All Nays: None

Motion Carried 6/0

Respectfully Submitted,

Kevin P. Weir  
Calumet Village Clerk  
June 12, 2019