

ORDINANCE NO. 59

TOWNSHIP OF WHITEFORD, COUNTY OF MONROE, STATE OF MICHIGAN

ORDINANCE TO REPEAL OLD ORDINANCES AND RESOLUTIONS

The Township of Whiteford, Monroe County, Michigan ordains:

Section 1. Title

This Ordinance shall be known and cited as the "Ordinance to Repeal Old Ordinances and Resolutions."

Section 2. Purpose

The purpose of this Ordinance is to repeal, retire and update certain Whiteford Township ordinances and resolutions that are inconsistent with current Michigan statutes, codes and laws and to reinstate Ordinance 56 in its entirety.

Section 3. Ordinances and Resolutions Repealed and Retired

The following ordinances and resolutions of Whiteford Township, Michigan are hereby repealed and retired in their entirety:

- Ordinance 1 – Ordinance Regarding the Whiteford Township Board of Health, which was passed on June 14, 1948;
- Ordinance 2 – Ordinance establishing Minimum Construction Requirements for Dwellings, which was passed on March 18, 1958;
- Ordinance 3 – Ordinance Licensing and Regulating Junkyards, which was passed on July 17, 1954;
- Ordinance 4;
- Ordinance 5 – Liquor Control Ordinance, which was passed on March 11, 1960;
- Ordinance 5a – Amendment to the Liquor Control Ordinance, which was passed on December 17, 2002;
- Ordinance 6 – Zoning Ordinance, which was passed on August 17, 1961;
- Ordinance 8 – Zoning Ordinance, which was passed on October 15, 1963;
- Ordinance 10 – Whiteford Township Subdivision and Subdivision Improvement Regulation, which was passed on March 27, 1967;
- Ordinance 11 – Quarry Regulations, which was passed on January 22, 1970;
- Ordinance 12 – Building Code, which was passed on March 16, 1972;
- Ordinance 13 – Construction Code, which was passed on November 6, 1974;

- Ordinance 14 – Plumbing Code, which was passed on May 5, 1975;
- Ordinance 15 – Soil, Sand and Rock Removal, which was passed on January 6, 1976;
- Ordinance 16 – Ordinance Determining Salaries of Elected Officials, which was passed on May 17, 1977;
- Ordinance 17 – Electrical Code, which was passed on November 8, 1977;
- Ordinance 18 – Ordinance regarding Land Use Plan;
- Ordinance 19 – Ordinance regarding Subdivisions, which was passed on May 23, 1978;
- Ordinance 20 – Zoning Ordinance, which was passed on April 17, 1979;
- Ordinance 23 – Flood Damage Prevention Ordinance, which was passed on March 1, 1981;
- Resolution 24 – Franchise Transfer Consent Resolution;
- Ordinance 25 – Whiteford Township Fireworks Ordinance, which was passed on February 18, 1986;
- Ordinance 26 – Amendment to Section 4 of Ordinance 25, which was passed on November 26, 1986;
- Ordinance 27 – Mechanical Code, which was passed on July 21, 1987;
- Ordinance 31 – Ordinance amending the zoning ordinance as to fireworks, which was passed on July 2, 1989;
- Ordinance 32 – Ordinance amending the zoning ordinance as to outdoor advertising;
- Ordinance 33 – Ordinance establishing cablevision regulations and rates;
- Ordinance 34 – Consumers Power Gas Franchise Ordinance, which was passed on December 31, 1993;
- Ordinance 35 – Michigan Gas Utilities Franchise Ordinance, which was passed on October 16, 1990;
- Ordinance 36 – Discharge Responsibility of Township for Electrical Codes, which was passed on January 1, 1995;
- Ordinance 37 – Plumbing Code Ordinance;
- Ordinance 38 – Mechanical Code Ordinance;
- Ordinance 39 – Discharge Responsibility of Township for Electrical Codes, which was passed on May 21, 1996;
- Ordinance 40 – Amendment to Michigan Gas Utilities Ordinance;
- Ordinance 41 – Amendment to Consumer Power Gas Franchise Ordinance;
- Resolution 43 – Franchise Transfer Consent Resolution;
- Ordinance 45 – Midwest Energy Cooperative Franchise Ordinance, which was passed on February 19, 2002;
- Ordinance 46 – Buckeye Cablevision Ordinance, which was passed on March 9, 2002; and
- Ordinance 56-A: Amendment to Whiteford Township Sewage Disposal System No. 2 Ordinance, which was passed on April 1, 2013.

Section 4. Reinstatement of Ordinance 56

Upon the effective date of this Ordinance and the repeal of Ordinance 56-A, Ordinance 56 shall be reinstated in its entirety as if said ordinance had been fully restated herein.

Section 5. Effect of Repeal

The repeal and retiring of said Ordinances and resolutions shall not have the effect of releasing or relinquishing any penalty, forfeiture, or liability incurred under said Ordinances or resolutions, or any part thereof, and such Ordinances and resolutions shall be treated as still remaining in force for the purpose of instituting or sustaining any proper action for the enforcement of such penalty, forfeiture or liability.

Section 6. Severability

If any provision, section, paragraph, sentence, clause or phrase of this Ordinance is for any reason found to be invalid or inoperative by a court of competent jurisdiction, it is hereby provided that such adjudication shall not affect, impair or invalidate the remainder of this Ordinance.

Section 7. Savings Provision

This Ordinance shall not affect pending litigation, either civil or criminal, founded upon or arising out of any ordinance, resolution, order, or parts thereof, hereby repealed; and this Ordinance shall in no manner affect any right, claims, privileges, immunities, or causes of action of the township, County, or any other person, either criminal or civil, that may have already occurred, accrued or arisen out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed.

Section 8. Effective Date

The provisions of this Ordinance shall take effect thirty (30) days after publication.

THE TOWNSHIP BOARD OF THE
TOWNSHIP OF WHITEFORD, COUNTY
OF MONROE, STATE OF MICHIGAN

AUTHENTICATED:

By: Angela Christensen
Angela Christensen,
Whiteford Township Clerk

By: Walter Ruhl
Walter Ruhl,
Whiteford Township Supervisor

I, Angela Christensen, do hereby certify that I am the duly elected and acting Clerk of the township of Whiteford, and I do hereby certify that this Ordinance was adopted by the Township Board of the township of Whiteford, County of Monroe, State of Michigan, at a regular meeting of the Township Board held at the Whiteford Township Hall, 8000 Yankee Road, Suite 100, Ottawa Lake, Michigan 49267, on the 18th day of June, 2013.

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

AYES: SAHLOFF, HILL, HEIDELBERG, CHRISTENSEN, RUHL

NAYS: 0

I, Angela Christensen, the Township Clerk of the Township of Whiteford, do hereby certify that this Ordinance, or a summary of it, was published on the 27TH day of June, 2013 in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Whiteford, within thirty (30) days after adoption of the Ordinance.

Dated: 6/27/2013

Angela Christensen
Angela Christensen,
Whiteford Township Clerk

ATTEST:

Walter Ruhl
Walter Ruhl,
Whiteford Township Supervisor

ADOPTED: 6/18/2013

PUBLISHED: 6/27/2013

EFFECTIVE: 7/27/2013