

LEGAL ADVERTISEMENT
February 11
NOTICE

Hancock Township, Houghton County
Michigan.

To the residents and property owners of Hancock Township, Houghton County Michigan, and other interested persons:
PLEASE TAKE NOTICE that the Township Board of said Township, at a legal meeting of said Board held February 5, 1960, adopted the following ordinance as governing said Township, to become effective March 15, 1960.

HANCOCK TOWNSHIP
ORDINANCE NO. 1

LIQUOR CONTROL ORDINANCE
ADOPTED: FEBRUARY 5, 1960
EFFECTIVE: MARCH 15, 1960

An Ordinance to secure the public peace, health and safety of the residents and property owners of the Township of Hancock, Houghton County, Michigan, a municipal corporation, for the regulation of alcoholic liquor traffic within said Township, through the enforcement of the Michigan Liquor Control Act of the State of Michigan within said Township; to provide penalties for the violation of said ordinance; and to repeal all ordinances and parts of ordinances in conflict therewith.

THE TOWNSHIP BOARD OF HANCOCK TOWNSHIP, HOUGHTON COUNTY, MICHIGAN, ORDAINS:

Section 1. TITLE.

This Ordinance shall be known and cited as the Hancock Township Liquor Control Ordinance.

Section 2. LIQUOR CONTROL ACT OF THE STATE OF MICHIGAN.

All alcoholic liquor traffic, including among other things, the manufacture, sale, offer for sale, storage for sale, possession and/or transportation thereof within Hancock Township, Houghton County, Michigan, shall comply with the provisions of the Michigan Liquor Control Act, being Act No. 3 of the Michigan Public Acts of 1933, as amended.

Section 3. ENFORCEMENT.

For the purpose of the enforcement of said Michigan Liquor Control Act within said Township, there is hereby established a Liquor Control Enforcement Department with full power, authority, and duty to see that the provisions of said Act and the rules and regulations of the Michigan Liquor Control Commission, adopted pursuant to said act, are enforced within said Township. Such Department shall consist of not less than one Constable or Deputy Sheriff appointed by the Township Board and such other personnel as the Township Board may, in its discretion, appoint. The personnel in such Department shall be entitled to such compensation as the Township Board may determine. Such Department or a member thereof shall be available at all times to investigate complaints received under this ordinance, and enforce the provisions hereof.

Section 4. INSPECTION.

The Township Liquor Control Enforcement Department shall inspect not less than monthly, all liquor establishments licensed under the Liquor Control Act of the State of Michigan and report the results of all inspections promptly to the Township Board. The Township Liquor Control Enforcement Department shall further promptly investigate all complaints received by it concerning violations of the Michigan Liquor Control Act, or improper operations and practices concerning alcoholic liquor traffic within the Township, and report the same to the Township Board and, where appropriate under the Michigan Liquor Control Act, to the Michigan Liquor Control Commission for appropriate proceedings against the violator.

Ordinance #1

Pg 1

Ordinance #2

P92

All inspectors shall carry appropriate cards issued by the Township Clerk, clearly identifying them as Township Liquor Control Inspectors and shall present said cards to the owner or manager of every place inspected by them when making an inspection, upon demand for identification by such owner or manager.

Inspectors shall have the right to inspect any place in the Township where alcoholic liquor is manufactured, sold, offered for sale, kept for sale, possessed or transported, or where the inspector suspects the same is being thus manufactured, sold, offered for sale, kept for sale, possessed, or transported. Whenever possible, all inspection reports shall be made on Liquor Law Enforcement Inspection forms furnished by the Michigan Liquor Control Commission or on similar forms otherwise obtained by the Township Liquor Control Enforcement Department.

Section 5. APPROPRIATION.

For the purpose of carrying out the provisions of this Ordinance and establishing the Liquor Control Enforcement Department herein provided for the Township Board hereby appropriates the sum of \$825.00 for such use, and is hereby authorized and directed to annually appropriate such an amount as will, in its discretion, be sufficient to maintain and operate such Liquor Control Enforcement Department for the ensuing fiscal year of the Township, not exceeding, however, 10 mills of the assessed valuation of the Township in any one year for vehicles, apparatus and equipment and housing for the same, and not exceeding 2-1/2 (two and one half) mills of the assessed valuation of the Township per year for the maintenance and operation of the Department.

Section 6. PENALTIES.

Any person, other than persons required to be licensed under the Michigan Liquor Control Act, who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor.

Any licensee who shall violate any of the provisions of the Michigan Liquor Control Act or any rule or regulation of the Michigan Liquor Control Commission promulgated thereunder, or who shall violate any of the provisions of this Ordinance, and any person who shall prohibit or interfere with the authorized inspection of a member of the Township Liquor Control Enforcement Department shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than 90 days or by a fine of not more than \$100.00, or both, in the discretion of the court. Each day that a violation continues to exist shall constitute a separate offense.

It is the intent of the Township Board that the court, in imposing punishment under the provisions of this Ordinance, should discriminate between casual or slight violations and habitual sales of alcoholic liquor or attempts to commercialize violations of this Ordinance or any of the rules or regulations of the Michigan Liquor Control Commission promulgated under the Michigan Liquor Control Act.

Section 7. EFFECTIVE DATE.

This Ordinance shall take effect on the 15th day of March, 1960. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Raymond Mattson
Township Clerk
Manassah Township

Ordinance #2

as Date
waste material shall be allowed by the
dumper to remain on the approachway
to such bank.

(h) No dumping of waste, rubbish,
junk or debris shall be allowed in any
area within twenty-five (25) feet of the
nearest point of the base of the tower's
poles, supports or other structure of any
public utility company, its agents, suc-
cessors, or assigns.

(i) Any person, firm, or corporation
dumping shall do so at his, its, or their
own risk and the Township of Hancock
shall not be held liable for any injuries
or damages occurring therein.

(j) No township operated dump shall
be used for any purpose other than for
dumping operations permitted under
this ordinance. No picking or scavenging
of any township operated dump shall
be permitted by any person, firm, or
corporation other than those duly so li-
censed, registered with and approved
by the Hancock Township Board. No
loitering shall be allowed within a town-
ship operated dump and no person, firm,
or corporation using such dumping fac-
ilities shall interfere with the rights,
duties, and privileges of any other per-
son, firm, or corporation using said
dumping facilities in accordance with
the provisions of this ordinance.

(k) No garbage nor odoriferous ma-
terial shall be burned in any area with-
in Hancock township without the prior
written approval of the supervisor and
fire chief of said township to be grant-
ed only in cases where the same could
not be a nuisance to, or unsafe for sur-
rounding properties, property owners,
and neighbors.

(l) The Township of Hancock shall
not be liable for any damage to prop-
erty adjoining a township operated
dump caused by fires within said dump
not approved in writing by the supervi-
sor and fire chief of said township.

3. PENALTIES FOR VIOLATIONS.
Any person, firm, or corporation which
violates any of the provisions of this or-
dinance shall be deemed guilty of a
misdemeanor and shall be punished by
a fine of not more than \$100, or by im-
prisonment in the county jail, not to
exceed ten (10) days, or fine and im-
prisonment. Each day that a violation
occurs shall constitute a separate offense.

4. This ordinance shall be in effect im-
mediately. All ordinances or parts of
ordinances in conflict with any of the
provisions of this ordinance are hereby
repealed.

Raymond Mattson
Township Clerk

THE
Lab
Atto
Hou

LEGAL ADVERTISEMENT

April 14, 1967

STATE OF MICHIGAN

Ordinance Number 2

An Ordinance granting to secure the
public peace, health, safety, welfare
and convenience of the residents and
property owners of the Township of
Hancock, Houghton County, Michigan,
by the regulation of dumping grounds
for waste, rubbish, junk and debris, and
the operation thereof within said town-
ship; to provide penalties for the viola-
tions thereof; and to repeal all ordinan-
ces in conflict therewith.

The Township of Hancock, County of
Houghton, State of Michigan ordains.

1. NAME. This ordinance shall be
known and cited as the Hancock Town-
ship DUMPING Ground Ordinance.

2. REGULATIONS. (a) No person, firm
or corporation shall dump any waste,
rubbish, junk or debris in any area of
the Township of Hancock, Houghton
County, unless the same is zoned to
permit such use of property under the
Hancock Township Zoning Ordinance,
or unless the same is maintained and
operated for such dumping ground pur-
poses or a permit is obtained therefor
from the township board, to be granted
only in situations where such dumping
would not be a nuisance or annoyance
to adjoining property owners.

(b) No such dumping of waste, rub-
bish, junk or debris shall hereafter be
allowed between sunset and sunup of
each day.

(c) No tree trunks or branches larger
than 4 inches in diameter and no gar-
bage, paper-manufacturing or pharma-
ceutical manufacturing waste, explo-
sives, human or animal excretion no
odoriferous materials shall be dumped in
any dumping ground. Any brush or parts
of trees of less than 4 inches in di-
ameter shall be dumped in the particular
area designated therefor, according to
signs posted on the premises.

(d) The burning of any dumping ground
area, or the waste material therein,
shall be prohibited and forbidden, with-
out the prior written approval of the su-
pervisor and fire chief of said township,
and in no case shall be allowed within
fifty (50) feet of the utility poles or
towers of any public utility company,
its agents, successors, or assigns.

(e) No dump shall be used by any per-
son, firm, or corporation which is not a
resident, property owner, or tenant
within said Hancock Twp.

(f) The material dumped in any such
dumping grounds shall be substantially
covered over with fill dirt periodically
as the degree of dumping requires, to
the area in as neat a condition as possi-
ble and free of odors, and in accordance
with the orders of Hancock Township
Supervisors.

(g) Any dumping shall be accom-
plished by depositing the waste material
over the bank of the dump and no such

Delet Welcome from the town-
sh. dents of Charlevoix, Mich. the

Ordinance # 3
Pg 1

AFFIDAVIT OF PUBLICATION

In the Matter of the ~~XXXXXX~~ Ordinance No. 3 Salvage Yard Ordinance

STATE OF MICHIGAN
COUNTY OF ~~KEWENAUK~~ HOUGHTON SS

THOMAS M. VETTER

LEGAL ADVERTISEMENT

August 14, 1981

HANCOCK TOWNSHIP ORDINANCE NO. 3

HANCOCK TOWNSHIP SALVAGE YARD ORDINANCE

ADOPTED: Aug. 10, 1981

EFFECTIVE: September 10, 1981

An Ordinance to protect the health, safety and general welfare of the residents, property owners and people within the Township of Hancock, Houghton County, Michigan, by regulating the operation of salvage yards and related or similar types of businesses within said Township; to provide rules and regulations to govern the operation of such businesses; penalties for the violation of such rules and regulations; and to make such Ordinance supersede all Ordinances or parts of Ordinances in conflict therewith. This Ordinance is enacted pursuant to the authority of P.A. 350 of 1917 and P.A. 12 of 1927.

THE TOWNSHIP OF HANCOCK, HOUGHTON COUNTY, MICHIGAN, OR-
DAINS:

SECTION I. TITLE

this Ordinance shall be known and cited as the Hancock Township Salvage Yard Ordinance.

SECTION II. PURPOSE

The purpose of this Ordinance is to protect the health, safety, and general welfare of the residents, property owners and people within Hancock Township, Houghton County, Michigan, by regulating the operations of salvage yards and related or similar types of businesses within said Township; to provide rules and regulations to govern the operation of such businesses; penalties for the violation of such rules and regulations; and to make the same supersede all Ordinances or parts of Ordinances in conflict therewith.

SECTION III. DEFINITION

Salvage Yard: The term "salvage yard" shall include the yard or base location of any business in which used or damaged materials of any kind or nature are acquired for salvage and for dismantling, wrecking, sorting, processing, fabricating, repairing or re-forming for purposes of re-sale, land fill, or such other similar outlets or disposition, excluding, however, automobile junk yards and scrap operations solely involving ferrous and non-ferrous scrap metals.

SECTION IV. PERMIT AND PERMIT FEE

A. No salvage yard business, as herein defined, shall be operated within Hancock Township until an annual permit therefore has first been obtained from the Township Board or such other official or board as the Township Board may designate, which permit shall not be issued until evidence has been submitted, disclosing to the satisfaction of said officer or board that the terms and conditions of this Ordinance have been or will be fully complied with and the proposed business site is properly zoned for such use.

B. An annual permit fee of \$50.00 shall accompany all applications for such permit, payable to the Hancock Township Treasurer, which shall entitle the applicant to operate the aforesaid business for a period of 12 months, from and after the issuance of the permit applied for if said permit is issued. The permit fee shall be returned to said applicant if the permit is not issued. The permit fee shall be for the purpose of assisting in defraying the cost to the Township of periodic inspections of said business to insure compliance at all times with the provisions of this Ordinance.

being first duly sworn, says that he is an agent of the Publisher of The Daily Mining Gazette, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper in which the order was

published on the following dates: August 14, 1981

Thomas M. Vetter
Agent of the Publisher of the Daily Mining Gazette.

Subscribed and sworn before me this 17th
day of August A. D., 1981

Randall B. Ricchi
RANDALL B. RICCHI

Notary Public, Houghton Co., Michigan
My Commission Expires Dec. 17, 1984

Ordinance #3

Pg 2

C. The official or board member charged with the responsibility of issuing said permit may issue a citation or complaint against any applicant or permittee charging said applicant or permittee with failure to comply with the provisions of this Ordinance and setting forth specifically in writing the actual complaints of said official or board and to provide said applicant or permittee a minimum of five (5) days in which to answer said complaint in writing. Upon the failure of said applicant or permittee to satisfy said official or board in said answer that no violation of said Ordinance existed or exists, a hearing shall be promptly granted before the Township Board of Hancock Township upon notice being given to said applicant or permittee and to the said enforcing official or board at least two (2) days prior to said hearing. The Township Board shall have the authority to grant a reasonable period of time to any such applicant or permittee to correct any violation of this Ordinance in the event that the Township Board determines, after such hearing, that a violation did or does exist and/or the authority to revoke said permit until or unless the applicant or permittee corrects any such violation and abides by the provisions of this Ordinance.

SECTION V. RULES, REGULATIONS & CONDITIONS

No salvage yard shall be allowed to be operated or maintained within Hancock Township unless it complies at all times with the following rules, regulations and conditions:

A. All material located upon the premises shall be stockpiled in an orderly and neat-appearing manner or shall be contained within enclosed storage buildings, except when being loaded, unloaded, and/or being actively worked upon.

B. All outdoor storage or processing of materials shall be screened from adjoining property and public highways by a hedge or fence constructed and maintained in an attractive manner, of sufficient height and density to accomplish the substantial screening of the outdoor operations from such adjoining properties and highways. Natural or artificial barriers may be utilized, where available, to effect the screening herein specified. An initial hedge not less than two (2) feet in height and which will grow to not less than four (4) feet in height, or a fence not less than six (6) feet in height shall be deemed substantial compliance with this provision.

C. No burning of debris or surplus material shall be allowed on the premises except upon prior approval of the appropriate authorized official of the fire district in which the premises are located and under his supervision and control.

D. Unsalable or unusable material shall not be deposited upon the premises except where the same is so commingled with salable or usable material that it cannot easily or conveniently be previously separated off the premises.

E. Off-street parking for customers and employees, sufficient to take care of the greatest number of vehicles which might reasonably be expected to be on the premises at any given time, shall be maintained on the premises by the owner or operator. Each parking space shall be not less than 10 feet by 20 feet in size, exclusive of driveways thereto.

F. Such operation shall be equipped with a permanent office building for the transaction of business with customers and suppliers.

G. No dangerous, unhealthy or hazardous condition shall be allowed to exist upon the premises.

H. Any storage buildings or office buildings located upon the premises shall be constructed of standard building materials customarily designed for building construction and shall be fully painted or colored an unobtrusive and subdued color. Any salvage yard shall include, prior to commencement of business and during its operation, not less than 5,000 square feet of enclosed building storage space and/or space used for dismantling, wrecking, sorting, processing, fabricating, repairing or re-forming of salvage materials, plus such additional enclosed building storage space as may be necessary to store a substantial portion of the salable salvage material located upon the premises.

I. All buildings and outdoor storage shall be so located as to minimize any adverse effect of such outdoor storage upon adjoining property owners or occupants and upon the public on adjoining highways without thereby creating undue business hardship.

J. The Township Board may, for cause shown, grant minor exceptions to the regulations herein contained where the spirit, intent and purpose of these regulations will still be complied with and an unnecessary or unreasonable hardship would otherwise exist by a strict construction and enforcement of such regulations.

SECTION VI. VIOLATION DEEMED NUISANCE

The operation of any salvage yard in violation of the rules, regulations and conditions contained in this Ordinance is hereby determined to be a nuisance.

Ordinance # 3
pg 3

regulations.

SECTION VI. VIOLATION DEEMED NUISANCE

The operation of any salvage yard in violation of the rules, regulations and conditions contained in this Ordinance is hereby determined to be detrimental to the health, safety and general welfare of the inhabitants, property owners, and people within Hancock Township, and a public nuisance.

SECTION VII. PENALTIES FOR VIOLATIONS

A. Any person who violates any of the regulations or provisions contained in this Ordinance, whether as owner, lessee, agent, servant, or employee, shall be liable as principal.
B. Any violations of the regulations or provisions contained in this Ordinance shall constitute a basis for injunctive relief against the violator, restraining and prohibiting said violator from continuing said violation, in addition to any other relief or penalty herein set forth or allowed by law.
C. Any person who shall violate any of the regulations or provisions of this Ordinance shall be guilty of misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed \$100.00, imprisonment in the County Jail for a period of not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the Court. Each day that a violation continues to exist shall constitute a separate and distinct offense.

SECTION VII. SAVING CLAUSE

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

SECTION IX. REPEAL

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed as to those sections which are in conflict.

SECTION X. EFFECTIVE DATE

This Ordinance shall take effect on September 10, 1981. Upon taking effect, it shall supersede all Ordinances or parts of Ordinances in conflict therewith except for the Hancock Township Junk Yard Ordinance which shall continue to control automobile junk yard operations and scrap metal operations.

Michele Kemppainen
Hancock Township Clerk
Houghton County, Michigan

Township Board or such other official or board as the Township Board may designate, which permit shall not be issued until evidence has been submitted disclosing to the satisfaction of said officer or board that the terms and conditions of this Ordinance have been or will be fully complied with and the proposed business site is properly zoned for such use.
B. An annual permit fee of \$50.00 shall accompany all applications for such permit, payable to the Hancock Township Treasurer, which shall entitle the applicant to operate the aforesaid business for a period of 12 months, from and after the issuance of the permit applied for if said permit is issued. The permit fee shall be returned to said applicant if the permit is not issued. The permit fee shall be for the purpose of assisting in defraying the cost to the Township of periodic inspections of said business to insure compliance at all times with the provisions of this Ordinance.

AFFIDAVIT OF PUBLICATION

XXXXXX Ordinance No. 4 Vehicle Storage And
Repair Ordinance

STATE OF MICHIGAN
COUNTY OF Houghton
Keweenaw

THOMAS M. VETTER

being first duly sworn, says that he is an agent of the Publisher of The Daily Mining Gazette, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper in which the order was published on the following dates: August 14, 1981

Agent of the Publisher of the Daily Mining Gazette.

Subscribed and sworn before me this 17th day of August A. D., 1981

Notary Public, Houghton County, Michigan

RANDALL B. RICCHI
Notary Public, Houghton Co., Michigan
My Commission Expires Dec. 17, 1984

LEGAL ADVERTISEMENT

August 14, 1981
HANCOCK TOWNSHIP ORDINANCE NO. 4
HANCOCK TOWNSHIP VEHICLE STORAGE AND REPAIR ORDINANCE
ADOPTED: August 10, 1981
EFFECTIVE: September 10, 1981

An Ordinance to secure the public peace, health, safety and welfare of the residents and property owners of the Township of Hancock, Houghton County, Michigan, by the regulation of the outdoor parking, storage and repair of vehicles, including any conveyance, trailers, boats, aircraft and new or used parts or junk therefrom, within the Township of Hancock; to provide penalties for the violation of this Ordinance and to repeal any Ordinance or parts of Ordinances in conflict herewith.

THE TOWNSHIP OF HANCOCK, HOUGHTON COUNTY, MICHIGAN ORDINANCES:

SECTION I. TITLE

This Ordinance shall be known and cited as the Hancock Township Vehicle Storage and Repair Ordinance.

SECTION II. PURPOSE

The purpose of this Ordinance is to limit and restrict the outdoor storage, parking, repair or unreasonable accumulation of junk, unused, partially dismantled or nonoperating vehicles, including any conveyance, trailers, boats, aircraft or new or used parts thereof upon premises within the Township; to provide restrictions concerning the repairing of said vehicles; to thereby avoid injury and hazards to children and others attracted to such vehicles, the devaluation of property values and the psychological ill effects of the presence of such vehicles upon adjoining residents and property owners.

SECTION III. RULES, REGULATIONS & CONDITIONS

(a) No person, firm or corporation shall park or store upon any premises within the Township of Hancock, any vehicle, including any conveyance, boat, aircraft or trailer of any kind, or new or used parts therefrom unless one or more of the following conditions exist:

1. Said vehicle or parts are located within a fully enclosed building.
2. A special permit is first obtained therefore from the Supervisor of Hancock Township, or such other officer or official as the Township Board may designate, to be granted only in special hardship cases beyond the control of the applicant, where special or peculiar circumstances exist, where no adjoining property owner is adversely affected thereby and where the spirit and purpose of these regulations are still observed.
3. Said vehicle is licensed by the State of Michigan, is an operable vehicle and has all of its main component parts attached.
4. Said vehicle or vehicles are located in a duly licensed junk yard or salvage yard or in a new or used car dealer's lot (said business uses, if legally existing, shall not be affected by this Ordinance).
5. Said vehicle or vehicles (which shall not exceed six (6) in number at any one time) are awaiting repairs at a service station, garage, paint shop or body shop, providing they are locked, duly licensed by the State of Michigan, or another state (provided that such registration is current), are not a public nuisance and are not upon the premises for more than thirty (30) days in any one (1) year.
6. Said vehicle, although temporarily inoperable because of minor mechanical failure, has substantially all of its main component parts attached, is licensed by

the State of Michigan, or another state (provided that such registration is current), is not in any manner a dismantled vehicle and the premises do not contain any such vehicle for longer than thirty (30) days in any one (1) year.

(b) No repairing, re-designing, modifying or dismantling work or operations shall be allowed upon any vehicle or parts thereof upon any public right-of-way or public property or on any property used primarily for residential purposes except such as shall be accomplished within fully enclosed buildings and will not constitute a nuisance or annoyance to adjoining property owners or occupants. Any such work shall not, however, consist of any major repair, re-designing, modifying or dismantling work, but only such occasional minor work by the owner thereof as may infrequently be required to maintain a vehicle or parts thereof in normal operating condition.

SECTION IV. VIOLATION DEEMED NUISANCE

Any parking, storage, placement, or operation in violation of the provisions of this Ordinance are hereby declared to be a public nuisance, which may be enjoined or which may subject the violator to civil damages and/or criminal fines and penalties herein provided for.

SECTION V. SAVING CLAUSE

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any Court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

SECTION VI. PENALTIES FOR VIOLATIONS

Any person, firm, or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$100.00, or by imprisonment in the County Jail for not to exceed 90 days, or by both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate and distinct offense.

In addition to the imposition of the foregoing fines and penalties, any Township police officer, or such other officer as the Township Board may designate, or other duly authorized and certified police officer having jurisdiction, may cause any vehicle or parts thereof, which violate the provisions of this Ordinance to be removed from the premises, impounded and destroyed or sold for junk, in the discretion of said officer, and the cost thereof assessed against the owner of such vehicle or parts thereof, or of the premises on which the same are located. Any sums realized on the sale of the same may be retained by the Township to reimburse it for the costs incurred in such removal and sale, to the extent of such costs. Any balance of such sums remaining after such reimbursement shall be returned to the owner of such vehicle, or parts thereof. Any deficiencies in said sums may be assessed against the violator as civil damages.

SECTION VII. REPEAL

All Ordinances or parts of Ordinances in conflict herewith, are hereby repealed as to those sections which are in conflict.

SECTION VIII. EFFECTIVE DATE

This Ordinance shall take effect on September 10, 1981

Michele Kempainen
Hahcock Township Clerk
Houghton County, Michigan

PROBATE CO
—FOR THE—
County of Houghton
KEWEENAW ESTATE OF

judicial never taken
brother's two-run single gave the 'Cats
a lead than that added three more

PRINTER'S AFFIDAVIT

County of Houghton,
Keewenaw.

Probate Court

A.D. 19

Filed and Recorded in Liber

Page

Judge of Probate

Ordinance #4
Pg 2

Ordinance #5

Pg 1

AFFIDAVIT OF PUBLICATION

In the Matter of the ~~XXXXXX~~ Ordinance No. 5 Junk Yard Ordinance

STATE OF MICHIGAN
HOUGHTON
COUNTY OF ~~NEWENA~~ SS

LEGAL ADVERTISEMENT
August 14, 1981
HANCOCK TOWNSHIP ORDINANCE NO. 5
HANCOCK TOWNSHIP JUNK YARD ORDINANCE
ADOPTED: August 10, 1981
EFFECTIVE: September 10, 1981

An Ordinance to license and regulate junk yards in Hancock Township; to prescribe rules, regulations and conditions for the operation of the same; and to prescribe penalties for the violation of provisions of this Ordinance. This Ordinance is enacted pursuant to the authority of P.A. 350 of 1917 and P.A. 12 of 1927.
THE TOWNSHIP OF HANCOCK, HOUGHTON COUNTY, MICHIGAN, OR
DAINS:

SECTION I. TITLE

This Ordinance shall be known and cited as the Hancock Township Junk Yard Ordinance.

SECTION II. PURPOSE

The purpose of this Ordinance is to protect the health, safety, and general welfare of the residents, property owners and people within Hancock Township, Houghton County, Michigan, by regulating the operations of junk yards and related or similar types of businesses within said Township; to provide rules and regulations to govern the operation of such businesses; penalties for the violation of such rules and regulations; and to make the same supersede all Ordinances or parts of Ordinances in conflict therewith.

SECTION III. DEFINITION

The term "Junk Yard" as used in this Ordinance shall be construed to mean any place for dismantling, wrecking and disposing of the junk and/or refuse material of automobiles, or any place where parts thereof or used parts and materials of any kind are purchased, sold, exchanges, dismantled, wrecked or stored.

SECTION IV. LICENSE

Any person operating or maintaining a junk yard in Hancock Township shall obtain an annual license for such operation and maintenance from the Hancock Township Board.

SECTION V. LICENSE FEE

The fee for such licenses shall be \$25.00 per annum.

SECTION VI. APPLICATION FORM

The application for such license shall be submitted to the Hancock Township Board in the following form:

"APPLICATION TO OPERATE A JUNK YARD"

NAME _____ AGE _____ ADDRESS _____

Previous addresses for past five years: _____

Previous occupations for past five years: _____

Location of proposed junk yard: _____

THOMAS M. VETTER

being first duly sworn, says that he is an agent of the Publisher of The Daily Mining Gazette, a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified newspaper, and that annexed hereto is a copy of a certain order taken from said newspaper in which the order was

published on the following dates: August 14, 1981

Agent of the Publisher of the Daily Mining Gazette.

17th

Subscribed and sworn before me this

day of August A. D., 1981

Notary Public, Houghton County, Michigan

RANDALL B. RICCHI

Notary Public, Houghton Co., Michigan

My Commission Expires Dec. 17, 1984

Ordinance #5
Pg 2

Extent of operation expected:

1. Size of junk yard: _____

2. Number and size of structures to be located thereon: _____

3. Number of operations per 24 hour day: _____

4. Size of signs to be erected: _____

5. Lighting to be employed at night: _____

6. Number and names of Agents expected to be employed: _____

7. Previous experience as junk yard dealer: _____

8. Two or more business references: _____

Dated: _____

(Signature)
(Address)

SECTION VII. RULES, REGULATIONS & CONDITIONS

All licenses issued under this Ordinance shall be issued subject to the following rules, regulations, and conditions:

- All licensees must maintain their junk yards and the property concerned therewith in an orderly, safe, and neat appearing manner.
- The licensee shall, at least once each month, prepare and mail to the Commissioner of the Department of Public Safety, at East Lansing, Michigan, a sworn statement of all purchases made by said licensee as is required by Act No. 12 of the Public Acts of Michigan for 1929.
- All outdoor storage or processing of materials shall be screened from adjoining property and public highways by a fence constructed and maintained in an attractive manner, of sufficient height and density to accomplish the substantial screening of the outdoor operations from such adjoining properties and highways. Natural or artificial barriers may be utilized, where available, to effect the screening herein specified. An initial hedge not less than two (2) feet in height and which will grow to not less than four (4) feet in height, or a fence not less than six (6) feet in height shall be deemed substantial compliance with this provision.
- The Township Board reserves the right to revoke any license issued under this Ordinance and to refuse to issue a license hereunder if it appears to the Township Board that the operation of a junk yard would be against the public health, interest and general welfare or that this Ordinance has been in any manner violated.

SECTION VIII. VIOLATION DEEMED NUISANCE

The operation of any Junk Yard in violation of the rules, regulations and conditions contained in this Ordinance is hereby determined to be detrimental to the health, safety and general welfare of the inhabitants, property owners and people within the Township of Hancock, and a public nuisance.

SECTION IX. PENALTIES FOR VIOLATIONS

- Any person, firm, association or corporation which shall operate a junk yard without a license or shall violate any rule, regulation or condition contained herein, shall be deemed guilty of a misdemeanor and shall be punished in the County Jail for not more than ninety (90) days or by a fine of not more than One hundred (\$100.00) Dollars, or by both such fine and imprisonment, at the discretion of the Court. Each day that a violation continues to exist shall constitute a separate and distinct offense.
- Any person who violates any of the regulations or provisions contained in this Ordinance, whether as owner, lessee, Licensee, agent, servant, or employee, shall be liable as principal.
- Any violations of the regulations and provisions contained in this Ordinance shall constitute a basis for injunctive relief against the violator, restraining and prohibiting said violator from continuing said violation, in addition to any other relief or penalty set forth or allowed by law.

SECTION X. SAVING CLAUSE

All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed as to those sections which are in conflict.

SECTION XI. EFFECTIVE DATE

This Ordinance shall take effect on the 10th day of September, 1981.

Michele Kemppainen, Clerk
Hancock Township

PRINTED

STATE OF MICHIGAN
COUNTY OF HOUGHTON
TOWNSHIP OF HANCOCK

SETBACK ORDINANCE #**6**

Adopted Dec. 8, 1997
Effective Dec. 13, 1997

An ordinance to regulate that all buildings and structures will be erected at not less than ten (10) feet from the property line.

TOWNSHIP OF HANCOCK
HOUGHTON COUNTY, MICHIGAN
ORDAINS:

SECTION 1
TITLE

This ordinance shall be known and cited as the Hancock Township Setback Ordinance.

SECTION 2
PURPOSE

The purpose is to prevent the erection or enlargement of any building or structure within ten (10) feet of the property line.

SECTION III
DEFINITIONS

For purposes of this ordinance certain words and terms used herein shall have the following meaning:

- A. Building - A structure erected on a site, a mobile home, or mobile structure, a premanufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind.
- B. Setback - The minimum horizontal distance from the outside wall of a building or structure to the property line.
- C. Structure - anything erected, the use of which requires more or less permanent location on the ground; or attached to something having a permanent location on the ground. A sign, billboard, or other advertising device detached or projecting shall be construed to be a structure.

SECTION IV
CONSEQUENCES OF NONCOMPLIANCE WITH THE SETBACK REQUIREMENTS

Every person, corporation or firm who violates, disobeys, omits, neglects, or refuses to comply with the provisions of this ordinance shall be guilty of a misdemeanor. Upon conviction thereof before any court of the county, he shall be punishable by a fine of \$100.00, plus court costs, or by imprisonment not to exceed ninety(90) days, or both. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this ordinance.

SECTION V
SEVERABILITY

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

SECTION VI
REPEAL

All prior setback ordinances are hereby repealed.

SECTION VII
EFFECTIVE

The Township of Hancock Setback Ordinance is hereby declared to be urgent and necessary for the immediate preservation of the public peace, health, and safety, and shall be in full force and effect from and after its due passage, approval, recording and publication as provided by law.

Township of Hancock
Richard Hauswirth, Clerk
Rt. 1, Box 66
Hancock, MI 49930

NOTICE OF APPROVAL OF LAND DIVISION

TO: _____
(Name(s) of applicant)

(Address)

RE: Land division application dated (or identified as) _____.

Your request for a land division under the Michigan Land Division Act, 1967 P.A. 288, as amended (the "Act"), has been approved, according to the requirements of such law, and based upon the representations contained in your application for a division.

Approval of a division under the Act is not a determination that any of the parcels which result from the division comply with any other ordinances or regulations, including but not limited to any applicable zoning ordinances. You should consult with the Township or with an attorney, planner, engineer, surveyor or other professional to ascertain compliance with such matters. Approval of a division is also not a determination by the Township that any of the representations made in your application are accurate.

A building permit may not be issued for any parcel of less than one acre in size until and unless the parcel has all of the following: (a) public water, or city, county, or district health department approval for the suitability of an on-site water supply under the same standards as set forth for lots under Section 105(g) of the Act, and (b) public sewer, or city, county, or district health department approval for on-site sewage disposal under the health department standards for lots as set forth under Section 105(g) of the Act.

This division approval is not a determination that adequate facilities are available for public water and/or sewer, nor a determination that any parcel which results from the division will satisfy any applicable standards for on-site water supply and/or on-site sewage disposal. The Township and its officers and employees are not liable if a building permit is not issued for any parcel due to the inability of a parcel to be serviced by public water or sewer, nor due to the inability of a parcel to obtain approval for on-site water or sewage disposal.

NAME OF TOWNSHIP

Dated: _____, 19____.

By: _____

Its: _____
Authorized official

Legal Advertisement
November 13, 1996
HANCOCK TOWNSHIP ORDINANCE #7
HANCOCK TOWNSHIP PENSION PLAN ORDINANCE
ADOPTED NOVEMBER 11, 1996
EFFECTIVE: On the day of Publication

Pub.
GAZETTE
11/13/96

An ordinance to create and establish an annuity or pension plan for the officers and employees of Hancock Township and to authorize the township supervisor and township clerk to contract, in the name of the township, for such plan; to define those classes of officers and employees who shall be covered by such annuity or pension plan; to set forth the respective per centum shares which Hancock Township and the officers and employees shall contribute to the premium or charges arising under such annuity or pension contract and to further provide for the deduction of contributions from officers' and employees' compensation; to establish the time at which present and future employees shall become eligible for such plan and to further establish the normal retirement date for all employees; to provide a method for non-coverage of an officer or employee of the annuity or pension plan; to set forth a date wherein each person covered under the annuity or pension plan shall have a vested right or interest in such plan; to ratify and confirm the validity of any annuity or pension plan in existence on the effective date of this ordinance; and to repeal all ordinances or parts of any ordinances in conflict herewith.

THE TOWNSHIP OF HANCOCK
HOUGHTON COUNTY, MICHIGAN
ORDAINS:

SECTION I.

This ordinance shall be known and cited as the "TOWNSHIP OF HANCOCK PENSION PLAN ORDINANCE."

SECTION II.

Pursuant to Act #27 of the Public Acts of 1960, as amended, the Township of Hancock hereby creates and establishes an annuity or pension plan and program for the pensioning of its officers and employees, and, for such purposes, also authorizes the township clerk and the township supervisor to contract, in the name of the township subject to approval of the township board, with any company authorized to transact such business within the State of Michigan for annuities or pensions.

SECTION III.

The annuity or pension plan created, established and contracted for under this ordinance shall cover each person within the following classes of officers and employees: All members of the township board.

SECTION IV.

A. The Township of Hancock shall annually contribute six per centum (6%) of that portion of the premium or charges arising under such annuity or pension contract for each person within the class of officers and employees enumerated in Section III hereof. Such contributions shall be secured from the general fund of the township. Each person within such class of officers and employees shall be responsible for the remainder of the premium or charges and the township treasurer is hereby authorized to deduct the same from each person's pay, salary or compensation and to apply the same to such person's responsibility.

B. Each employee who is employed on the effective date of the annuity or pension plan shall be eligible for coverage on that day provided he or she then meets the following requirements, otherwise to be eligible on the first policy anniversary on which he or she meets them:

1. His or her age (nearest birthday) is at least 18 years and not more than 75 years.

2. He or she has completed at least -0- years of continuous employment.

C. Every employee who becomes subsequently employed shall be eligible on the first policy anniversary on which he or she meets the following requirements:

1. His or her age (nearest birthday) is at least 18 years and not more than 75 years.

2. He or she has completed at least -0- years of continuous employment.

D. An employee's normal retirement date shall be the policy anniversary of the annuity or pension plan nearest his or her 65th birthday.

E. Any person desiring not to be so covered shall give written notice to the township clerk that he desires not to be covered, and if the notice is received before the person has become covered under the contract, he shall not be covered thereunder. If the notice is received after the individual has become covered, his coverage under the contract shall cease as provided for in the contract.

SECTION V.

Each person so covered under the annuity or pension plan shall have a vested right or interest in such plan -0- months from the date the plan becomes effective for such person.

SECTION VI.

The Township of Hancock hereby ratifies and confirms the validity of any annuity or pension plan in existence on the effective date of this ordinance.

SECTION VII.

This ordinance shall take effect on the date of its publication. All ordinances or parts of any ordinances in conflict herewith are hereby repealed.

Richard E. Hauswirth
Township Clerk

Michigan Townships Association
Basic Model Land Division Ordinance
Revised Simplified Version
to accommodate Senate Bill No. 345
Dated: July 28, 1997

STATE OF MICHIGAN
COUNTY OF Houghton

TOWNSHIP OF HANCOCK

LAND DIVISION ORDINANCE NO. 7

Adopted: OCT 13 1997

Effective: OCT 16 1997

An ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to Michigan Public Act 288 of 1967, as amended, and Act 246 of 1945, as amended, being the Township General Ordinance statute; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this ordinance.

TOWNSHIP OF HANCOCK

Houghton COUNTY, MICHIGAN,

ORDAINS:

SECTION I

TITLE

This ordinance shall be known and cited as the HANCOCK Township
Land Division Ordinance.

SECTION II

PURPOSE

The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare

of the residents and property owners of the Township by establishing reasonable standards for prior review and approval of land divisions within the Township.

SECTION III

DEFINITIONS

For purposes of this ordinance certain terms and words used herein shall have the following meaning:

A. "Applicant" - a natural person, firm, association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.

B. "Divide" or "Division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the State Land Division Act. "Divide" and "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the State Land Division Act, or the requirements of other applicable local ordinances.

C. "Exempt split" or "exempt division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than 40 acres or the equivalent.

D. "Forty acres or the equivalent" - either 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.

E. "Governing body" - the MANCOCK Township Board.

SECTION IV

PRIOR APPROVAL REQUIREMENT FOR LAND DIVISIONS

Land in the Township shall not be divided without the prior review and approval of the Township assessor, or other official designated by the governing body, in accordance with this ordinance and the State Land Division Act; provided that the following shall be exempted from this requirement:

- A. A parcel proposed for subdivision through a recorded plat pursuant to the State Land Division Act.
- B. A lot in a recorded plat proposed to be divided in accordance with the State Land Division Act.
- C. An exempt split as defined in this Ordinance, or other partitioning or splitting that results in parcels of 20 acres or more if each is not accessible and the parcel was in existence on March 31, 1997 or resulted from exempt splitting under the State Act.

SECTION V

APPLICATION FOR LAND DIVISION APPROVAL

An applicant shall file all of the following with the Township assessor or other official designated by the governing body for review and approval of a proposed land division before making any division either by deed, land contract, lease for more than one year, or for building development:

- A. A completed application form on such form as may be approved by the Township Board.
- B. Proof of fee ownership of the land proposed to be divided.
- C. A tentative parcel map drawn to scale including an accurate legal description of each proposed division, and showing the boundary lines, approximate dimensions, and the accessibility of each division for automobile traffic and public utilities.
- D. Proof that all standards of the State Land Division Act and this Ordinance have been met.
- E. If a transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.
- G. A fee of \$ 25.00 to cover the costs of review of the application and administration of this Ordinance and the State Land Division Act.

SECTION VI

PROCEDURE FOR REVIEW OF APPLICATIONS FOR LAND DIVISION APPROVAL

- A. The Township shall approve or disapprove the land division applied for within 45 days after receipt of a complete application conforming to this Ordinance's requirements and the State Land Division Act, and shall promptly notify the applicant of the decision, and if denied, the reasons for denial.

(OPTIONAL)

- B. Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision appeal the decision to the governing body of the Township or such other body or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said Board or by the appellate designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.
- C. The assessor or designee shall maintain an official record of all approved and accomplished land divisions or transfers.
- D. Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.
- E. The Township and its officers and employees shall not be liable for approving a land division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to this effect.

SECTION VII

STANDARDS FOR APPROVAL OF LAND DIVISIONS

A proposed land division reviewable by the Township shall be approved if the following criteria are met:

- A. All parcels created by the proposed division(s) have a minimum width of 330 feet as measured at the (*road frontage; required front setback line, whichever is appropriate*) unless otherwise provided for in an applicable zoning ordinance.

- B. All such parcels shall contain a minimum area of 10 (~~square feet~~, acres) unless otherwise provided for in an applicable zoning ordinance.
- C. The ratio of depth to width of any parcel created by the division does not exceed a four to one ratio exclusive of access roads, easements, or non-development sites. The depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right-of-way to the most remote boundary line point of the parcel from the point of commencement of the measurement.
- D. The proposed land division(s) comply with all requirements of this Ordinance and the State Land Division Act.
- E. All parcels created and remaining have existing adequate accessibility, or an area available therefor, for public utilities and emergency and other vehicles.

SECTION VIII

CONSEQUENCES OF NONCOMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENT

Any division of land in violation of any provision of this Ordinance shall not be recognized as a land division on the Township tax roll and no construction thereon which requires the prior issuance of a construction or building permit shall be allowed. The Township shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this Ordinance.

An unlawful division or split shall also be voidable at the option of the purchaser and shall subject the seller to the forfeiture of all consideration received or pledged therefor, together with any damages sustained by the purchaser, recoverable in an action at law.

SECTION IX

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

SECTION X

REPEAL

All previous Land Division Ordinances affecting unplatted land divisions in conflict with this Ordinance are hereby repealed; however, this Ordinance shall not be construed to repeal any provision in any applicable Zoning Ordinances, Building Codes or other ordinances of the Township which shall remain in full force and effect notwithstanding any land division approval hereunder.

SECTION XI

EFFECTIVE DATE

This ordinance shall take effect upon publication following its adoption.

TOWNSHIP OF HANCOCK

RICHARD HAUSWIRTH

Clerk

RTE 1, BOX 66 HANCOCK, MI

(Address)

(906) 482-7420

49930

(Telephone)

SAMPLE SUMMARY

(suitable for newspaper publishing, if you do not publish entire text)

MTA's Basic Model Land Division Ordinance

Revised Simplified Version

to accommodate Senate Bill 345 [PA 87 of 1997]

Dated July 28, 1997

TOWNSHIP OF Hancock, Houghton COUNTY, MICHIGAN

NOTICE OF ORDINANCE ADOPTION

To: The residents and property owners of the Township of Hancock, Houghton County, Michigan and any other interested persons.

PLEASE TAKE NOTICE that at a regular (or ~~special~~) meeting held on Oct. 13, 1997, the Township Board adopted Ordinance No. 7. The summary of the ordinance appears below.

LAND DIVISION ORDINANCE NO. 7

SECTION I - TITLE. This Ordinance shall be known and cited as the "Hancock TOWNSHIP LAND DIVISION ORDINANCE".

SECTION II - PURPOSE. The purpose of this Ordinance is to carry out the provisions of the State Land Division Act, 1967 PA 288, as amended, formerly known as the Subdivision Control Act.

SECTION III - DEFINITIONS. This Section defines terms and phrases used in this Ordinance.

SECTION IV - PRIOR APPROVAL REQUIREMENT FOR LAND DIVISIONS. Sets out the requirements for prior review and approval of land divisions.

SECTION V - APPLICATION FOR LAND DIVISION APPROVAL. Sets out the documents required to be filed along with the application for land division approval.

SECTION VI - PROCEDURE FOR REVIEW OF APPLICATIONS FOR LAND DIVISION APPROVAL. Sets out the procedure to be followed when an application for land division approval has been filed, and states that the divisions must be approved or disapproved within 45 days after receipt of such application.

SECTION VII - STANDARDS FOR APPROVAL OF LAND DIVISIONS. States that a proposed land division shall be approved if all criteria in this section are met, i.e. minimum width, minimum depth, minimum area, adequate accessibility.

SECTION VIII - CONSEQUENCES OF NONCOMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENTS. Any parcel created without compliance with this ordinance shall not be recognized on the assessment roll and no construction thereon which requires the prior issuance of a construction or building permit shall be allowed.

SECTION IX - SEVERABILITY. Provides that if any portion of this Ordinance is declared invalid such invalidity shall not effect any other portion of this Ordinance.

SECTION X - REPEAL. Repeals all ordinances or parts of ordinances in conflict herewith.

SECTION XI - EFFECTIVE DATE. This Ordinance shall take effect upon publication after adoption.

PLEASE TAKE FURTHER NOTICE that the full text of this Ordinance will be available for inspection and may be purchased at the office of the Township Clerk during regular business hours of regular business days from the date of this publication.

HANCOCK TOWNSHIP
R.E. J. [Signature] Clerk
(Address)
(Phone Number)

OK

ORDINANCE NUMBER 8
HANCOCK TOWNSHIP
HOUGHTON COUNTY, MICHIGAN

WIND ENERGY CONVERSION SYSTEMS

EFFECTIVE DATE: July 13, 2010

HANCOCK TOWNSHIP, HOUGHTON COUNTY, MICHIGAN, HEREBY ORDAINS:

ORDINANCE NUMBER EIGHT, WIND ENERGY CONVERSION SYSTEMS

A. Purpose

Hancock Township promotes the effective and efficient use of Wind Energy Conversion Systems with the minimum regulations on the siting, design, and *installation of conversion systems so that the public health, safety, and welfare* of neighboring property owners or occupants will not be jeopardized. In no case shall the provision of this ordinance guarantee the wind rights or establish access to the wind.

B. Definitions

1. Wind Energy Conversion System (WECS) shall mean any device such as a wind charger, windmill, or wind turbine that converts wind energy to a form of *usable energy*.

a. Private WECS shall mean any WECS that is designed and built to serve the needs of the property owner.

b. *Commercial WECS shall mean any WECS that is designed and built to provide electricity to the electric utility's power grid.*

2. Manual and Automatic Controls shall give protection to power grids and limit rotation of WECS blades to below the designed limits of the conversion system.

3. An Authorized Factory Representative shall mean an individual with technical training of a WECS who has received factory installation instructions and is certified (in writing) by the WECS manufacturer.

4. A Professional Engineer shall mean any licensed engineer registered in the United States.

5. A Utility Scale wind farm shall mean all wind farms that produce greater than 250 kilowatts of energy.

6. Facility Abandonment shall mean out of production for a time period not less than one (1) year.

C. Approval Required

Except where noted in this Section, it shall be unlawful to construct, erect, install, alter, or locate any WECS project within Hancock Township unless a *permit has been obtained pursuant to this Ordinance.*

1. Application for conditional use permit required by this Ordinance shall contain the following:

a. Plot plan to show location of the WECS pole or tower, guy lines (where required) and their anchor bases, and distances from all property lines; and the location of all occupied structures on adjacent, non-participating properties.

b. Methods to screen the base of the WECS pole and prevent climbing.

c. The permit fee for each WECS as set by Hancock Township Board must accompany the application. Contact the Clerk for application.

D. General Standards

The following standards shall apply to all private and commercial wind energy conversion systems in Hancock Township:

1. Design Safety Certification

The safety of the design of all private and commercial WECS shall be certified by a Professional Engineer.

The standard for certification shall be included with the permit application.

2. Controls and Brakes

All private and commercial WECS projects shall be equipped with manual and automatic controls to limit rotation of blades to a speed below the designed limits of the WECS. The Professional Engineer must certify that the *rotor and over-speed control design and fabrication conform to applicable design standards.*

No changes or alterations from certified design shall be permitted unless accompanied by a Professional Engineer's statement of certification.

3. Electrical Components

All electrical compartments, storage facilities, wire conduit, and interconnections with utility companies will conform to national and local electrical codes.

4. Compliance with Township Ordinances

All private and commercial WECS projects shall be in compliance with all ordinance requirements and other applicable ordinances.

5. Setbacks

All private and commercial WECS projects must be setback from property lines at a distance equal to or greater than one hundred fifty percent

(150%) of the height of the structure, measured from the base of the structure to the highest reach of its blade.

6. Blade Clearance

The vertical distance from ground level to the tip of a wind generator blade when the blade is at the lowest point must be at least fifteen (15) feet.

7. Flicker or Shadow Flicker

The owner of a WECS system must take such steps as are necessary to mitigate shadow flicker on any occupied structure on a nonparticipating property.

8. Installation Certification

The Professional Engineer shall certify that the construction and installation of the private or commercial WECS project meets or exceeds the manufacturer's construction and installation standards

9. Climb Prevention

All private and commercial WECS project towers or poles must be unclimbable by design or protected by anti-climbing devices such as:

- a. Fences with locking portals at least six (6) feet high
- b. Anti-climbing devices twelve (12) feet from base of pole
- c. Anchor points for guy wires supporting tower shall be enclosed by a six (6) foot high fence or shall be located within the confines of a yard that is completely fenced.

10. Interference

It shall be the responsibility of the person in charge of the private or commercial WECS to submit acceptable documentation as part of the conditional use permit to determine if the WECS project would in any way cause interference with microwave transmissions, residential television reception or radio reception.

11. Fire Risk

All private and commercial WECS projects must adhere to all applicable electrical codes and standards, must remove fuel sources, such as vegetation, from the immediate vicinity of electrical gear and connections, and must utilize twistable cables on turbines towers.

12. Waste

All solid wastes, whether generated from supplies, equipment parts, packaging, operation, or maintenance of the WECS, including old parts and equipment, shall be removed from the site immediately and disposed of in an appropriate manner. All hazardous waste generated by the operation and maintenance of the WECS, including but not limited to lubricating materials, shall be removed from the site immediately and disposed of in a manner consistent with all local, state, and federal rules and regulations.

13. Noise Levels

The noise level measured at the property line and any occupied structures near the property on which the private or commercial WECS project has been installed shall not exceed fifty-five (55) decibels for 10 minutes.

14. Liability Insurance

The owner or operator of the private or commercial WECS project shall maintain a current insurance policy with a bond rating acceptable to the Township to cover installation and operation of the WECS project. The amount of the policy shall be established as a condition of conditional use permit approval. For a private WECS projects accessory to a principal residence, proof of homeowner's insurance with specific coverage for the WECS shall satisfy this requirement.

15. Color

Towers and blades shall be painted any neutral color that is acceptable to Hancock Township or otherwise required by law.

16. Notification

Hancock Township requires the applicant to notify any occupied residences in 1,000 feet (one thousand feet) of the wind turbine of its construction.

17. Additional Units

One Wind Energy Conversion System (WECS) is allowed for each single family dwelling. Additional units on same parcel require Township approval

E. Additional Standards for Commercial WECS Projects

The following additional standards shall apply to all commercial wind energy conversion systems in Hancock Township:

1. Compliance with FAA

It shall be the responsibility of the person in charge of the commercial WECS project to complete the proper FAA applications and obtain the proper permits for the WECS project. It shall also be the responsibility of the person in charge of the commercial WECS project to obtain a determination of no significant impact to air navigation from the FAA.

2. Warnings

A visible warning sign of "High Voltage" may be required to be placed at the base of all commercial WECS projects. The sign must have at a minimum six-inch letters with 3/4-inch stroke. Such signs shall be located a maximum of three hundred (300) feet apart and at all points of site ingress and egress.

3. Annual Inspection

Every commercial WECS project must be inspected annually by an Authorized Factory Representative or Professional Engineer to certify that it is in good working condition and not a hazard to the public. Such records shall be submitted to Hancock Township.

4. Compliance with Additional Regulations

It shall be the responsibility of the person in charge of the commercial WECS project to contact the FCC and FAA regarding additional permits necessary or any other applicable Federal or State regulations for the installation, prior to the Hancock Township granting a conditional use permit.

5. Migratory Birds

The Township may require an avian study to determine any potential impact the commercial WECS project may present to migratory birds.

6. Decommissioning Plan and Escrow

The commercial WECS project must contain a Decommissioning Plan to ensure it is properly decommissioned upon the end of the project life or facility abandonment.

Decommissioning shall include: removal of all structures (including transmission equipment and fencing) and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of project life or facility abandonment.

The decommissioning plan shall state how the facility will be decommissioned, the Professional Engineer's estimated cost of decommissioning, the financial resources to be used to accomplish decommissioning, and the escrow agent with which the resources shall be deposited. The decommissioning plan shall also include an agreement between the applicant and the Township that:

a. The financial resources for decommissioning shall be in the form of a surety bond, or shall be deposited in an escrow account with an escrow agent acceptable to Hancock Township.

b. The Township shall have access to the escrow account funds for the expressed purpose of completing decommissioning if decommissioning is not completed by the applicant within six (6) months of the end of project life or facility abandonment.

c. The Township is granted the right of entry onto the site, pursuant to reasonable notice, to effect or complete decommissioning.

d. The Township is granted the right to seek injunctive relief to effect or complete decommissioning, as well as the Township's right to seek reimbursement from applicant or applicant successor for decommissioning costs in excess of the amount deposited in escrow and to file a lien against any real estate owned by applicant or applicant's successor, or in which they have an interest, for the amount of the excess, and to take all steps allowed by law to enforce said lien.

7. Violations

A violation of this ordinance shall be deemed to be a civil infraction, and any person, firm, or entity found responsible therefore shall be subject to a fine not to exceed \$500 for each offense. A violator of this ordinance may be subject to additional sanctions, remedies, injunctions or judicial orders as authorized under Michigan law. Each day a violation of this ordinance continues to exist constitutes a separate violation.

8. That this ordinance shall take effect thirty days after publication of the notice of adoption unless referendum procedures are initiated under MCL 125.282. IF referendum procedures are initiated, the ordinance shall take effect in accordance with MCL 125.282.

I, Richard Hauswirth , Clerk of Hancock Township, Houghton County, Michigan hereby certify as follows:

1. The preceding ordinance was adopted by the Hancock Township Board at the regular meeting held on June 14, 2010, and that members Paul

Moilanen, Ken Moyle, Paul Kemppainen, Richard Hauswirth, and Richard Richards voted in favor of adoption, none voted against.

2. A synopsis of the ordinance was published in the Daily Mining Gazette on: June 1, 2010.

3. The effective date of the ordinance is: July 13, 2010.

CEMETERY ORDINANCE

ORDINANCE NO. 9

As amended on May 11, 2015

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE BY ESTABLISHING REGULATIONS TO THE OPERATION, CONTROL, AND MANAGEMENT OF CEMETERIES OWNED BY THE TOWNSHIP OF HANCOCK, HOUGHTON COUNTY, MICHIGAN; TO PROVIDE PENALTIES FOR THE VIOLATION OF SAID ORDINANCE; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

SECTION 1. TITLE. This ordinance shall be known and cited as the Hancock Township Cemetery Ordinance.

SECTION 2. MANAGEMENT AND OVERSIGHT

A. The operations at the Hancock Township Cemetery (AKA Waasa Cemetery) are managed by the Hancock Township Cemetery Board subject to approval by the Hancock Township Board.

B. The Cemetery Board consists of five members. A minimum of three members shall be Hancock Township residents. Other members may be solicited from the general public.

C. The cemetery sexton will be appointed by the Township Board and will serve as chair of the Cemetery Board.

D. General rules and regulations concerning cemetery operations are posted at the cemetery, with more explicit detail presented in this ordinance.

SECTION 3. DEFINITIONS OF CEMETERY LOTS AND BURIAL SPACES.

A. A cemetery lot shall consist of 1 or more spaces.

B. A burial space shall consist of a land area forty-two (42) inches wide and ten (10) feet in length.

C. Cemetery lots (graves) are personal property and NOT real estate. Lot owners are purchasing the right of burial only. Such lots and rights are exempt from taxation and liability for debt by the lot owner.

SECTION 4. SALE/TRANSFER OF LOTS OR BURIAL SPACES.

A. All such sales shall be made on an approved form which grants a right of burial only and does not convey any other title to the lot or burial space sold. Such form shall be executed by the cemetery sexton.

B. Burial rights may be transferred only by endorsement of an assignment of such burial permit form issued and approved by the cemetery sexton. such assignment, approval and record, the clerk shall issue a new burial permit to the assignee and shall cancel and terminate upon such records, the original permit thus assigned. Proof of such transfers shall be recorded by the cemetery sexton.

SECTION 5. PURCHASE PRICE.

A. Each burial space shall be determined by a fee structure established by the Township Board.

B. The charges shall be paid to the township treasurer.

C. The township board, by resolution, may periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition.

D. Indigent veterans from Houghton County will be provided a burial space at no charge.

SECTION 6. GRAVE OPENING CHARGES.

A. The opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined from time to time by resolution of the township board, payable to the township.

B. No burial spaces shall be opened and closed except under the direction and control of the cemetery sexton. This provision shall not apply to proceedings for the removal and re-interment of bodies and remains, which matters are under the supervision of the local health department, as a result of a court order.

SECTION 7. MARKERS OR MEMORIALS.

A. All markers or memorials must be of stone or other equally durable composition.

B. All markers or monuments must be located upon a suitable foundation to maintain the same in an erect position.

C. The footing or foundation upon which any monument, marker or memorial is to be placed shall be approved by the township sexton. All foundations shall be two (2) inches larger per side of the base of the marker. Single lot foundations may not exceed forty-two (42) inches.

D. Should any monument or memorial become unsightly, dilapidated or a hazard to safety, the township board shall have the right to correct the condition or remove the same, at the owner's expense.

E. One single raised monument is allowed per family plot. All other monuments shall be flush with the ground to facilitate upkeep.

F. Corner posts, fences or other raised, lot-defining structures are prohibited.

G. All flags, flowers, decorations, etc., must be removed from all lots prior to October 1st of each year.

SECTION 8. INTERMENT REGULATIONS.

A. Only one person may be buried in a burial space except for a mother/father or grandparent and an infant providing there is space, two children buried at the same time, or two cremations.

B. A minimum of 48 hours notice shall be given in advance of any time of any funeral to allow for the opening of the burial spaces.

C. The appropriate permit for the burial space involved, together with appropriate identification of the person to be buried therein, when necessary, shall be presented to the cemetery sexton prior to interment. Where such permit has been lost or destroyed, the cemetery sexton shall determine if the person has the legal right to be buried in the burial space before any interment is commenced.

D. The cemetery will be open for interment on a seasonal basis. Interment may occur prior to the May 1st opening of the cemetery and after the September 30th closing of the cemetery, weather permitting.

SECTION 9. GROUND MAINTENANCE.

A. No grading, leveling, or excavating upon a burial space shall be allowed without the permission of the cemetery sexton.

B. No shrubs, trees, or evergreens of any type shall be planted without the approval of the cemetery sexton. Any of the foregoing items planted without such approval may be removed without notice by the township or the cemetery sexton.

C. The township board reserves the right to authorize the removal or trimming of any tree, plant or shrub located within the cemetery in the interest of maintaining proper appearance and the use of the cemetery.

D. Mounds which hinder the free use of a lawn mower or other gardening apparatus are prohibited.

E. The cemetery sexton shall have the right and authority to remove and dispose of any and all growth, emblems, displays or containers that are determined to be unsightly, a source of litter, or a maintenance problem.

F. Landscape materials (i.e. bark mulch, stone) other than earth or sod are prohibited unless approved by the sexton.

G. All refuse of any kind including dried flowers, wreaths, papers, and flower containers must be removed or deposited in trash receptacles located within the cemetery.

SECTION 10. REPURCHASE OF LOTS OR BURIAL SPACES.

A. Upon approval of the township board, the township may repurchase any cemetery lot or burial space from the owner for the original price paid the township upon written request of said owner or his legal heirs or representatives.

SECTION 11. RECORDS. The cemetery sexton shall maintain records concerning all burials, issuance of burial permits, and any perpetual care fund, separate and apart from any other records of the township and the same shall be open to public inspection at all reasonable business hours.

SECTION 12. VAULT. All burials shall be within a standard steel or concrete vault installed or constructed in each burial space before interment.

SECTION 13. CEMETERY HOURS.

A. The cemetery shall be open to the general public from sunrise to sunset, May 1st through September 30th.

B. No person shall be permitted in the township cemetery when it is closed except upon permission of the township board or the sexton of the cemetery.

SECTION 14. GENERAL RULES

A. No vehicles shall be driven on cemetery grounds other than the established roadway, except for maintenance purposes.

B. Alcoholic beverages are not to be carried onto or consumed on the cemetery premises.

C. Possession of a firearm and any and all forms of hunting are strictly prohibited on cemetery premises.

D. No dogs, except for leader dogs of the blind are allowed on cemetery premises.

SECTION 15. PENALTIES. A violation of this ordinance shall be deemed to be a civil infraction, and any person, firm, or entity found responsible therefore shall be subject to a fine not to exceed \$500 for each offense. A violator of this ordinance may be subject to additional sanctions, remedies, injunctions or judicial orders as authorized under Michigan law. Each day a violation of this ordinance continues to exist constitutes a separate violation.

SECTION 16. SEVERABILITY. The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

SECTION 17. EFFECTIVE DATE. This ordinance shall take effect on _____ 2011. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE TOWNSHIP OF HANCOCK
FRANCHISE GRANTED TO
SEMCO Energy Gas Company

Ordinance No. 10

An Ordinance, granting to SEMCO Energy Gas Company, a division of SEMCO Energy, Inc., a Michigan corporation, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to conduct a local gas business in the Township of Hancock, located in Houghton County, Michigan, for a period of thirty years.

THE TOWNSHIP OF HANCOCK ORDAINS:

Section 1. **GRANT OF FRANCHISE.** The Township of Hancock, located in Houghton County, Michigan, hereby grants to SEMCO Energy Gas Company, a division of SEMCO Energy, Inc., a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," the right, power and authority to construct, operate, maintain and replace in the public streets, highways, alleys and other public places in the Township of Hancock, Michigan, all needful and proper gas pipes, mains, conductors, service pipes and other apparatus and facilities requisite for the manufacture, transmission and distribution of gas for all purposes to the Township of Hancock, and the inhabitants thereof, and for conducting gas elsewhere to supply neighboring cities, villages and other territories supplied with gas by said Grantee, for a period of thirty years.

Section 2. **CONSIDERATION.** In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

Section 3. **CONDITIONS.** No highway, street, alley, bridge or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when the work was commenced. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes.

Section 4. **HOLD HARMLESS.** Said Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the Grantee's negligent construction and negligent maintenance of the structures and equipment hereby authorized. In case any action is commenced against the Township on account of the permission herein given, said Grantee shall, upon notice defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

Section 5. **FRANCHISE NOT EXCLUSIVE.** The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

Section 6. **RATES.** Grantee shall charge for gas furnished the rates, charges and special taxes as approved from time to time by the Michigan Public Service Commission, or its successors having authority and jurisdiction to fix and regulate gas rates and charges, or as otherwise permitted or required by applicable law or tariff, for the term of this franchise. Such rates shall be subject to Commission review and change at any time upon petition therefore being made by either said Township, acting by its Township Board, or by said Grantee.

Section 7. **REVOCATION.** The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

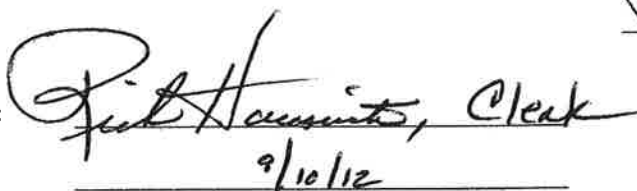
Section 8. **MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION.** Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said township and shall provide service in accordance with the terms and conditions set forth in its applicable tariff as approved from time to time by the Michigan Public Service Commission or its successors.

Section 9. **ASSIGNMENT OF FRANCHISE.** Grantee shall not assign this Franchise to any other person, firm or corporation without the prior written approval of the Township Board except in those cases where the Michigan Public Service Commission has granted any required approval of the acquisition, transfer of control, merger or encumbrance transaction underlying the assignment of this Franchise. The Township shall not unreasonably withhold its consent to an assignment if the Assignee is financially able to carry out the Grantee's obligations under this Franchise. The assignment of this Franchise to a subsidiary, division, or affiliated corporation of Grantee or its parent corporation shall not be considered an assignment requiring the consent of the Township Board.

Section 10. **EFFECTIVE DATE.** This ordinance shall take effect upon the day after the date of publication thereof; provided, however, it shall cease and be of no effect after sixty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Township Clerk. Upon acceptance and publication hereof, the ordinance shall constitute a contract between said Township and said Grantee.

We certify that the foregoing Franchise Ordinance was duly enacted by the Township Board of the Township of Hancock, Michigan, on the 10th day of Sept., 2012.

Attest:


Rick Housharts, Clerk
9/10/12



Township of Hancock

Houghton County, Michigan

ORDINANCE #11

ORDINANCE TO PROHIBIT RECREATIONAL MARIHUANA (MARIJUANA) ESTABLISHMENTS IN HANCOCK TOWNSHIP

An ordinance:

to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Hancock Township pursuant to Initiated Law 1 of 2018, MCL 333.27951 et seq., as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

THE TOWNSHIP OF HANCOCK, HOUGHTON COUNTY, MICHIGAN ORDAINS:

SECTION I TITLE

This ordinance shall be known as and may be cited as the Hancock Township Prohibition of Marihuana Establishments Ordinance.

SECTION II DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951 et seq., as may be amended.

SECTION III NO MARIHUANA ESTABLISHMENTS

Hancock Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951 et seq., as may be amended.

SECTION IV VIOLATIONS AND PENALTIES

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance.
2. A violation of this ordinance is deemed to be a nuisance per se. Michigan Townships Association Townships & Marihuana Regulation (12/3/2018)
3. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court.
4. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies.
5. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.
6. Each day during which any violation continues shall be deemed a separate offense.
7. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.


Kenneth Moyle
Hancock Township Supervisor

Township of Hancock

Houghton County, Michigan

ORDINANCE NO. 12

A FRANCHISE, granting to UPPER PENINSULA POWER COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate electric and fiber lines, poles and services on, along, across and under the highways, streets, alleys, bridges and other public places, and to conduct a local electric business in the Township of Hancock, Houghton County, Michigan for a period of thirty years.

The Township of Hancock ORDAINS:

Section 1. Grant of Franchise. The Township of Hancock, located in Houghton County, Michigan (the "Township ") hereby grants to Upper Peninsula Power Company, its subsidiaries, successors, and assigns (the "Company") consent, permission, right and authority is hereby given to construct, lay, operate, maintain, use, and replace electric, fiber, and other communication lines, poles, cables, conduits, appliances, buildings and other necessary works, in the highways, streets, alleys and other public places in the Township and a non-exclusive franchise is hereby granted to the Company, its subsidiaries, successors, and assigns, to transact local business in the Township for the purposes of producing, storing, transmitting, selling, and distributing electricity into and through the Township and all other matters incidental thereto.

Section 2. Consideration. In consideration of the rights, power and authority hereby granted, the Company shall faithfully perform all things required by the terms hereof.

Section 3. Use of Streets and Other Public Places. The Company, its successors and assigns, shall not unnecessarily obstruct the passage of any of the highways, streets, alleys, or other public places within the Township and shall within a reasonable time after making an opening or excavations, repair the same and leave it in as good condition as before the opening or excavation was made. The Company, its successors and assigns shall use due care in exercising the privileges herein contained and shall be liable to the Township and to every owner of property abutting the Company's lines or other facilities, for all damages and costs arising from the negligence of the Company or its officers, agents, and servants.

Section 4. Force Majeure. The Company shall not be liable for failure to furnish service as herein provided, or for any breach of the Company's obligations hereunder, if such failure or breach is caused by acts of God, labor troubles, riot, or any other causes or contingencies not reasonably within the control of the Company.

Section 5. Hold Harmless. The Company shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the Company's negligent construction and negligent maintenance of the structures and equipment hereby authorized. If any action is commenced against the Township resulting from Company's negligent construction and maintenance, the Company shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

Section 6. Effective Date; Term of Franchise; Acceptance by the Company. This Franchise shall take effect the day following the date of publication thereof, which publication shall be made within thirty (30) days after the date of its adoption, and shall continue in effect for a period of thirty (30) years thereafter; provided, however, that when this Franchise shall become effective the Township Clerk shall deliver to the Company a certified copy of the Franchise accompanied by written evidence of publication thereof as required by law, and the Company shall, within sixty (60) days after receipt of the above documents, file with the Township Clerk its written acceptance of the conditions and provisions hereof.

Section 7. Franchise Not Exclusive. The rights, power and authority granted by this Franchise are not exclusive, and nothing contained herein shall prevent the Township from granting other non-exclusive electric franchises.

Section 8. Franchise Revocable. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

Section 9. Effect and Interpretation of Franchise. All other franchises, ordinances and resolutions, and parts thereof, which conflict with any of the terms of this Franchise are hereby rescinded, to the extent of such conflict. The catch line headings which precede each section of this Franchise are for convenience in reference only and shall not be taken into consideration in the construction or interpretation of any of the provisions of this Franchise.

Section 10. Successors and Assigns. The words "Upper Peninsula Power Company" and the "Company," wherever used herein, are intended and shall be held and construed to mean and include both Upper Peninsula Power Company and its subsidiaries, successors, and assigns, whether so expressed or not.

Ayes: 5

Nays: 0

Date Passed: 7/8/19

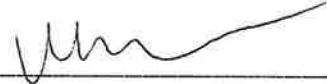
Attested, by Order of the Township of
Hancock, Houghton County, Michigan

Ken Mayhew 7/8/19
Township Supervisor

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of the Township of Hancock, Houghton County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on 7/8/19, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and, (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Dated: 7/8/19



Hancock Township Clerk

Ordinances not numbered

30 June 1936	Houghton Co. Electric Membership Association
12 Mar. 1938	Ontonagon Co. REA Franchise

Numbered Ordinances

#1	5 Feb 1960	Liquor Control Ordinance
----	------------	--------------------------

#2	4 April 1967	Dumping Ground.
----	--------------	-----------------

(RECORD OF PROCEEDINGS OF TOWNSHIP BOARD
ON GRANTING OF FRANCHISE)

At a *Special* meeting of the Township Board of the Township of Hancock in the County of Houghton and State of Michigan, duly called and held pursuant to *Special Meeting at Houghton Hancock Supr. at Hale School,* Michigan, on the *12th* day of *March* A. D., 1938.

Present:

Charles Nikkinen
Ivar Lindgren
Olaf Puska

Board called to order by the supervisor at 7 o'clock, P.M.

Application was made by a representative of The Ontonagon County Rural Electrification Association, a Michigan Corporation, for a franchise granting permission to said Corporation, its successors or assigns, to construct, maintain and operate in the public streets and highways, alleys and other public places, in the Township of _____ County, Michigan, all needful and proper poles, towers, mains, wires, pipes, conduits and other apparatus requisite for the transmission and distribution of electricity, subject, however, to all conditions and restrictions in said application contained.

The matter was thoroughly discussed and considered by the said Board at length.

It was moved by *Ivar Lindgren* and seconded by

Charles Nikkinen that the following resolution be adopted:

WHEREAS, The Ontonagon County Rural Electrification Association, herein styled the grantee, has applied to the Township of *Hancock*, County of *Houghton*, State of Michigan, for a franchise, right, permission, privilege, and authority for itself, its successors or assigns, to erect, construct, maintain and operate in the public streets, highways, alleys, and other public places in the Township of _____ County, Michigan, all needful of and proper poles, towers, mains, wires, pipes, conduits and other apparatus requisite for the transmission and distribution of electricity, subject to all conditions and restrictions in said application contained.

NOW, THEREFORE, BE IT ORDAINED by the Township of Hancock, Houghton County, State of Michigan as follows:

AN ORDINANCE, granting to THE ONTONAGON COUNTY RURAL ELECTRIFICATION ASSOCIATION, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, cross-arms, guys, braces, wires, transformers and other electrical appliances on, along and across the public highways, streets, alleys, bridges and other public places, and to do a local electric business in the Township of Hancock, Houghton County, Michigan, for the period of thirty (30) years.

March 12th, 1938

The Township of Hancock Ordains:

Section 1. Permission is hereby granted to The Ontonagon County Rural Electrification Association, a Michigan Corporation, its successors and assigns, to construct, maintain and operate in the public streets, highways, alleys, and other public places in the Township of Hancock, Houghton County, Michigan, all needful and proper poles, towers, mains, wires, pipes, conduits and other apparatus requisite for the transmission and distribution of electricity, subject, however, to all conditions and restrictions hereinafter contained.

Section 2. The conditions of the foregoing grant are as follows:

- A. - The grantee shall do no injury to any street, highway, alley or other public place, or to any shade trees, or in any manner disturb or interfere with any water or gas pipes, or with any public or private sewer, now or hereafter laid or constructed by any authorized person or corporation.
- B. - The Board of County Road Commissioners of Houghton County, or other proper authority, may in their discretion grant permission for the trimming of trees when necessary to make the lines safe and accessible, such trimming to be done under their supervision.
- C. - The said grantee before entering upon any street, highway, alley or other public place for the purpose of erecting and constructing any poles, mains, wires, pipes, conduits or other apparatus, shall in writing notify the Board of County Road Commissioners of Houghton County, or the Superintendent of said Board, or other proper authority, of the proposed construction, and obtain approval thereof, and shall, if the said Board so requires, file with it a sufficient plan and specification of the proposed erection and construction.
- D. - No street, highway, alley or public place shall be allowed to remain encumbered by the construction work of the said grantee for a longer period than shall be necessary to execute the said work, and the Board of County Road Commissioner of Houghton County shall determine the question of such necessity, and the grantee shall at all times conform to all ordinances of the Township now or hereafter in force relative to the fencing and lighting or obstructions and excavations.

- E. - The grantee shall save the Township harmless from any judgment that may be recovered against the Township by reason of the wrongdoing or negligence of said grantee in the erection and maintenance of said poles, mains, wires and other apparatus or construction.
- F. - Said grantee shall make due provision upon forty-eight hours notice in writing by raising its wires or otherwise, for the passage of any barn, building or other structure on or over any street, highway or public place occupied by the mains, wires, poles and apparatus of said grantee.

Section 3. This grant shall take effect, if said grantee shall within thirty days from the date of the passage of this ordinance, file with the Township Clerk its written acceptance of the terms of same, and upon the confirmation of this grant by the affirmative vote of a majority of electors of said Township, voting thereon at the general Spring election to be held on the 4th, day of April., 1938, as provided for by the Statutes and State Constitution.

If not confirmed by the electors voting at said election, this ordinance shall be null and void.

Section 4. This franchise and Ordinance shall be and remain in force for thirty (30) years from and after the date of its confirmation by the electors of Township,
County, Michigan.

Section 5. Nothing in this grant shall be construed to alienate the title of the public in and to any street, highway, alley or public place or any portion thereof, neither shall anything herein be construed in any manner as a surrender by the Township of its legislative power with respect to the subject matter hereof, or with respect to any matter whatsoever; nor as in any manner limiting the right of the said Township to regulate the use of any street, avenue, highway, alley or public place within its jurisdiction.

Oscar Pakikainen
Supervisor

Claf Puska Deputy
Clerk

Frank Lindgren
Justice of the Peace

Chas. Wickman
Justice of the Peace

I hereby certify that the above and foregoing is a true and correct copy of a Franchise granted to The Ontonagon County Rural Electrification Association at a regularly called meeting meeting of the Township Board of the Township of Franklin Doughton County, Michigan, held on the 21st day of March, 1938, said Franchise to be subject to the conditions of Section 3 of said Franchise in accordance with the law governing the same.

Deputy Claf Puska
Township Clerk.

PROCEEDINGS OF TOWN BOARD MEETINGS

Regular Meeting held on the 7th Day of July A. D. 1936

The meeting was called to order by the supervisor. Those present were: Oscar Pakikainen, Edward Waara, August Moro, and Joseph Hillstrom. The minutes of the previous meeting were read and approved.

At a special election held in the Hancock Township, June 30, 1936, an ordinance was granted by vote to the Houghton Co. Electric Membership Association the right to construct, establish, maintain and operate, within the territorial limits of Hancock Twp. a system for the sale and distribution of electricity for light, heat and power and to use the public highways, streets, alleys and public places of said Township for such purpose and providing for rates and charges.

This ordinance voted by 45 votes yes
and 1 no.

Received of Joseph Willstrom \$1.50 for
snow fence sold to him for lumber.

It was agreed by the Township board that balance left on paying for ballots used voting for franchise be paid out of township fund.

Paid out of Contingent Fund - ballots \$1.90