I. Call to Order

II. Pledge of Allegiance

III. Acceptance of the Proposed Agenda

IV. Public Comment (5 minute time limit per speaker)

V. Presentations/ Discussions
   A. Presentation of the FY 2015/ 2016 Audit – Scott Kenney
   B. Mark Harrick – Waste Management – Trash Service in Crystal Falls

VI. Public Hearing(s)
   A. None

VII. Old Business - None

VIII. New Business
   A. Motion to Accept the FY 2016/2017 City Audit as Presented by Scott Kenney, CPA
   B. Proposed Resolution 18-04: Introduction, First Reading, and the Setting of a Public Hearing for Proposed Ordinance Amendment 4.00 – C: An Ordinance to Amend Sections 1.4 and 3.17(3) of the City of Crystal Falls Zoning Ordinance, Ordinance Number 4, to Add “Food Processing Including Animal Harvesting” as a Special Use Authorized by Permit in the I-1 – Industrial One District
   C. Proposed Resolution 18-05: Approving the Amendment of the City’s Monthly Energy Optimization Surcharge Rate

IX. Council Member Comments

X. Adjournment
Councillor________________________, supported by Councillor_________________________,
made a motion to adopt the following resolution:

RESOLUTION NO. 18-04

A RESOLUTION SETTING A PUBLIC HEARING FOR PROPOSED ORDINANCE AMENDMENT
4.00-C, AN ORDINANCE TO AMEND SECTIONS 1 AND 3 OF THE CITY OF CRYSTAL FALLS
ZONING ORDINANCE, ORDINANCE NO. 4, TO ADD “FOOD PROCESSING WITH ANIMAL
HARVESTING” AS A USE BY SPECIAL PERMIT IN THE INDUSTRIAL ONE (I-1) DISTRICT

WHEREAS, the City of Crystal Falls Charter states in section 2.12(b):

“Upon introduction of any ordinance, the City Clerk shall distribute a copy to each council member
and to the city manager, shall file a reasonable number of copies in the office of the city clerk and such
other public places as the council may designate, and shall publish a notice setting out the time and
place for a public hearing thereon and for its consideration by the council. The public hearing may be
held at a special or regular meeting of the council and all persons interested shall have an opportunity
to be heard;” and

WHEREAS, the Planning Commission received a request to review the City’s Zoning Ordinance and the
Uses by Special Permit in the I-1 District, to consider the addition of “Food Processing with Animal
Harvesting” as a “Use by Special Permit;” and

WHEREAS, the proposed amended ordinance, attached as “Exhibit A,” seeks to also add definitions of “food
processing” and “animal harvesting” to the zoning ordinance; and

WHEREAS, the Planning Commission reviewed and discussed this proposed amendment at their meeting on
August 21, 2017, and voted unanimously by members in attendance to recommend to the Crystal Falls City
Council that this addition should be made; and

WHEREAS, at their regular meeting on Monday, October 9, 2017, the Crystal Falls City Council held a
public hearing on this matter. At this meeting, the ordinance amendment was sent back to the Planning
Commission in order to garner more information; and

WHEREAS, at their meeting on Monday, January 15, 2018, the Planning Commission met to discuss this
item and voted to send the proposed ordinance amendment back to the City Council with their
recommendation that the proposed additions be made; and

WHEREAS, the City Clerk has distributed a copy of the proposed ordinance amendment; and

WHEREAS, the next regular meeting of the Crystal Falls City Council is scheduled to be held on Monday,
February 12, 2018 at 5:30 pm in the Council Chambers at Crystal Falls City Hall, located at 401 Superior
Avenue, Crystal Falls, Michigan 49920.
NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves the scheduling and noticing of a public hearing at 5:30 pm on Monday, February 12, 2018 at Crystal Falls City Hall in order to receive public comment on proposed ordinance amendment 4.00-C.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: January 29, 2018

Tara Peltoma, City Clerk/ Treasurer
AN ORDINANCE TO AMEND SECTIONS 1.4 AND 3.17(3) OF THE CRYSTAL FALLS ZONING ORDINANCE, ORDINANCE NUMBER 4, TO ADD “FOOD PROCESSING INCLUDING ANIMAL HARVESTING” AS A SPECIAL USE AUTHORIZED BY PERMIT IN THE I-1 – INDUSTRIAL ONE DISTRICT

THE CITY OF CRYSTAL FALLS HEREBY ORDAINS:

Section 1. Amendment. Section 1 of Ordinance 4 of the City of Crystal Falls is amended to read in its entirety as follows:

Section 1 – Introduction

1.1 Short Title:

This Ordinance shall be known and referred to as the City of Crystal Falls Zoning Ordinance, Ordinance No. 4, as amended.

1.2 Effective Date:

The City of Crystal Falls Zoning 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.

1.3 Rules

1. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural the singular; where the context requires.

2. The word “shall” is mandatory and not discretionary.

3. The word “may” is permissive.

4. The word “lot” shall include the words “piece”, “parcel”, “tract”; and the phrase “used for” shall include the phrases “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.

5. All measured distances shall be to the nearest integral foot; if a fraction is one-half foot or less, the integral foot next below shall be taken.
6. Any words not defined as follows shall be construed in their general accepted meanings as defined in the most recent publication of Webster’s Dictionary.

7. The words and terms set forth herein under “Definitions” wherever they occur in this Ordinance shall be interpreted as herein defined.

1.4 Definitions:

1. Abutting

Having a property line or district line in common.

2. Alley

A public or legally established private thoroughfare affording only a secondary means of access to abutting property, such thoroughfare being not less than twenty (20) feet in width and not more than thirty (30) feet in width.

3. Alterations

Any change, addition or modification to a structure or to the type of occupancy or use of a structure or land, or any change in the structural members of a building, such as walls or partitions, columns, beams or girders, or any substantial change in the roof or exterior walls, the consummated act of which may be referred to herein as “altered” or “reconstructed” or “changed”.

4. Animal Harvesting

The process of slaughtering an animal in preparation for food processing.

5. Automobile or Trailer Sales Area

An open area used for the display, sale or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done within the open area.

6. Basement

That portion of a building where the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

7. Bed and Breakfast

An accessory use to the principal use of a dwelling as a single family detached dwelling unit in which transient guests are provided a sleeping room and food for payment.
8. Billboard
A large sign that is affixed to or erected upon a freestanding framework, designed or intended to be used for posting information not pertaining directly to the use of the premises on which it is located.

9. Board
Wherever the word “Board” is used, it refers to the Zoning Board of Appeals.

10. Buffer
A strip of land, including any specified plantings or structures required to provide a transition between uses of differing intensity.

11. Building
A structure erected on a site, a mobile home, or mobile structure, a pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind.

12. Building line
A line parallel to the front lot line at the finish grade or surface of ground. A minimum building line is the same as the minimum required front setback line.

13. Building, Accessory
A structure subordinate to the principal use and located on the same premises serving a purpose customarily incidental to the principal use.

14. Camp or Campgrounds
Tracts of land or a design or character suitable for and used for seasonal recreational, and other similar living purposes. The tracts may have located on them a structure of a seasonable, temporary, or movable nature such as a cabin, sleeping shelter, tent, or recreation vehicle.

15. Carport
A partially open structure, intended to shelter one or more vehicles. Such structure shall comply with all yard requirements applicable to private garages.
16. **Church**

A building wherein persons assemble for religious worship controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

17. **Clinic**

A place for the care, diagnosis, and treatment of sick or injured persons, and those in need of medical or minor surgical attention. A clinic may incorporate customary laboratories and pharmacies incidental or necessary to the operation of the clinic or service to the patients, excluding facilities for inpatient care or major surgery.

18. **Club**

An organization catering exclusively to members and their guests on premises and buildings for recreational, artistic, political or social purposes which are not conducted primarily for profit and which do not provide merchandise, vending, or commercial activities, except as required incidentally for the membership and purpose of such club.

19. **Comprehensive Plan**

The extensively developed and evolving plan, also called the Master Plan, adopted by the City Planning Commission and City Council.

20. **Conservation**

Preservation of land, water, flora, fauna, and cultural artifacts in their original state.

21. **Consumer Service:**

Sale of any service to individual customers for their own personal benefit, enjoyment, or convenience. For example, consumer services include the provision of the personal services such as beautician and barber services, the provision of lodging, entertainment, specialized instruction, financial services, transportation, laundry and dry cleaning services and all other similar services.

22. **Court**

An open, unoccupied space bounded on at least two sides by a building. A court extending to the front or rear lot line is an outer court. All other courts are inner courts.

23. **Dwelling, Single-Family:**
A building containing not more than one (1) dwelling unit designed for residential use, complying with the standards in Section 4.6 of this Ordinance:

24. Dwelling, Two Family

A building containing not more than two separate dwelling units designed for residential use and conforming in all other respects to the standards set forth for Single-Family Dwelling Unit.

25. Dwelling, Multi-Family

A building containing three or more dwelling units designed for residential use and conforming in all other respects to the standards set forth for single-family dwelling units.

26. Essential Services

Services provided by public and private utilities necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface or overhead gas, electrical, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto such as poles, towers, wires, mains, drains, vaults, culverts, laterals, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, hydrants, etc., but not including buildings.

27. Family

Two or more persons related to each other by blood, marriage, or legal adoption, living together as single housekeeping unit; or a group of not more than three (3) persons who need not be related by blood, marriage, or legal adoption, living together as a single housekeeping unit and occupying a single dwelling unit; in either case, exclusive of usual domestic servants.

28. Family Day Care Home

A private home in which more than one but less than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or guardian, except children related to an adult member of the family by blood marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year, or a home licensed by the Michigan Department of Social Services as a Family Day Care Home.

29. Fence

An artificially constructed barrier of wood, metal, stone, or any manufactured
materials erected for the enclosure of yard areas.

30. Fence, Screening

A structure of definite height and location, maintained to allow 20% passage of light and to screen and separate a use from adjacent property. A screening fence shall be an obscuring fence.

31. Floor Area:

a. Gross: The sum of all horizontal areas of the several floors of a building measured from the outside dimensions of the structure. Unenclosed porches, courtyards, or patios whether covered or uncovered shall not be considered as a part of the gross floor area unless used for commercial purposes such as nursery beds or sales of outdoor equipment.

b. Usable: That area to be used for the sale of merchandise or services, or to service patrons, clients, or customers, excluding floor area used or intended to be used for the storage or processing of merchandise, hallways, stairways, elevator shafts, utilities, or sanitary facilities. Total usable floor area shall be the sum of the horizontal areas of the several floors of the building measured from the interior faces of the exterior walls.

32. Food Processing

The transformation of raw ingredients, by physical or chemical means, into food, or of food into other forms.

33. Garage, Private

An accessory building, or an accessory portion of a principal building enclosed on at least three (3) sides which is intended for and used to store private passenger motorized vehicles, land and building maintenance equipment, and other private personal property.

34. Garage, Public

A building other than a private garage used for the care, repair, of equipment or automobiles, or where such vehicles are parked or stored for remuneration, hire, or sale. Such storage shall not exceed seventy-two (72) hours duration and shall not permit the storage of wrecked vehicles.

35. Grade

An elevation as determined by the level of the ground adjacent to the walls of any
structure used to control the number of stories and height of a structure. If the ground is not level, the grade shall be determined by averaging the elevation of the ground for each face of the structure.

36. Group Day Care Facility

A private home or a facility other than a private home receiving more than six persons for care or supervision for periods of less than 24 hours a day; a facility licensed as a day care center or a home licensed as a group day care home by the Michigan Department of Social Services.

37. Home Occupation

Home occupations such as a professional office or studio or a room used for home occupations, or occupational rooms located in the dwelling in which the practitioner resides, or in an accessory building adjacent to where the practitioner resides, and provided that the space occupied and utilized for such purposes does not exceed two rooms or an area equal to twenty-five (25%) percent of the ground floor of the dwelling or of the accessory building in which it is located.

Home income utilization such as the renting of rooms to permanent or tourist guests, provided such use shall be accessory to a residential occupancy and provided that the space occupied and utilized for such purposes does not exceed four rooms and provided that such utilization is only for lounging and sleeping.

Home occupations and home income utilization can be approved only when no goods are publicly displayed on the premises and there is no advertising, except for one (1) sign used to advertise the accessory use conducted on the premises may be displayed providing it is in compliance with sign regulations in the city.

38. Hotel

An establishment, containing lodging rooms for occupancy by transient guests, but not including a boarding or rooming house. Such an establishment provides customary hotel services such as maid and bellboy services, furnishing of laundry and linens used in the lodging rooms, and central desk with telephone.

39. Housing for the Elderly

An establishment other than a hospital, hotel, or nursing home which provides dwelling units for persons primarily of retirement age or older.

40. Housekeeping Unit

A dwelling organized as a single entity which the members share common kitchen facilities and have access to all parts of the dwelling.
41. Institutional Uses

Churches, schools, hospitals and other similar public or semi-public uses.

42. Junk

Any motor vehicle, machinery, appliance, or merchandise with parts missing or any other scrap materials that are damaged or deteriorated.

43. Junkyard

Any land or structures used for a salvaging operation including, among other things, the storage and sale of waste paper, rags, scrap metal, and discarded materials, and the collecting, dismantling, storage and salvaging of unlicensed, inoperative vehicles.

44. Kennel

(a) Commercial: A lot or premise used for the commercial maintenance of dogs, cats, or other domestic pets.

(b) Private: A lot or premise used for the private maintenance of up to four dogs, cats, or other domestic pets in any combination. The keeping of more than four animals, regardless of ownership or species, shall be considered a commercial kennel.

45. Loading Area

A completely off-street space or berth on the same lot for the loading or unloading of freight carriers having adequate ingress and egress to a public street or alley.

46. Lodging Room

A room rented as sleeping and living quarters, but without cooking facilities, and with or without an individual bathroom. In a suite of rooms, each room which provides sleeping accommodations shall be counted as one (1) lodging room.

47. Lot

A single parcel of land which may be legally described as such, or two or more adjacent numbered lots or parts of such lots in a recorded subdivision plat having principal frontage on a street which comprises a site occupied by, or intended for occupancy by one (1) principal building or principal use together with accessory buildings and uses, yards, and other open spaces required by this Ordinance.

48. Lot, Area
The total horizontal area within the boundary lines of a parcel of property.

49. Lot, Corner

A lot abutting on two (2) streets at their juncture, when the interior angle formed is less than one hundred thirty-five (135º) degrees.

50. Lot Coverage

The amount of a lot, stated in terms of percentage, that is covered by all roofed buildings and/or structures located thereon. This shall be deemed to include all buildings, porches, arbors, breezeways, patio roofs, and the like, whether open box-type and/or lattice roofs, or fully roofed, but shall not be deemed to include fences, walls, or hedges used as fences or swimming pools.

51. Lot, Depth

The horizontal distance between the front lot line and the rear lot line, with the measurement taken along a line that is equal distance between the two side lot lines.

52. Lot, Interior

A lot other than a corner lot.

53. Lot, Nonconforming

A lot, the size, width or other characteristic of which fails to meet requirements of the Zoning District in which it is located and which was conforming (“of record”) prior to enactment of this ordinance.

54. Lot Line, Front

In the case of an interior lot, a line separating the lot from the street or place; and in the case of a corner lot, a line separating the narrowest street frontage from the street. For purposes of front setbacks, the front lot line shall be defined as the right of way of the street; however, fences, landscaping, etc. may be placed up to the edge of the pavement or sidewalk (where a sidewalk exists) in accordance with all other provisions of this ordinance.

55. Lot Line, Rear

A lot line which is opposite and most distant from the front lot line, and, in the case of an irregularly shaped lot, an imaginary line, at least fifteen (15) feet long within the confines of the lot and parallel to the front lot line.
56. Lot Line, Side

Any lot boundary line not a front line nor a rear lot line.

57. Lot, Recorded

A lot which is a part of a subdivision, the map of which has been recorded in the Office of the Register of Deeds, or a lot described by metes and bounds, the deed to which has been recorded in the Office of the Register of Deeds at the time this Ordinance is passed.

58. Lot Width

The width of a parcel of land measured at the front of the lot street yard.

59. Lot, Zoning

A parcel of land composed of one (1) or more recorded lots, occupied or to be occupied by a principal building or buildings, or principal use or uses meeting all the requirement for area, buildable area, frontage, width, yards, setbacks, and any other requirements set forth in this Ordinance.

60. Mobile Home

“Mobile Home” means a structure, transportable in one (1) or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure and meets the requirements of a single family dwelling.

61. Mobile Home Park

“Mobile Home Park” means an area of land upon which two (2) or more occupied trailer coaches or mobile homes are harbored and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such trailer coach park. Lots may be either leased or individually owned.

62. Motel

An establishment consisting of a group of lodging rooms each with individual bathrooms, and designed for use by transient guests. A motel furnishes customary hotel services such as maid service and laundering of linen used in the lodging rooms, telephone and secretarial or desk service, and the use and upkeep of furnishings.
63. Nonconforming Structure

A structure or building, the size, dimensions or location of which was lawful prior to the adoption, revision or amendment to a zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

64. Nonconforming Use

A use which lawfully occupies a building or land at the time of adoption of this Ordinance, and which does not conform with the use regulations of the District in which it is located.

65. Non-Retail Commercial

Commercial sales and services to customers who intend resale of the products or merchandise sold or handled. For example, non-retail commercial includes wholesale activities, warehousing, trucking terminals, and similar commercial enterprises.

66. Nursing Home or Rest Home

A home for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis, treatment, or care of the sick or injured.

67. Nuisance

Whatever annoys, injures, or endangers the safety, health, comfort, or repose of the public; offends public decency; interferes with, obstructs, or renders dangerous any street, highway, navigable lake or stream; or in any way renders the public insecure in life or property.

68. Occupancy

The residing of an individual or individuals overnight in a dwelling unit, or the installation, storage, or use of equipment, merchandise or machinery in any public, commercial or industrial building.

69. Open Space, Required

The area of a lot between the street or other lot lines and the required setback line which shall be open, unoccupied, and unobstructed by any structures except as otherwise provided in this Ordinance.
70. Open Sales Lot

Land used or occupied for the purpose of buying or selling merchandise stored or displayed out-of-doors prior to sale. Such merchandise includes, but is not limited to, passenger cars, trucks, motor scooters, motorcycles, boats, monuments and trailers.

71. Parking Lot

A hard surfaced or dust free area with well defined entrances and exits and lanes for unencumbered access to vehicle parking spaces.

72. Parking Space

A graded all-weather surface area of not less than two hundred (200) square feet in area, either enclosed or open for the parking of a licensed motor vehicle having adequate ingress and egress to a public street or alley.

73. Permit

Authorization granted by the code officials having jurisdiction, to erect, alter, enlarge, or relocate a structure.

74. Planned Unit Development (PUD)

A form of development usually characterized by a unified site design for a number of housing units, clustering buildings and providing common open space, density increases and a mix of building types and land uses. This development shall be based on an approved site plan and must meet all the requirements of the Planned Unit Development District, and any additional requirements placed upon it by the Planning Commission.

75. Planning Commission

The City Planning Commission of the City of Crystal Falls.

76. Public Utility

Any person, firm, corporation, municipal department, board, or commission duly authorized under federal, state, or municipal regulations to furnish, including but not limited to, gas, steam, electricity, sewage disposal, communication, telephone, cable television, transportation, or water to the public.

77. Recreational Equipment
Includes travel trailers, pickup campers, motor homes, tent trailers or tent campers, boats and boat trailers and the like, tents, snowmobiles, horse trailers, aircraft of any kind, houseboats, docks, rafts, float boats, dune buggies, off road vehicles (ORV), motorized units primarily intended for recreational purposes and any other similar equipment which may from time-to-time evolve.

78. Recreation Area

All lands and structures operated for outdoor recreation activities.

79. Recreational Vehicle

A motorized or non-motorized vehicle designed and used as a temporary living quarters for recreational, camping, or travel use. A recreational vehicle is not a dwelling for the purpose of this Ordinance. A tent is not a recreational vehicle for the purpose of this Ordinance. The term recreational vehicle includes the following:

a. Travel trailer means a transportable, non-motorized vehicle which is mounted on wheels and drawn upon a highway by a motorized vehicle.

b. Camping trailer means a transportable, non-motorized vehicle which is mounted on wheels and drawn upon a highway by a motorized vehicle, and which is constructed with collapsible partial sidewalls of fabric, plastic, or other pliable material which fold for towing and unfold at a campsite.

c. Motor home means a self-propelled vehicle built on a motor vehicle chassis, and designed and constructed to provide temporary living quarters for recreation, camping or travel use.

d. Truck camper means a portable structure designed and constructed to be loaded onto, or affixed to, the bed or chassis of a truck or other motor vehicle.

80. Recreational Vehicle Park

A parcel or tract of land on which a minimum of ten (10) recreational vehicle sites are located and offered for use on a transient basis by person travelling in recreational vehicles.

81. Relatives

Persons standing in the relation of son, daughter, son-in-law, daughter-in-law, aunt, uncle, niece, nephew, father or mother, brother, sister, grandchildren, or grandparents.

82. Restaurant
a. Fast Food: An establishment whose principal business is the sale of food or beverages in a ready to consume state for consumption within a building, motor vehicle, or as carry out orders. The principal method of operation includes the service of food or beverages in edible containers, paper, plastic, or other disposable containers.

b. Standard: An establishment whose principal business is the sale of food or beverages in a ready to consume state. The principal method of operation includes providing a menu, service by a restaurant employee to a table at which the food and beverages are consumed, or a cafeteria style operation where food and beverages are consumed within the building.

83. Retail Sales

Sale of any product or merchandise to customers for their own personal consumption of use, not for resale.

84. Right Of Way

A public or private street, alley, or other thoroughfare or easement permanently established for the passage of persons or vehicles, or for the location of utilities delineated by legally established lines or boundaries.

85. Runoff

Water from rain or melting snow that flows over the surface of the ground and eventually drains into nearby water bodies.

86. Sanitary Landfill

A method of disposing of refuse by spreading a covering such refuse with earth to a depth of two (2) feet or more on the top surface and one (1) foot or more on the sides of the bank.

87. Seasonal or Secondary Residence

A residence occupied for less than six (6) month each year.

88. Service Station, Filling Station, Gas Station

Any building or premises whose principal use is the dispensing, sale, or offering for sale at retail, of any motor vehicle fuel, or oils. Open storage shall be limited to no more than four (4) vehicles stored for minor repair bearing current license plates. Such storage shall not exceed seventy-two (72) hours duration and shall not permit the storage of wrecked vehicles.
88. Setback

a. Front: The required minimum unoccupied distance, extending the full width, between the front lot line and any structures.

b. Rear: The required minimum unoccupied distance, extending the full lot width, between the lot line opposite the front lot line and any structures.

c. Side: The required minimum unoccupied distance, extending the full lot length, between the side lot lines and any structures.

89. Screen

A manmade or natural vegetative structure providing an enclosure or visual barrier between two properties.

90. Sexually Oriented Business

A sexually oriented business shall include an adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult hotel, adult motion picture theater, escort, escort agency, nude model studio, or other such business in which specified anatomical areas and/or specified sexually oriented activities are performed.

91. Shopping Center

A business or group of businesses providing a variety of merchandise or services requiring a location on a major street and a large parking lot.

92. Signs

Any words, letters, figures, numerals, phrases, sentences, emblems, devises, designs, trade names or trade marks by which information is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity or product, and which are visible from any public street, highway, or pedestrian way.

93. Sign, Advertising

A sign which directs attention to a business, commodity, service, or entertainment not necessarily conducted, sold or offered for sale on the premises where such sign is located, or to which it is affixed, excepting those signs erected or approved
by the City Council.

94. Sign, Business

A sign which directs attention to a business or profession conducted, or to a commodity, service, or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.

95. Sign, Gross Area Of

The entire area within a single contiguous perimeter enclosing the extreme limits of the actual surface of a single-face sign. It does not include any structural elements lying outside the limits of such sign and not forming an integral part of the display. A double-face or V-type sign erected on a single supporting structure where the interior angle does not exceed one hundred thirty-five (135°) degrees, shall, for the purpose of computing square-foot area, be considered and measured as a single-face sign; otherwise each display surface of a sign shall be considered a single sign.

96. Site Plan

A diagram showing all salient features of a proposed development in order to determine whether it meets the provisions of this Ordinance.

97. Special Use Permit

Authorization issued by the Planning Commission to a person or persons intending to undertake an activity upon land or within a structure and for those uses not specifically mentioned in this Ordinance which possess unique characteristics.

98. Story

That part of a building, excluding mezzanines, between the surface of one floor and the surface of the next floor or ceiling above it. A story will be counted as such when more than 50% is above the height level of the adjoining ground.

99. Street

A public or private dedicated right of way which affords traffic circulation and principal means of access to abutting property.

100. 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.

101. **Structural Alterations**

Any change, other than incidental repairs which would prolong the life of the supporting members of a building or structure such as bearing walls or partitions, columns, beams, or girders; or any substantial change in the roof or exterior walls.

102. **Subdivision**

The division or splitting of a parcel of land.

103. **Thoroughfare**

A street with a high degree of continuity which serves as an intrastate, an intra-county or interstate highway, or as an arterial traffic way between the various districts of this City. It affords a primary means of access to and from abutting properties or other limited access routes not containing frontage roads.

104. **Use**

The purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.

105. **Use, Accessory**

A use subordinate to the principal use and located on the same premises serving a purpose customarily incidental to the principal use. Residential accessory uses may include storage of household goods, parking areas, gardening, servants’ quarters, private swimming pools and private emergency shelters.

106. **Use, Permitted**

A use which may be lawfully established in a particular district or districts provided it conforms with all requirements, regulations, and performance standards, if any, of such district.

107. **Use, Principal**

The main use of land or buildings as distinguished from a subordinate or accessory use. It may be either a permitted or special use.

108. **Use, Special**
Uses of such variable nature as to make control by rigid pre-regulation impractical. After due consideration in each case by the City Council, after receiving the report and recommendations of the Planning Commission relative to the impact of such use upon neighboring land, and of the public need for the particular use at the particular location, such “Special Use” may or may not be granted by the City Council.

109. Utilities

Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, power and communication transmission lines, electrical power substations, static transformer stations, telephone, electronic communication devices, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops and storage yards.

110. Yard, Corner Side

A side yard which adjoins a street or thoroughfare.

111. Yard, Front (setback)

A yard which is bounded by the side lot lines, front lot line, and the front yard line.

112. Yard, Interior Side

A side yard which is located immediately adjacent to another lot or to an alley separating such side yard from another line.

113. Yard, Rear (setback)

A yard which is bounded by side lot lines, rear lot line, and the rear yard line.

114. Yard, Side (setback)

A yard which is bounded by the rear yard line, front yard line, side yard line, and side lot line.

115. Zoning Administrator.

The City of Crystal Falls official or an authorized representative charged with the responsibility of administering this Ordinance.

1.5 Purpose:
The City of Crystal Falls Zoning Ordinance is adopted for, but not limited to, the following purposes:

1. To meet the public needs for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service and other uses of land;

2. To insure that use of the land shall be situated in appropriate locations and relationships;

3. To limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities;

4. To facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, communication, education, recreation, and other public service and facility requirements;

5. To promote public health, safety, and welfare;

6. To divide the City into districts of such number, shape and area as it considers best suited for the purposes of the Ordinance and to restrict and regulate therein the location, erection, construction, reconstruction, alteration and use of buildings, structures and land for residential, business, manufacturing, industrial, recreational, and other specified uses.

7. To regulate land development and establish districts which apply only to land areas and activities which are involved in a special program to achieve specific land management objectives and avert or solve specific land use problems, including the regulation of land development and the establishment of districts in areas subject to damage from flooding or beach erosion, and for that purpose may divide the City into districts of a number, shape and area considered best suited to accomplish those objectives.

8. To limit the location, height, number of stories, and size of dwelling, buildings, structures, or otherwise, that may be erected or altered, and the specific uses for which dwellings, buildings, structures, or otherwise, may be erected or altered.

9. To establish requirements and standards governing the area of yards, courts, and other open spaces, and the sanitary, safety, and protective measures that shall be required for the dwellings, buildings, structures, or otherwise.

10. To establish requirements and standards governing the maximum number of families which may be housed in buildings, dwellings, structures, or otherwise, erected or altered.
11. To assure that the provisions of the Zoning Ordinance shall be uniform for each class of land or buildings, dwellings, structures, or otherwise, throughout each district, but the provisions in one district may differ from those in other districts.

12. To provide adequate light, air, privacy and convenience of access to property.

13. To prohibit uses, building, structures, or otherwise incompatible with the character of development or intended uses within the specified districts.

14. To limit congestion in public streets and rights-of-way, and protect the public health, safety, convenience and general welfare by providing for off-street parking of motor vehicles and the loading and/or unloading of commercial vehicles.

15. To protect against fire, explosion, noxious fumes, noise, wastes, pollutants, and other hazards in the interest of the public health, safety, comfort and general welfare.

16. To encourage the preservation of property values and resources throughout the City.

17. To define and limit the powers and duties of the administrative officials and governmental bodies affected by the Zoning Ordinance.

18. To maintain a Zoning Board of Appeals with the powers and duties as set forth in 125.3603, Section 603 of the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, and other applicable statutes.

19. To make provisions for amendments or supplements to the Zoning Ordinance.

20. To provide for existing structures, nonconforming uses, acquisitions for the purpose of removing nonconforming uses, and variances.

21. To provide for State licensed residential facilities, and their use and regulation.

22. To provide for the license fees and/or special tax revenues to provide funds to administer and enforce the Zoning Ordinance.

23. To provide penalties for violation of the provisions of the Zoning Ordinance.

24. To authorize and permit any and all other matters relative to zoning which are allowed by law.

25. To complement the historic preservation of significant resources in the City of Crystal Falls.

1.6 Abrogation and Greater Restrictions:
1. Where the conditions imposed by any provision of this Zoning Ordinance upon the use of land or buildings, or upon the bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Ordinance or any other law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive (or which impose higher standards or requirements) shall govern.

2. This Ordinance is not intended to abrogate any easement, covenant, or any other private agreement provided that where the regulations of this Ordinance are more restrictive (or impose higher standards or requirements) than such easements, covenants, or other private agreements, the requirements of this Ordinance shall govern.

1.7 Interpretation:

In their interpretation and application, the provisions of this Zoning Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and welfare.

Section 2 Amendment

Section 3 of Ordinance 4 of the City of Crystal Falls is amended to read in its entirety as follows:

Section 3 – Zoning Districts

3.1 Establishment:

For the purpose of this Zoning Ordinance, the City of Crystal Falls, Iron County, State of Michigan, is hereby divided into the following zoned districts:

- R-1 Residential One District
- R-2 Residential Two District
- R-3 Residential Three District
- R-4 Residential Four District
- B-1 Central Business District
- B-2 General Business District
- M-1 Mixed Use District
- I-1 Industrial One District
- I-2 Industrial Two District

3.2 Zoning District Map:

1. The boundaries of the respective districts enumerated in 3.1 are established as depicted on the map entitled "City of Crystal Falls Official Zoning Map," which is an integral part of this Ordinance. This map, along with all notations and explanatory matter, shall become as much a part of this Ordinance as if fully described herein.
2. The City of Crystal Falls Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Clerk. If, in accordance with the provisions of this Ordinance, changes are made in district boundaries, such changes shall be incorporated on the City of Crystal Falls Official Zoning Map and approved by the City Council of the City of Crystal Falls together with an entry on the City of Crystal Falls Official Zoning Map showing the date and official action taken.

3. One copy of the City of Crystal Falls Official Zoning Map is to be maintained and kept up-to-date by the Zoning Administrator, accessible to the public and shall be the final authority as to the current zoning status of properties in the City of Crystal Falls.

3.3 Areas Not Included Within A District

In every case where property has not been specifically included within a district including all cases of property becoming a part of the City subsequent to this Ordinance, such property shall be in the R-1 Residential District, unless and until it is re-designated into a different district by proper action of the City Planning Commission and the City Council.

3.4 Interpretation of the Zoning Map

1. Where due to the scale, lack of detail or illegibility of the zoning maps, there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary as shown thereon, the Zoning Board of Appeals shall make an interpretation of said map upon request of any person. The Zoning Board of Appeals shall apply the following standards in interpreting the zoning map:

   a. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;

   b. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

   c. Boundaries indicated as approximately following City boundaries shall be construed as following City boundaries;

   d. Boundaries indicated as following shorelines shall be construed as following such shoreline, and in the event of change in shoreline shall be construed as moving with said shoreline;

   e. Boundaries indicated as approximately following property lines or section lines or other lines of the government survey shall be construed as following such property lines as of the effective date of this Ordinance, (or applicable amendment), section lines or other lines of government survey.
Where a zoning district boundary line divides a lot, the location of any such zoning district boundary lines, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.

2. If, after the application of the foregoing rules, uncertainty still exists as to the exact location of a zoning district boundary line, the boundary line shall be determined in a reasonable manner, considering the history of uses of property and the history of zoning ordinances and amendments in the City of Crystal Falls as well as all other relevant facts.

3.5 Replacement of Official Zoning Map

In the event the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes made by the City Council may adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The Official Zoning Map shall bear the current City officers’ signatures and certification as required in Section 3.2. Unless the Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

3.6 Application of District Regulations

The regulations established for each zoning district shall be the minimum regulations for promoting and protecting the public health, safety and general welfare, and shall be uniform for each class of land or buildings and structures throughout each district. Where there are practical difficulties in the way of carrying out the strict letter of this Ordinance, the Zoning Board of Appeals shall have power in passing upon appeals, in accordance with Section 12.3, to vary or modify regulations and provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed, public safety secured and substantial justice done.

3.7 Scope of Provisions

1. Except as may otherwise be provided in this Ordinance, every building and structure erected, every use of any lot, building or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of or addition to an existing use, building or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance which are applicable in the zoning district in which such use, building, or structure shall be located.

2. Uses are permitted by right only if specifically listed as uses permitted by right in the various zoning districts. Where not specifically permitted, either by right or conditionally, uses are prohibited unless construed to be similar to an expressly permitted use. The Zoning Board of Appeals shall determine if a use is similar to a use specifically permitted by right or by conditions. The Zoning Board of Appeals
may grant a variance to allow a use not permissible under the terms of this Ordinance in any district, in accordance with the standards in Section 12.4.1.c.

3. Accessory uses are permitted as indicated for the various zoning districts and when clearly incidental to the permitted principal uses.

4. The uses permitted as special or conditional uses are recognized as possessing characteristics of such unique and special nature (relative to location, design, size, etc.) as necessitating individual standards and conditions in order to safeguard the general health, safety and welfare of the community.

5. Any structure, use of a structure or land use and any lot, the size, width, or other characteristic of which fails to meet the requirements of the land use district in which it is located and which was lawfully established in accordance with state and local statutes ("of record") prior to the effective date of this amendment shall be considered a legal nonconforming use.

6. Structures or uses which were lawful prior to the adoption of this Ordinance existing on non-conforming lots may be used for any of the permitted uses in the districts in which they are located providing all other requirements of this Ordinance are met.

7. No vested right shall arise to the property owner for any parcel or use created in violation of any preceding City of Crystal Falls Zoning Ordinance.

3.8 Conflicting Regulations

Wherever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than those imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this Ordinance, then the provisions of such law or ordinance shall govern.

3.9 Exemptions

1. The location of pipes, wires, poles, and generating and transmission equipment of public utilities or railroad tracks regulated by the State of Michigan or by the United States are exempt from regulation under this Ordinance.

2. The provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

3.10 R-1 Residential One District
1. Intent: The R-1 Residential One District is established and maintained for medium- to high-density residential and related uses, typically in older residential neighborhoods with small lots. These areas will be provided with municipal water. Wastewater services will be provided in areas where infrastructure currently exists.

2. Permitted Principal Uses:
   a. Single-family dwelling
   b. Adult foster care small group home
   c. Day care facility, family
   d. Elementary or secondary school
   e. Library and other public building
   f. Church

3. Special Uses Authorized by Permit:
   a. Adult foster care large group home
   b. Bed and breakfast establishment
   c. Day care facility, group
   d. Funeral home
   e. Home occupation
   f. Multiple-family dwelling
   g. Parks and recreational facilities for day use
   h. Two-family dwelling

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed, or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.11 R-2 Residential Two District

1. Intent: The R-2 Residential Two District is established and maintained for low to medium density residential and related uses. Water and wastewater services will be provided in areas where infrastructure currently exits unless cost prohibitive.

2. Permitted Principal Uses:
   a. Single-family dwelling
   b. Adult foster care small group home
   c. Day care facility, family
   d. Elementary or secondary school
   e. Libraries and other public building
   f. Church

3. Special Uses Authorized by Permit:
   a. Adult foster care large group home
b. Bed and breakfast establishment
c. Day care facility, group
d. Funeral home
e. Home occupation
f. Multiple-family dwelling
g. Nursing home, assisted living facility or similar use
h. Parks and recreational facility for day use
i. Planned unit development
j. Two-family dwelling

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed, or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.12 R-3 Residential Three District

1. Intent: The R-3 Residential Three District is established and maintained for medium-to high-density residential and related uses, typically in older residential neighborhoods with small lots. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive.

2. Permitted Principal Uses:
   a. Single-family dwelling
   b. Adult foster care small group home
   c. Day care facility, family
   d. Church
   e. Two-family dwelling

3. Special Uses Authorized by Permit:
   a. Adult foster care large group home
   b. Day care facility, group
   c. Home occupation
   d. Mobile Home Park
   e. Multiple-family dwelling
   f. Parks and recreational facilities for day use
   g. Planned unit development (PUD)

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by
other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.13 R-4 Residential Four District

1. Intent: The R-4 Residential Four District is established and maintained for low-to-medium residential and related uses, typically in areas which have not previously been developed. Water and wastewater services will be provided in areas where infrastructure currently exists unless cost prohibitive. Clustered development, conservation subdivisions, and similar types of development which protect and maintain open space are encouraged in this district.

2. Permitted Principal Uses:
   a. Single-family dwelling
   b. Adult foster care small group home
   c. Day care facility, family
   d. Church

3. Special Uses Authorized by Permit:
   a. Adult foster care large group home
   b. Day care facility, group
   c. Home occupation
   d. Parks and recreational facilities for day use
   e. Planned unit development (PUD)
   f. Two-family dwelling

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.14 B-1 Central Business District

1. Intent: The B-1 Central Business District is established and maintained for business uses within the Central Business District, in those areas which are served by municipal water and sewer, and where small lots, zero lot line development and minimal or no side setbacks are common.

2. Permitted Principal Uses:
   a. Dwelling unit in the upper floors of commercial establishment, provided that such dwelling unit have a separate entrance and separate off-street parking in addition to the entrance and parking required for the commercial use
   b. Financial institution
   c. Laundromat
d. Medical offices, including clinic
e. Off-street parking lot
f. Personal service establishments, such as barber or beauty shops, health and fitness facilities, etc.
g. Private club, fraternal organization and lodge hall
h. Professional office building
i. Retail store
j. Service business, such as photo studio, shoe repair, etc.
k. Tavern or restaurant not having drive-through service
l. Theater, concert hall, art gallery, museum, or similar place of assembly
m. Church
n. Automobile dealership

3. Special Uses Authorized by Permit:
a. Automobile repair facility
b. Bowling alley
c. Car wash
d. Convenience Retail
e. Gasoline station
f. Plumber, decorator, electricians, etc. showroom and office
g. Retail and Service Establishments with Drive-through service
h. Sexually-Oriented Businesses provided that such use is located at least 1,000 feet from any church, school or day-care facility.
i. Indoor archery and/or pneumatic gun (.177 caliber or lower) ranges.

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

3.15 B-2 General Business District

1. Intent: The B-2 General Business District is established and maintained for diverse business uses outside the Central Business District, in those areas which are served by municipal water and sewer, or where such service could be easily extended. This district provides for business development at a low density, typically along state trunklines.

2. Permitted Principal Uses:
a. Single-family dwelling
b. Adult foster care small group home
c. Day care facility, family
d. Two-family dwelling
e. Financial institution
f. Greenhouses, florists, and plant material sale
g. Laundromat
h. Long term care facilities, such as hospital, convalescent or nursing home
3.16 M-1 Mixed Use District
1. Intent: The M-1 Mixed Use District is established and maintained as an area where residential and compatible commercial uses can co-exist. Conversion of dwelling units to commercial uses and establishment of new commercial enterprises is allowed to the extent that they are compatible with existing and new residential uses.

2. Permitted Principal Uses:
   a. Single-family dwelling
   b. Adult foster care small group home
   c. Day care facility, family
   d. Church
   e. Two-family dwelling
   f. Elementary or secondary school

3. Special Uses Authorized by Permit:
   a. Adult foster care large group home
   b. Bed and breakfast establishment
   c. Day care facility, group
   d. Financial institution
   e. Home occupation
   f. Medical office
   g. Multiple-family dwelling
   h. Personal service establishment, such as barber or beauty shop, health and fitness facility
   i. Parks and recreational facilities for day use
   j. Planned unit development (PUD)
   k. Professional office building
   l. Retail store
   m. Service business, such as photo studio, shoe repair, etc.
   n. Restaurant not serving alcohol
   o. Restaurant not having drive-through service
   p. Restaurant with drive-through service
   q. Restaurant serving alcohol

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as a garage, shed for yard tools, playhouse, facilities for household pets, boathouse, swimming pools, enclosed woodshed or sauna are permitted. Boathouses and other shoreline uses may be regulated or prohibited by other agencies, including but not limited to, the Michigan Department of Environmental Quality.

3.17 I-1 Industrial One District

1. Intent: The I-1 Industrial One District is established and maintained for wholesale, warehousing, manufacturing and assembly and similar light industrial uses within completely enclosed buildings in areas which are served by municipal water and sewer where such service currently exists. Uses in the I-1 District generally do not
produce noise, odors, light, smoke or other impacts which extend beyond the boundary of the district.

2. Permitted Principal Uses:
   a. Automobile repair garage
   b. Automobile parts and tire sales
   c. Bottling works
   d. Building materials sales and storage
   e. Commercial printing and publishing
   f. Drop forging, punching and plating operation
   g. Freight handling facility
   h. Jobbing and machine shop
   i. Manufacturing and assembly
   j. Public utility building
   k. Research and development establishment
   l. Retail warehouse outlet
   m. Warehouse, self storage
   n. Wholesale and warehousing
   o. Professional buildings

3. Special Uses Authorized by Permit:
   a. Painting, varnishing and undercoating shop
   b. Planned unit development
   c. Storage of flammable liquids
   d. Trade and technical school
   e. Truck stop
   f. Truck terminal
   g. Utility substation
   h. Wireless communication facility
   i. Food processing establishment including animal harvesting

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

3.18 I-2 Industrial Two District

1. Intent: The I-2 Industrial Two District is established and maintained for manufacturing and other light or heavy industrial uses, including those which may involve outdoor storage of materials or equipment in areas which are served by municipal water and sewer where such service currently exists. Uses in the I-2 District may produce noise, odors, light, smoke or other impacts which extend beyond the boundary of the district.

2. Permitted Principal Uses:
   a. Bottling works
b. Building materials sales and storage

c. Commercial printing and publishing

d. Drop forging, punching and plating operation

e. Freight handling facility

f. Jobbing and machine shop

g. Manufacturing and assembly

h. Research and development establishment

i. Wholesale and warehousing

3. Special Uses Authorized by Permit:

a. Asphalt plant

b. Contractor yard

c. Food processing establishment

d. Gravel or rock crusher

e. Junkyards or salvage yard

f. Painting, varnishing and undercoating shop

g. Planned unit development

h. Recycling collection center

i. Sawmill

j. Storage of flammable liquids

k. Trade and technical school

l. Truck stop

m. Truck terminal

n. Utility substation

o. Wireless communication facility

4. Accessory Uses Permitted: Accessory uses and structures normally associated with permitted uses, such as any structural or mechanical building or use customarily incidental to the permitted principal use, and signs subject to the regulations established in Section 6 Signs are permitted.

Section 3. Effective Date. This ordinance shall take immediate effect 30 days after publication, as provided in Section 2.12(c) of the City Charter. Further, this is an amendment to an ordinance previously adopted.

YEAS: 

NAYS: 

ABSTAIN: 

ABSENT: 

CERTIFICATION

I certify this true and complete copy of Ordinance No. 4.00 - C, adopted at a Regular Meeting of the Crystal Falls City Council held on ______________.

Tara Peltoma, City Clerk/Treasurer
Crystal Falls City Council  
Iron County, Michigan

Councillor________________________, supported by Councillor_________________________, made a motion to adopt the following resolution:

RESOLUTION NO. 18-05

A RESOLUTION TO APPROVE AMENDING THE CITY’S MONTHLY ENERGY OPTIMIZATION SURCHARGE RATE

WHEREAS, the City of Crystal Falls owns and operates a Municipal Electric Utility; and

WHEREAS, Section 11.03 of the Charter for the City of Crystal Falls states, “The Council shall have the power to fix from time-to-time just and reasonable rates and other charges as may be deemed advisable for supplying the inhabitants of the City and others with such public utility services as the City may provide. The rates and charges of an municipal public utility for the furnishing of water, light, heat, communications, power, or gas shall be so fixed as to at least meet all the costs of such utility;” and

WHEREAS, Michigan Public Acts 295 of 2008 and 342 of 2016 created and reinforced Michigan’s Energy Optimization (EO) standard, requiring all electric utility providers in the state to implement programs to reduce overall energy usage by specified targets, in order to reduce the future cost of service to utility customers; and

WHEREAS, the City of Crystal Falls has worked with Efficiency United in order to implement energy saving programs within our service area; and

WHEREAS, the annual cost of this state-mandated program has been recovered through a monthly Energy Optimization Surcharge, applied to all city electric customers. The current monthly surcharge rate is $0.0027 per Kwh; and

WHEREAS, the City has been informed by Mike Hodges, Senior Energy Services Representative for WPPI, that this charge will be increased by Efficiency United to the City to $47,540; and

WHEREAS, in order to recoup this cost increase, WPPI recommends that the monthly Energy Optimization Surcharge be increased from $0.0027 per Kwh to $0.0029 per Kwh per month for all city electric customers. A copy of the message from Mike Hodges is attached as “Exhibit A.”

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves adjusting the monthly Energy Optimization Surcharge from $0.0027 per Kwh to $0.0029 per Kwh for all city electric customers beginning with the February 2018 billing cycle.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: January 29, 2018

_______________________________
Tara Peltoma, City Clerk/ Treasurer
Hi Dave,

Still recovering from my holiday stupor, I realized (with assistance from Mr. Niemi) that I hadn’t sent you information on how to collect your Energy Optimization surcharge for your 2018 participation in Efficiency United. My deepest apologies. I’d blame Efficiency United, as once again they did not copy me on their correspondence to your utility on your 2018 monthly invoices, but still, my pop-up reminder failed me.

I’m extrapolating a bit, but based on the data we reported last summer, you’ll contribute $47,540 this year, or $3,961.66/month. Please let me know if the MCAA invoice you receive(d?) for January is for a different amount.

To help you in equitably collecting that amount from customers via the surcharge, here are two options. One is based on the percentage of energy purchased by the customer classes (using data reported to the EIA for CY 2016), while the other is based on those same customers’ contribution to total CY2016 electric revenue. Assuming your 2018 sales are close to 2016 figures, implementing these surcharge amounts should collect (approximately) the amount needed for the Efficiency United fee.

Crystal Falls

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<th>Annual Amount to Remit to Efficiency United</th>
<th>$47,540</th>
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**Option 1: "kWR Allocation" Method**

Exhibit A
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<td>Projected Average cost per month</td>
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<td>Commercial - fixed charge per month</td>
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This method the City charges a surcharge based on kWh method only to all customers.

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<table>
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<td>Commercial - fixed charge per month</td>
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Please let me know if you have any questions.

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Best regards,

Mike

Mike Hodges, C.E.M.
Senior Programs Coordinator

WPPI Energy

1425 Corporate Center Drive

Sun Prairie, WI 53590

(608) 834-4566 (Desk)

(608) 444-2092 (Mobile)

www.wpplenergy.org