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**DEVELOPMENT SERVICES  
DEPARTMENT**

Dave Hills  
Superintendent of Building  
Division  
Jeffrey M. Polkowski, AICP  
Superintendent of Planning &  
Zoning Division

## MEMORANDUM

Date: June 6, 2022

To: Honorable Township Board

From: Jeffrey M. Polkowski, Superintendent of Planning and Zoning

RE: 2022-Z-009, Text Amendment: Mobile Food Vending Temporary Use Review

This proposed Zoning Ordinance Text Amendment was written by the Planning Division in a joint effort with the Fire Prevention Division.

It is the Fire Prevention Division's concern that these mobile kitchens have a heightened potential for explosive mishaps. This ordinance amendment builds on the temporary use registration ordinance with the intent for improved accountability and safety with an inspection of the vehicles that function as mobile food vending units.

Both The Planning Division and Fire Prevention Division are interested in encouraging mobile food vendors who add to the vibrancy and desirability of Waterford Township, while providing a framework under which such businesses shall safely operate to protect not only the owners, operators and employees of the mobile food vendors but to protect the citizens and visitors of Waterford Township who patronize the mobile food vending unit.

### **Planning Commission Recommendation and Findings**

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on May 24, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

### **Motions**

Based upon the Planning Commission's favorable recommendation at the May 24, 2022 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested Zoning Ordinance amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the June 27, 2022 meeting. However, if the Board does not want to adopt the requested Zoning Ordinance amendment, the appropriate motion would be to not introduce the Ordinance and deny the amendment.

Both Planning and Fire Staff will be available on Tuesday night's meeting. Should you have any questions prior, please do not hesitate to reach out to me.

**USE.** The specific purpose and activity for which a zoning lot or a building or structure, or any portion thereof, is designed, arranged, intended, occupied or maintained, or any activity, occupation, business or operation carried on, or intended to be carried on, and "used" shall have a corresponding meaning. Specific classifications of use shall be defined as follows:

**Accessory Use.** A use, subordinate to and customarily incidental to the principal use, that is conducted on the same zoning lot as the principal use to which it is related (whether located on the zoning lot, within the principal building, or within an accessory building), except where the Zoning Ordinance specifically provides for an accessory use off-site. For the purpose of this Zoning Ordinance, specific classifications of accessory uses shall be defined as follows, including but not limited to:

*Accessory Dining.* An accessory use where a restaurant establishment is located within a building containing a different principal use.

*Accessory Office.* An accessory use, such as those listed under the definition of **Office Establishments** in this Section, where a branch office of an office establishment is located within a building containing a different principal use.

*Outdoor Sales Display Area.* An accessory use specific to retail establishments, where allowed by this Zoning Ordinance and identified on an approved site plan, providing an area of a zoning lot used for exhibiting in an orderly manner merchandise or products sold by the retail establishment on the same zoning lot.

*Outdoor Storage Facility.* An accessory use for commercial and higher intensity use zoning districts providing for the outdoor storage of supplies, equipment, or vehicles in good repair that are used in conjunction with the principal use located on the same zoning lot.

**Ancillary Use.** A use which supports the principal use of a building located on the same zoning lot and which does not diminish the ability of the principal use to fulfill its mandate. For the purpose of this Zoning Ordinance, specific classifications of ancillary uses shall be defined as follows, including but not limited to:

*Ancillary Office.* An ancillary use providing office services, such as those listed under the definition of **Office Establishments** in this Section, for an establishment or facility.

*Factory Outlet.* An ancillary use where the products manufactured on the same zoning lot are offered for wholesale or retail sale.

*Fueling Facility.* An ancillary facility providing fuel through a fuel dispensation system for vehicles used as part of a principal use on the same zoning lot.

*Propane Filling Facility.* An ancillary facility providing propane fuel through a dispensation system into portable containers.

**Complementary Use.** A use in close proximity to another use that serves to accompany and complement such use.

**Existing Use.** The use of a zoning lot, building, and/or structure at the time of the enactment of this Zoning Ordinance.

**Nonconforming Use.** A use which lawfully occupied a building or zoning lot at the time of the effective date of this Zoning Ordinance or an amendment to this Zoning Ordinance, or where **Section 1-004.M** is applicable, that does not conform to the use regulations of the district in which it is located.

**Permitted Use.** A use which may be lawfully established on a zoning lot in a particular zoning district or districts provided it conforms with all requirements, regulations, and standards of such zoning district.

**Principal Use.** The main or primary purpose for which a zoning lot, building, or other structure is designed, arranged, or intended, or for which may be used, occupied or maintained under this Zoning Ordinance. The use of any other building, other structure and/or section of the same zoning lot and incidental or supplementary thereto and permitted under this Zoning Ordinance shall be considered an accessory use. A principal use may be a permitted use, nonconforming use, or a special approval use.

**Temporary Accessory Use.** A use conducted in conjunction with the principal use on a zoning lot for a specific and limited time period to enhance or promote the principal use. For the purpose of this Zoning Ordinance, the following definitions shall apply, including but not limited to:

*Garage Sale, or Yard Sale.* The temporary use of a private garage or yard by the residents of the dwelling on the same zoning lot for the non-commercial sale of personal property.

*Mobile Food Vending.* The vending, serving, or offering for sale food and/or beverages from any motorized or non-motorized vehicle or trailer.

**Promotional Use.** A temporary use conducted for the purposes of promoting business sales through the use of temporary signage or events, established for a fixed period of time with the intent to discontinue such activity upon the expiration of the time period.

**Sidewalk Established Business Sale.** A promotional use conducted by established businesses involving the outdoor display of its merchandise on a sidewalk adjacent to the building in which such business is normally conducted.

**Special Event.** Use of a zoning lot for purposes unrelated to the principal use on the zoning lot, for a limited time period, generally for a fundraiser, exhibition, fair, carnival, religious or music festival, or public auction conducted by a municipality.

**Temporary Retail Food Establishment.** A temporary use **not conducted within a motorized or non-motorized vehicle or trailer** that operates at a fixed location for a temporary period of time in connection with a special event or promotional use

**Temporary Storage.** A temporary use of a portion of a zoning lot for storage of items or materials while the principal building is being constructed, expanded, renovated, or rebuilt.

**Temporary Principal Use, Non-Transient.** A principal use conducted on a zoning lot for a specific and limited time period that does not engage in the temporary sale of retail sale of goods, wares, or merchandise, in any place in this state and who, for the purpose of conducting business, occupies any lot, building, room, or structure of any kind.

Temporary Principal Use, **Transient.** Use of a zoning lot by transient merchants as defined and regulated by **WATERFORD CODE OF ORDINANCES, TRANSIENT MERCHANTS** and **Section 4-012** of this Zoning

# DIVISION 3-5 PUBLIC ZONING DISTRICTS

## SECTION 3-500. PURPOSE AND INTENT

The PL and CR Districts are designed to be limited to land and uses that are owned by and benefit the general public, as well as privately owned lands dedicated to institutional, recreational, and religious uses that are intended to benefit large segments of the general public. The intent is to provide for areas dedicated to the provision of governmental, cultural, educational, institutional, recreational, and religious uses which will accommodate such needs of citizens.

## SECTION 3-501. PROHIBITED USES

It is the intent of this Division to specifically prohibit uses which are not listed in this Division as permitted or special approval uses. Subject to the provisions of *ERROR! REFERENCE SOURCE NOT FOUND.*, *ERROR! REFERENCE SOURCE NOT FOUND.*, uses that are being conducted upon zoning lots within these districts that are not listed as permitted or special approval uses within the district shall be deemed in violation of this Zoning Ordinance.

## SECTION 3-502. REGULATIONS APPLICABLE TO PROPERTIES IN THE PL AND CR ZONING DISTRICTS

The regulations in the subsections below are applicable to properties in the PL and CR zoning districts:

**3-502.1. Vehicle Regulations.** The purpose of this subsection is to preserve and promote the health, safety and general welfare of citizens, motorists and pedestrians alike, within the public districts of the Township through the regulation of parking and storage of personal, commercial, and recreational vehicles and equipment, such that vehicles do not detract from the appearance and character of the surrounding area, do not negatively affect the value and marketability of surrounding properties, do not cause the overcrowding of land and reduction of open space, do not constitute traffic hazards, do not obstruct access to rights-of-way or nonmotorized pathways, do not present an attractive nuisance for children, do not impede crime prevention and/or hamper the effectiveness and access of emergency personnel, vehicles and equipment, or do not become involved in illegal vehicle sales or result in the storage or collection of junk vehicles in public districts.

**A. Vehicle Parking.**

- (1) Parking of vehicles shall be limited to those areas established and marked as a parking area in accordance with an approved site plan for the zoning lot where both the use and its parking area are located.
- (2) The following vehicles, equipment, and/or their attached apparatus are expressly prohibited from being parked on rights-of-way and nonmotorized pathways:
  - (A) Distressed vehicles.
  - (B) Junked vehicles.

**B. Vehicle Storage.** Storage of vehicles is expressly prohibited within public zoning districts, unless granted approval through the appropriate review process; vehicles used expressly for the principal use and/or the maintenance and upkeep of properties within public zoning districts are exempt from this prohibition if such storage is limited to buildings, structures, or areas designated for such storage on an approved site plan.

**C. Vehicle Sales.** Vehicle sales are expressly prohibited in public zoning districts unless conducted as part of a permitted accessory use.

**3-502.2. Raising and Keeping of Animals.** The raising and keeping of animals in public zoning districts is limited to those permitted uses and uses granted special approval by the Planning Commission where such activity is specified as accessory to the principal use, provided that this activity where permitted is in compliance with all other applicable provisions in this Zoning Ordinance and the *Waterford Code of Ordinances*.

**3-502.3. Accessory Buildings, Accessory Structures, and Accessory Uses.** Accessory buildings and accessory structures shall in no instance be located in a right-of-way unless otherwise permitted. The following accessory buildings, accessory structures, and accessory uses (*Unless otherwise referenced, for definitions of specific types of buildings, structures, and uses listed in this subsection, see the respective subdefinitions under Error! Reference source not found., Error! Reference source not found., or Error! Reference source not found. in Error! Reference source not found.*) shall be permitted in the PL and CR districts as secondary and clearly incidental to the principal use and principal building on the same zoning lot when they are established and maintained in conjunction with the permitted principal use, or use granted special approval by the Planning Commission; provided that, except as otherwise provided in this subsection, it is in compliance with *Error! Reference source not found.* and *Error! Reference source not found.* and all other applicable provisions in this Zoning Ordinance and the *Waterford Code of Ordinances*:

**A. Accessory buildings and accessory structures, subject to all of the following conditions:**

- (1) They are indicated and approved as part of a final or revised site plan.
- (2) A building permit is obtained when required, and such building or structure is inspected and approved by the Building Official.

- (3) Accessory buildings or accessory structures shall not be permitted as the only building or structure on a zoning lot unless reviewed and jointly authorized by the Zoning Official and Building Official in accordance with *Section Error! Reference source not found..*
- (4) Accessory buildings and accessory structures shall conform to all setback and height requirements for the zoning district in which it is located.
- (5) Detached accessory buildings and accessory structures shall not be erected in any required front yard.
- (6) All accessory buildings and accessory structures creating an impervious surface, as determined by the Building Official, shall be included as part of the total impervious surface area used to determine the maximum impervious surface for the zoning lot.
- B. Adult day care facilities (*See Error! Reference source not found. in Error! Reference source not found.*).
- C. Alternative energy systems (*See Error! Reference source not found. in Error! Reference source not found.*) approved in accordance with *Error! Reference source not found..*
- D. Auditoriums, meeting rooms, accessory office uses, and similar uses.
- E. Caretaker's dwelling unit (*See Error! Reference source not found. in Error! Reference source not found.*), when provided on a zoning lot upon which the principal permitted use is a park.
- F. Special events when permitted in accordance with *Error! Reference source not found..*
- G. Temporary retail food establishments in conjunction with permitted special events.
- H. Child nursery care facilities (*See Error! Reference source not found. in Error! Reference source not found.*).
- I. Child day care center facilities (*See Error! Reference source not found. in Error! Reference source not found.*).
- J. Commercial satellite dish structures and antenna support structures.
- K. Conference facilities (*See Error! Reference source not found. in Error! Reference source not found.*), provided that off-street parking areas can accommodate such an accessory use.
- L. Accessory dining use.
- M. Exterior appliances (*See Error! Reference source not found. in Error! Reference source not found.*).
- N. Financial transaction stations (*See Error! Reference source not found. in Error! Reference source not found.*).
- O. Fueling facilities as an ancillary use.
- P. **Mobile Food Vending (*Mobile Food Vending in Error! Reference source not found.*)**
- Q. Ornamental structures and pole structures used exclusively as flagpoles, provided that they shall comply with all setback restrictions of the zoning district in which they are located and they do not exceed the height limitations of *Error! Reference source not found..*
- R. Off-street parking facilities (*See Error! Reference source not found. in Error! Reference source not found.*) in accordance with *Error! Reference source not found..*
- S. Recycling facilities (*See Error! Reference source not found. in Error! Reference source not found.*).
- T. Temporary construction buildings as authorized for the timeframe specified in writing by the Building Official in accordance with *Error! Reference source not found..*
- U. Temporary storage, when conducted in conjunction with a development project approved in accordance with either *Error! Reference source not found. Error! Reference source not found., Error! Reference source not found., Error! Reference source not found., or Error! Reference source not found.*, and as authorized for the timeframe specified in writing by the Building Official.
- V. Neighborhood public utility facilities (*See Error! Reference source not found. in Error! Reference source not found.*) and public utility hardware (*See Error! Reference source not found. in Error! Reference source not found.*).
- W. Area public utility facilities (*See Error! Reference source not found. in Error! Reference source not found.*) and regional public utility facilities (*See Error! Reference source not found. in Error! Reference source not found.*), provided that any installations located closer than fifty (50) lineal feet from any adjacent residential dwelling shall be screened with landscaping materials as provided for in the **SPL Manual** and identified in a landscape plan reviewed and approved by the Zoning Official and Township Engineer, and such landscaping shall not negatively impact accessibility by utility maintenance crews.
- X. Electric Vehicle Charging Stations (*See Error! Reference source not found. in Error! Reference source not found.*)

(Effective 5/4/2021)

**3-502.4. Signs** In addition to those signs described in *ERROR! REFERENCE SOURCE NOT FOUND.*, *ERROR! REFERENCE SOURCE NOT FOUND.* as exempted from regulation or as allowed in all zoning districts, signs in the public districts shall pertain to uses located upon the same zoning lot to which the sign relates, except as otherwise provided by this Zoning Ordinance. Signs shall also adhere to the following requirements:

- A. **Freestanding Signs.** Freestanding signs that comply with all requirements of *Error! Reference source not found.* are permitted.
- B. **Wall Signs.** Wall signs that comply with all requirements of *Error! Reference source not found.* are permitted.
- C. **Directional Signs.** One (1) directional sign may be placed near each approved point of ingress and egress, provided it is located so as not to be a visual obstruction to vehicular and nonmotorized traffic. Directional signs shall not exceed four (4) square feet in area, shall not exceed four (4) feet in height, and shall be setback at least fifteen (15) feet from any public or private right-of-way.

**3-502.5. Fences.** Fences shall follow the contour of the ground upon which they are secured, subject only to the flexibility limitations of the fencing materials used. Therefore, the height at any given location along a fence shall be measured from a point on the ground perpendicular to the fence height point being measured. Where pre-constructed fence panels limit fencing from following the ground's contour between the fence posts upon which a fence panel is secured, the height of the fence shall be measured from the closest point on the ground perpendicular to where the fence panel is secured to a fence post. All fences of any kind located in public districts shall conform to the following regulations (Please also refer to *Error! Reference source not found.* through *Error! Reference source not found.* on Pages **Error! Bookmark not defined.** and **Error! Bookmark not defined.** in *ERROR! REFERENCE SOURCE NOT FOUND.*):

- A. Fences may be located on any property line provided that no fence shall be higher than four (4) feet above the grade plane in any required front yard or lake front yard, or on any lot line bordering a required front yard or corner street front yard. Fences located on any other property line shall be no higher than six (6) feet above the grade plane. For zoning lots with an immediate grade differential along the property line at the point of an abutting residential zoning district, the fence or wall shall be constructed with a base measurement from the high point of the grade along the property line, provided the fence height is not a clear vision obstruction to the movement of motorized and nonmotorized traffic.
- B. All fences shall be constructed of materials listed in the **SPL Manual** to meet all standards of **Waterford Code of Ordinances, Buildings and Building Regulations** and shall be adequately maintained to be safe and in good condition.
- C. Fences located off the property line and not within any required yard shall not exceed eight (8) feet in height above the grade plane.
- D. Spikes, nails or any other sharp pointed protrusions of any kind are prohibited on top or on the sides of any fence, wall, or protective barrier. For purposes of this subsection, the term "sharp pointed protrusions" shall be defined as meaning all fence material extending above the highest continuous horizontal fence component and possessing a horizontal surface area at the tip of each protrusion that is less than 0.0625 square inch, with the width and/or depth of this horizontal surface area measuring less than 0.25 lineal inch. Barbed wire is prohibited on the sides, but may be placed on top of fences, walls, or protective barriers provided that the barbed wire cradles shall consist of no more than three (3) strands of wire and shall face into the property which it is to protect.
- E. Electrical fences above grade shall be prohibited.

**3-502.6. Screening and Landscaping.**

- A. Effective screening and landscaping is vital to the general welfare and continued vitality of all land uses in the Township. Screening is necessary for certain uses in order to make them more compatible with adjacent uses and to protect the adjacent uses from the effects of noise, light, traffic, litter and other negative or incompatible characteristics. Similarly, landscaping together with the proper utilization and preservation of existing natural features is important in land development because it can enhance the community's quality of life, improve property values, reduce the harsh characteristics of intensive development, and help to make all land uses more compatible.
- B. In order to achieve these objectives, all properties within the public zoning districts shall comply with the following requirements in the manner provided in the **SPL Manual**:
  - (1) All landscape areas identified on an approved landscape plan shall be continuously maintained in a healthy, growing condition using irrigation systems and maintenance standards without limitation, identified in the **SPL Manual**. Failure to maintain such landscaped areas in such a manner, including removal and replacement of dead or diseased plant materials, shall constitute a violation of this Zoning Ordinance.
  - (2) A greenbelt possessing a minimum width of twenty (20) feet shall be provided along all major arterial streets, minor arterial streets, and collector streets. The Planning Commission may enhance such a greenbelt with a landscaping screen or increase the width of the greenbelt when a residential development abuts a major arterial street and it determines that a larger greenbelt is necessary pursuant to standards set forth in the **SPL Manual**.

- (3) A greenbelt possessing a minimum width of twenty (20) feet shall be provided on the same zoning lot along all property lines abutting single-family and multiple-family residential zoning districts and previously developed office, commercial, and higher intensity use zoning districts which lack buffering screening and landscaping in accordance with the provisions of this Zoning Ordinance. The Planning Commission may require the enhancement of such a greenbelt with a landscaping screen or increase the width of the greenbelt along a shared property line with a commercial or higher intensity use zoning district when it determines that a larger greenbelt is necessary pursuant to standards set forth in the **SPL Manual**.
- (4) A combination of interior landscape areas shall be provided to: achieve traffic safety through effective definition of off-street parking areas, enhance positive drainage from buildings and impervious surface areas, and to provide for the general welfare of the residents. The total area of interior landscaping provided shall include, but not be limited to, landscaping near building entrances, along building foundations, along pedestrian walkways, along service areas, and in off-street parking areas.
- (5) All waste material container areas required as part of a site plan shall be screened and maintained.

C. The Planning Commission may grant a special exception allowing for a reduction or waiver in the landscape area and/or landscape material required under this subsection, but only if such landscaping or screening would serve no useful purpose or would entail substantial noneconomic hardship for the developer relative to achieving the benefits and objectives stated in this subsection. The Planning Commission may grant such a waiver exclusively for the proposed use, reserving the right to require establishment of all landscape requirements when there is a change of use. When such a temporary waiver is approved by the Planning Commission, such waiver shall be recorded on the property in such form and language acceptable to the Township Attorney. In addition to the above factors, the Planning Commission shall base its decision on the following considerations along with any other relevant information:

- (1) The character, scope, and site design of the proposed use of the property.
- (2) The character, design, and uses of the adjacent properties to be screened.
- (3) The natural features, including the terrain, trees, and other vegetation that may act as a natural screen or buffer.

# DIVISION 3-7 COMMERCIAL ZONING DISTRICTS

## SECTION 3-700. PURPOSE AND INTENT

The C-1, C-2, C-3, C-4, C-UB, and C-UL Commercial Districts are designed to provide for a range of commercial development and uses in the Township, while at the same time preserving the general welfare of adjacent and nearby residential areas. This Division establishes six (6) commercial districts, each of which is designed for certain locations where its specific combinations of use, area, bulk, and other requirements will provide a scope of commercial uses compatible with the surrounding area. In determining uses for inclusion in each district, intensity factors including trip generation characteristics, trade and service area characteristics, typical hours of operation, and other determinants of use compatibility and transition have been considered.

In addition to the six (6) traditional commercial zoning districts, overlay zoning districts may be adopted and included in this Division as amendments to this Zoning Ordinance to implement the Master Plan goals identified for the areas designated as Planned Destination, Regional Commerce, Central Community Business, Commercial Corridor Gateways, and the Historic District. Overlay districts that are adopted as part of this Zoning Ordinance shall be designed and intended to apply and promote innovative design principles, apply a balanced mixture of land uses, improve and enhance nonmotorized transportation infrastructure, apply traffic calming measures, effectively manage stormwater, and provide for effective emergency vehicle access. Overlay zoning districts, when adopted as part of this Zoning Ordinance, shall be limited to zoning lots completely within the boundaries of the areas specified in the purpose statement of each overlay district. The intent of overlay districts is to include development parameters that, when identified conditions are met, the use and promotion of innovative design principles can be achieved through the flexible application of the standards found in *Error! Reference source not found.* and *Error! Reference source not found.* for the underlying zoning district.

## SECTION 3-701. PROHIBITED USES

It is the intent of this Division to specifically prohibit uses which are not listed in this Division as permitted or special approval uses. Subject to the provisions of *ERROR! REFERENCE SOURCE NOT FOUND.*, *ERROR! REFERENCE SOURCE NOT FOUND.*, uses that are being conducted upon zoning lots within these districts that are not listed as permitted or special approval uses within the district shall be deemed in violation of this Zoning Ordinance.

## SECTION 3-702. REGULATIONS APPLICABLE TO PROPERTIES IN THE C-1, C-2, C-3, C-4, C-UB, AND C-UL ZONING DISTRICTS

The regulations in the subsections below are applicable to properties in the C-1 through C-4, C-UB, and C-UL zoning districts:

**3-702.1. Vehicle Regulations.** The purpose of this subsection is to preserve and promote the health, safety and general welfare of citizens, motorists and pedestrians alike, within the commercial districts of the Township through the regulation of parking and storage of personal, commercial, and recreational vehicles and equipment, such that vehicles do not detract from the appearance and character of the surrounding area, do not negatively affect the value and marketability of surrounding properties, do not cause the overcrowding of land and reduction of open space, do not constitute traffic hazards, do not obstruct access to rights-of-way or nonmotorized pathways, do not present an attractive nuisance for children, do not impede crime prevention and/or hamper the effectiveness and access of emergency personnel, vehicles and equipment, or do not become involved in illegal vehicle sales or result in the storage or collection of junk vehicles in commercial districts.

- A. Vehicle Parking.** Parking shall be restricted to the off-street parking facilities identified on an approved site plan. Such facilities shall be located within three-hundred (300) feet of the use requiring such parking as measured along the lines of pedestrian access between the nearest point of the parking facility and the nearest point of the building or use to be served.
- B. Vehicle Storage.** Storage of vehicles unrelated to the principal use is prohibited within the commercial zoning districts. A storage area for vehicles in good repair and related to the principal use that is separate from the required parking area, that is indicated on a final site plan, meets all Zoning Ordinance requirements, and receives approval through the proper site plan review procedure, shall be permitted.
- C. Vehicle Sales.** Vehicle sales are limited to those zoning lots located in commercial zoning districts where such a use is permitted or has been granted special approval by the Planning Commission, is operating in accordance with an approved

site plan, and possesses all required State of Michigan and municipal licenses for the use described on the approved site plan.

**3-702.2. Accessory Buildings, Accessory Structures, and Accessory Uses.** Accessory buildings and accessory structures shall in no instance be located in a right-of-way unless otherwise permitted. The following accessory buildings, accessory structures, and accessory uses (*Unless otherwise referenced, for definitions of specific types of buildings, structures, and uses listed in this subsection, see the respective subdefinitions under Error! Reference source not found., Error! Reference source not found., or Error! Reference source not found. in Error! Reference source not found.*) shall be permitted in commercial districts as secondary and clearly incidental to the principal use and principal building on the same zoning lot when they are established and maintained in conjunction with the permitted principal use, or use granted special approval by the Planning Commission; provided that, except as otherwise provided in this subsection, it is in compliance with *Error! Reference source not found.* and *Error! Reference source not found.* and all other applicable provisions in this Zoning Ordinance and the **Waterford Code of Ordinances**:

- A. Accessory buildings and accessory structures, subject to all of the following conditions:
  - (1) They are indicated and approved as part of a final or revised site plan.
  - (2) A building permit is obtained when required, and such building or structure is inspected and approved by the Building Official.
  - (3) Accessory buildings or accessory structures shall not be permitted as the only building or structure on a zoning lot.
  - (4) Accessory buildings and accessory structures shall conform to all setback and height requirements for the zoning district in which it is located.
  - (5) All accessory buildings and accessory structures creating an impervious surface, as determined by the Building Official, shall be included as part of the total impervious surface area used to determine the maximum impervious surface for the zoning lot.
- B. Off-street parking areas in accordance with *Error! Reference source not found..*
- C. Outdoor dining patios (*See Error! Reference source not found. in Error! Reference source not found.*), when permitted in the zoning district, provided that all components have been inspected and approved by the Building Official.
- D. Commercial satellite dish structures and antenna support structures.
- E. Exterior appliances (*Error! Reference source not found. in Error! Reference source not found.*).
- F. Financial transaction stations (*See Error! Reference source not found. in Error! Reference source not found.*).
- G. Dispenser box apparatus (*See Error! Reference source not found. in Error! Reference source not found.*).
- H. Electric Vehicle Charging Stations (*See Error! Reference source not found. in Error! Reference source not found.*).  
(Effective 5/4/2021)
- I. **Mobile Food Vending (Mobile Food Vending in Error! Reference source not found.).**
- J. Ornamental structures and pole structures used exclusively as flagpoles, provided that they shall comply with all setback restrictions of the zoning district in which they are located and they do not exceed the height limitations of *Error! Reference source not found..*
- K. Solar energy systems and small-scale wind energy systems (*See Error! Reference source not found. in Error! Reference source not found.*) approved in accordance with *Error! Reference source not found..*
- L. Neighborhood public utility facilities (*See Error! Reference source not found. in Error! Reference source not found.*) and public utility hardware (*See Error! Reference source not found. in Error! Reference source not found.*).
- M. Area public utility facilities (*See Error! Reference source not found. in Error! Reference source not found.*) and regional public utility facilities (*See Error! Reference source not found. in Error! Reference source not found.*), provided that any installations located closer than fifty (50) lineal feet from any adjacent residential dwelling shall be screened with landscaping materials as provided for in the **SPL Manual** and identified in a landscape plan reviewed and approved by the Zoning Official and Township Engineer, and such landscaping shall not negatively impact accessibility by utility maintenance crews.
- N. Temporary construction buildings and nonpermanent structures, as authorized for the timeframe specified in writing by the Building Official in accordance with *Error! Reference source not found..*
- O. Promotional uses, sidewalk established business sales, and special events when permitted in accordance with *Error! Reference source not found..*
- P. Temporary retail food establishments in conjunction with permitted promotional uses, sidewalk established business sales, and special events.
- Q. Temporary storage, when conducted in conjunction with a development project approved in accordance with either *Error! Reference source not found., Error! Reference source not found., Error! Reference source not found., Error! Reference source not found., or Error! Reference source not found.*, and as authorized for the timeframe specified in writing by the Building Official.

R. Drive-thru service facilities (See *Error! Reference source not found.* in *Error! Reference source not found.*.), provided establishment of such service facilities on a zoning lot governed by an approved site plan shall require site plan approval in accordance with *Section Error! Reference source not found.*. Approval of drive-thru service facilities in any zoning district established under this Division shall be contingent upon the subject zoning lot maintaining effective pedestrian and vehicular circulation, required parking, and required setbacks and landscaping after installation of such service facilities.

**3-702.3. Signs.** In addition to those signs described in *ERROR! REFERENCE SOURCE NOT FOUND.*, *ERROR! REFERENCE SOURCE NOT FOUND.* as exempted from regulation or as allowed in all zoning districts, signs in the commercial districts shall pertain to uses located upon the same zoning lot to which the sign relates, except as otherwise provided by this Zoning Ordinance. Signs shall also adhere to the following requirements:

- A. ***Freestanding Signs.*** Freestanding signs that comply with all requirements of *Error! Reference source not found.* are permitted.
- B. ***Wall Signs and Window Signs.*** Wall and window signs that comply with all requirements of *Error! Reference source not found.* are permitted.
- C. ***Directional Signs.*** One (1) directional sign may be placed near each approved point of ingress and egress, provided it is located so as not to be a visual obstruction to vehicular and nonmotorized traffic. Directional signs shall not exceed four (4) square feet in area, shall not exceed four (4) feet in height, and shall be setback at least fifteen (15) feet from any public or private right-of-way.
- D. ***Special Purpose Signs.*** Special purpose signs intended to direct and inform on-premise patrons of services and/or products offered by the business establishment may be placed on buildings and structures provided a sign does not exceed two (2) square feet in area.
- E. ***Temporary Signs and Portable Signs.*** Temporary and portable signs are prohibited, with the following exceptions:
  - (1) Temporary and portable signs may be used in conjunction with a temporary use permitted in accordance with *Error! Reference source not found.* and in compliance with the following criteria:
    - (A) No more than one (1) portable sign may be used, provided that such sign shall not exceed thirty-two (32) square feet in area and shall not exceed eight (8) feet in height.
    - (B) No temporary sign or portable sign shall be located closer than ten (10) feet to a public or private right-of-way.
    - (C) No temporary sign or portable sign shall be located closer than fifty (50) feet to single-family residential zoning districts and uses.
    - (D) No temporary sign or portable sign shall be located in such a manner as to interfere with or create a visual obstruction to vehicular or nonmotorized traffic flow or to vehicular parking.
    - (E) No more than one (1) inflatable device sign may be used.
    - (F) Festoon signs may be used.
    - (G) Banner signs may be used, provided that they are affixed to a wall of the principal building and do not exceed ten (10) percent of the total area of such wall.
  - (2) Installation of banners on onsite light poles within parking areas on zoning lots possessing a lot area of 43,560 sq. ft. or more and governed by an approved site plan may be permitted upon review and approval of the Planning Commission in accordance with *Section Error! Reference source not found.*. The Planning Commission may regulate the dimensions and number of such banners on a qualified zoning lot as part of its decision.

**3-702.4. Fences.** Fences shall follow the contour of the ground upon which they are secured, subject only to the flexibility limitations of the fencing materials used. Therefore, the height at any given location along a fence shall be measured from a point on the ground perpendicular to the fence height point being measured. Where pre-constructed fence panels limit fencing from following the ground's contour between the fence posts upon which a fence panel is secured, the height of the fence shall be measured from the closest point on the ground perpendicular to where the fence panel is secured to a fence post. All fences of any kind located in commercial districts shall conform to the following regulations (Please also refer to *Error! Reference source not found.* through *Error! Reference source not found.* on Pages **Error! Bookmark not defined.** and **Error! Bookmark not defined.** in *ERROR! REFERENCE SOURCE NOT FOUND.*):

- A. Fences may be located on any property line provided that no fence shall be higher than four (4) feet above the grade plane in any required front yard or lake front yard, or on any lot line bordering a required front yard or corner street front yard except as otherwise provided by this Zoning Ordinance. Fences located on any other property line shall be no higher than six (6) feet above the grade plane. For zoning lots with an immediate grade differential along the property line at the point of an abutting residential zoning district, the fence or wall shall be constructed with a base measurement from the high point of the grade along the property line, provided the fence height is not a clear vision obstruction to the movement of motorized and nonmotorized traffic.
- B. All fences shall be constructed of materials listed in the **SPL Manual** to meet all standards of the **Waterford Code of Ordinances, Buildings and Building Regulations** and shall be adequately maintained to be safe and in good condition.
- C. Fences located off the property line and not within any required yard shall not exceed eight (8) feet in height above the grade plane.

- D. Spikes, nails, or any other sharp pointed protrusions of any kind are prohibited on top of or on the sides of any fence, wall, or protective barrier. For purposes of this subsection, the term "sharp pointed protrusions" shall be defined as meaning all fence material extending above the highest continuous horizontal fence component and possessing a horizontal surface area at the tip of each protrusion that is less than 0.0625 square inch, with the width and/or depth of this horizontal surface area measuring less than 0.25 lineal inch. Barbed wire is prohibited on the sides, but may be placed on top of fences, walls or protective barriers provided that the barbed wire cradles shall consist of no more than three (3) strands of wire and shall face into the property which it is to protect.
- E. Electrical fences above grade shall be prohibited.
- F. Fences along property lines shall have no openings for vehicular traffic except as may be approved by the Fire Chief.

### **3-702.5. Screening and Landscaping.**

- A. Effective screening and landscaping is vital to the general welfare and continued vitality of all land uses in the Township. Screening is necessary for certain uses in order to make them more compatible with adjacent uses and to protect the adjacent uses from the effects of noise, light, traffic, litter and other negative or incompatible characteristics. Similarly, landscaping together with the proper utilization and preservation of existing natural features is important in land development because it can enhance the community's quality of life, improve property values, reduce the harsh characteristics of intensive development, and help to make all land uses more compatible.
- B. In order to achieve these objectives, all properties within the commercial zoning districts shall comply with the following requirements in the manner provided in the **SPL Manual**:
  - (1) All landscape areas identified on an approved landscape plan shall be continuously maintained in a healthy, growing condition using irrigation systems and maintenance standards without limitation, identified in the **SPL Manual**. Failure to maintain such landscaped areas in such a manner, including removal and replacement of dead or diseased plant materials, shall constitute a violation of this Zoning Ordinance.
  - (2) A greenbelt possessing a minimum width of twenty (20) feet shall be provided along all major arterial streets, minor arterial streets, and collector streets. The Planning Commission may enhance such a greenbelt with a landscaping screen or increase the width of the greenbelt when a residential development abuts a major arterial street and it determines that a larger greenbelt is necessary pursuant to standards set forth in the **SPL Manual**.
  - (3) A transitional yard (*See Error! Reference source not found. in Error! Reference source not found.*) incorporating a minimum ten (10) feet wide greenbelt with a landscaping screen, or a minimum five (5) feet wide greenbelt with a fence wall, shall be provided on the same zoning lot along all property lines abutting single-family and multiple-family residential zoning districts. For uses listed in *Sections Error! Reference source not found.* and *Error! Reference source not found.*, the Planning Commission may require a transitional yard greenbelt width up to thirty (30) feet containing a fence wall and/or a landscaping screen pursuant to standards set forth in the **SPL Manual**.
  - (4) A greenbelt possessing a minimum width of ten (10) feet or a minimum five (5) feet wide buffer area containing a fence wall shall be provided on the same zoning lot along all property lines abutting previously developed office and higher intensity use zoning districts which lack screening and landscaping in accordance with the provisions of this Zoning Ordinance. The Planning Commission may require the enhancement of such a greenbelt with a landscaping screen or increase the width of the greenbelt up to twenty (20) feet along a shared property line with a higher intensity use zoning district when it determines that a larger greenbelt is necessary pursuant to standards set forth in the **SPL Manual**.
  - (5) A combination of interior landscape areas shall be provided to achieve traffic safety through effective definition of off-street parking areas, enhance positive drainage from buildings and impervious surface areas, and to provide for the general welfare of the residents. The total area of interior landscaping provided shall include, but not be limited to, landscaping near building entrances, along building foundations, along pedestrian walkways, along service areas, and in off-street parking areas.
  - (6) The required landscaping under this subsection shall be installed prior to receiving a final certificate of occupancy.
  - (7) All waste material container areas required as part of a site plan shall be screened and maintained.
- C. The Planning Commission may grant a special exception allowing for a reduction or waiver in the landscape area and/or landscape material required, but only if full screening would serve no useful purpose or would entail substantial noneconomic hardship for the developer relative to the positive screening benefit to adjacent properties. The Planning Commission may also grant such a waiver exclusively for the proposed use, reserving the right to require establishment of all landscape requirements when there is a change of use. When such a temporary waiver is approved by the Planning Commission, such waiver shall be recorded on the property in such form and language acceptable to the Township Attorney. In addition to the above factors, the Planning Commission shall base its decision on the following considerations along with any other relevant information:
  - (1) The character, scope, and site design of the proposed use of the property.
  - (2) The character, design, and uses of the adjacent properties to be screened.
  - (3) The natural features, including the terrain, trees, and other vegetation that may act as a natural screen or buffer.

## SECTION 4-013. TEMPORARY USE REVIEW PROCEDURES AND REQUIREMENTS

**4-013.1. Purpose and Intent.** In conjunction with *Error! Reference source not found.* through *Error! Reference source not found.*, the purpose of this Section is to recognize that temporary uses, when conducted on a limited basis, can be a valuable tool for promoting the general welfare and economic vitality of a community. It is the intent of this Section to establish review procedures for the permitting of temporary uses while providing for the health, safety, and general welfare of the community.

### 4-013.2. Submission and Review Process.

- A. The applicant(s) obtains a temporary use review application, and plan review and fee requirements from the office of the Zoning Official.
- B. The applicant(s) submits the fee; completed application forms, including a written statement describing the requested temporary use, the start- and end-dates of the event, a written description of traffic/parking management, waste disposal, security, and similar measures to minimize any negative land use impacts; a copy of the existing approved final site plan with special event location information or plot plan for applicant(s)s where no final site plan exists for the subject zoning lot; and related documentation in the quantity specified by the Zoning Official.
- C. The Zoning Official's clerical staff reviews submittal for completeness. It shall be the responsibility of the applicant(s) to ensure that they submit a complete application package in accordance with the requirements established by the Zoning Official. No progress beyond this step will occur until the applicant(s) fully complies with the application submittal requirements.
- D. Once a complete set of application materials is received, the Zoning Official shall conduct a review to ensure compliance with the Zoning Ordinance requirements.
- E. The Zoning Official shall notify the applicant(s) of any revisions required to achieve an application approvable for temporary uses. The applicant(s) shall be responsible for ensuring that the revised application contains all required revisions. This step shall be repeated until the Zoning Official confirms that the application complies with all Zoning Ordinance requirements for temporary uses.
- F. Once the Zoning Official confirms that the application meets all Zoning Ordinance requirements for temporary uses, the Zoning Official shall approve the application for a time period and frequency that complies with the Zoning Ordinance.

### 4-013.3. Standards for Temporary Use Reviews.

- A. An applicant(s) may substitute a mortgage survey in place of the certified survey (*See item Error! Reference source not found. under the subheading Error! Reference source not found. under Error! Reference source not found. in Error! Reference source not found.*).
- B. Temporary uses shall comply with all performance standards required under *ERROR! REFERENCE SOURCE NOT FOUND.*, *ERROR! REFERENCE SOURCE NOT FOUND.*.
- C. A temporary use that is a grand opening for a new business or a private not-for-profit event may be permitted by the Zoning Official for no more than thirty-one (31) consecutive calendar days. All other temporary uses are limited to holding temporary uses on no more than a combined total of one hundred forty-four (144) days during each calendar year.
- D. All equipment, materials, goods, poles, wires, lighting, signs and other items associated with the temporary use shall be removed from the exterior of the premises within two (2) business days of the expiration date of the temporary use permit.
- E. If a private sidewalk or pedestrian way in front of a building is used for display of merchandise as part of an approved temporary use, a minimum width of four (4) feet must remain unobstructed for pedestrian use.
- F. Temporary signs pertaining to the temporary use may be allowed during the permitted time frame of the temporary use if such signs have been identified and approved through the temporary use permit. The number, size, location, and type of temporary signs permitted to be used in conjunction with a temporary use shall be in accordance with the zoning district in which the subject zoning lot is located.
- G. In no case shall any items related to temporary uses be displayed within the public right-of-way or interfere with the clear vision area.
- H. Temporary uses, if in a parking lot, shall not reduce the number of parking spaces available to less than that required for the principal use.
- I. Temporary uses shall be limited to the hours on the application, which shall be no earlier than 7 a.m. and no later than 10 p.m.
- J. The ZBA may permit variances from subparagraphs A through I herein.

**4-013.4. Additional Procedures and Requirements for Mobile Food Vending Temporary Use Reviews.** A Mobile Food Vendor that is outfitted or equipped to cook, heat, re-heat or warm food, must have an inspection from the Waterford Regional Fire Department Fire Marshals Division and receive an approval inspection sticker before it may meet all the Zoning Ordinance requirements for temporary uses. Once a complete set of application materials is received by the the Zoning Official, the applicant(s) must make an appointment with a Certified and Licensed Inspector from the Waterford Regional Fire Department to have their mobile food vending equipment inspected and must submit the additional fee requirements from the Waterford Regional Fire Department Fire Marshals Division.

- A. In order to better ensure the safety of the owners, employees, operators, and patrons of the mobile food vending unit the following areas shall be inspected which include but are not limited to:

- a. General Safety: including but not limited to the proper use of equipment, fire extinguisher use and operations, use of automatic suppression systems that the mobile food vending unit may have on board, proper fuel shutoff procedures and locations of manual shut offs and proper leak testing for all gas connections.
  - b. Fuel and Power Source Safety Checklist: including but not limited to fuel tank security and proper storage, proper fueling techniques, appropriate clearance of portable generators, appropriate clearance of heat venting appliances, appropriate clearance from vehicle exhaust, and wiring inside of the mobile food vending unit meets NFPA standards.
  - c. Propane System Integrity: including but not limited to gas and/or fuel shutoff valves are accessible, leak testing, appropriate hoses and connections are used with equipment.
  - d. Operational Safety Checklist: including but not limited to cooking safety and proper cooling times of equipment prior to moving, operation of on board extinguishment systems and exhaust hood safety measures.
- B. The Fire Marshal shall issue an annual approved inspection sticker to a Mobile Food Vendor that meets these Procedures and Requirements. The issued inspection sticker is good for one (1) year from the date of issuance.
- C. The Fire Chief, or their designee, may accept an approval from an outside municipality at their own discretion, so long as the approval is in good standing with the original granting municipality and was issued within one (1) year.
- D. Approved Mobile Food Vending Temporary uses shall:
  - a. Prominently display the issued inspection sticker.
  - b. Not be located in any required setback, any sight distance triangle, or required buffer.
  - c. Not present any parking, traffic, vehicular accessibility or pedestrian or other non-motorized conflicts or impediments on the property. Mobile vendors shall not block or obstruct any fire lanes. Mobile vendors shall not violate any provisions of the local or State Building Codes.
  - d. Not be located less than 20 feet from driveways, sidewalks, utility boxes, handicap ramps, building entrances or exits.
  - e. Not be located within 20 feet of any fire hydrant or fire escape.
  - f. Provide waste receptacles and remove all litter and debris on a daily basis.
  - g. Comply with the Noise Ordinance and may not use loud music or audible methods to gain attention to its operation.
  - h. Comply with all applicable federal, state and county regulations and provide a copy of the Oakland County Health Department permit.
  - i. Not leave a vending unit unattended for more than 2 hours and must not be in residential areas between 9 p.m. to 9 a.m. and not be in business areas between 11 p.m. and 7 a.m.
  - j. Not use electricity or power source without written authorization of the power customer. Any power cable device extended across any street, alley or sidewalk must be done in a safe manner.
  - k. Keep trucks attractive and kept clean.
  - l. Follow temporary event signage requirements.
- E. Mobile Food Vendors that are not outfitted with the ability to cook, heat, re-heat or warm food are excluded from this Waterford Regional Fire Department Fire Marshals Division review.

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. 2022-Z-009

**TEXT AMENDMENT TO ZONING ORDINANCE**

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) Definitions, Section 3-502 Regulations Applicable to Properties in the PL and CR Zoning Districts, Section 3-702 Regulations Applicable in the C-1, C-2, C-3, C-4, C-UB, and C-UL Districts Section 4-013 to permit Mobile Food Vending and to add additional procedures and requirements for mobile food vending temporary use reviews.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

The definition of Mobile Food Vending shall be added to Section 1-007 of the Zoning Ordinance as a Temporary Accessory Use to read as follows:

**Mobile Food Vending.** The temporary vending, serving or offering for sale of food and/or beverages from any motorized or non-motorized vehicle or trailer.

**Section 2 of Ordinance**

Section 3-502 that contains Regulations Applicable to Properties in the PL and CR Zoning Districts shall be amended in Section 3-502.3 Accessory Buildings, Accessory Structures, and Accessory Uses shall be amended to add a new Section P to read as follows:

**3-502.3 Accessory Buildings, Accessory Structures, and Accessory Uses.**

P. Mobile Food Vending (See **Mobile Food Vending** in **Section 1-007**).

Current Sections P-W to be renumbered starting with Section Q and ending with Section X.

**Section 3 of Ordinance**

Section 3-702 that contains Regulations Applicable to Properties in the C-1, C-2, C-3, C-4, C-UB, and C-UL Zoning Districts shall be amended in Section 3-702.2 Accessory Buildings, Accessory Structures, and Accessory Uses shall be amended to add a new Section I to read as follows:

**3-702.2 Accessory Buildings, Accessory Structures, and Accessory Uses.**

I. Mobile Food Vending (See **Mobile Food Vending** in **Section 1-007**).

Current Sections I-Q to be renumbered to start with Section Q and ending with Section R.

### **Section 4 of Ordinance**

Section 4-013 of the Waterford Township Zoning Ordinance that contains Temporary Use Review and Requirements is amended to add a new section 4-013.4 to read as follows:

#### **4-013-4. Additional Procedures and Requirements for Mobile Food Vending**

**Temporary Use Reviews.** A Mobile Food Vendor that is outfitted or equipped to cook, heat, re-heat or warm food, must have an inspection from the Waterford Regional Fire Department Fire Marshals Division and receive an approval inspection sticker before it may meet all the Zoning Ordinance requirements for temporary uses. Once a complete set of application materials is received by the the Zoning Official, the applicant(s) must make an appointment with a Certified and Licensed Inspector from the Waterford Regional Fire Department to have their mobile food vending equipment inspected and must submit the additional fee requirements from the Waterford Regional Fire Department Fire Marshals Division.

- A. In order to better ensure the safety of the owners, employees, operators, and patrons of the mobile food vending unit the following areas shall be inspected which include but are not limited to:
  - a. General Safety: including but not limited to the proper use of equipment, fire extinguisher use and operations, use of automatic suppression systems that the mobile food vending unit may have on board, proper fuel shutoff procedures and locations of manual shut offs and proper leak testing for all gas connections.
  - b. Fuel and Power Source Safety Checklist: including but not limited to fuel tank security and proper storage, proper fueling techniques, appropriate clearance of portable generators, appropriate clearance of heat venting appliances, appropriate clearance from vehicle exhaust, and wiring inside of the mobile food vending unit meets NFPA standards.
  - c. Propane System Integrity: including but not limited to gas and/or fuel shutoff valves are accessible, leak testing, appropriate hoses and connections are used with equipment.
  - d. Operational Safety Checklist: including but not limited to cooking safety and proper cooling times of equipment prior to moving, operation of on board extinguishment systems and exhaust hood safety measures.
- B. The Fire Marshal shall issue an annual approved inspection sticker to a Mobile Food Vendor that meets these Procedures and Requirements. The issued inspection sticker is good for one (1) year from the date of issuance.
- C. The Fire Chief, or their designee, may accept an approval from an outside municipality at their own discretion, so long as the approval is in good standing with the original granting municipality and was issued within one (1) year.
- D. Approved Mobile Food Vending Temporary uses shall;
  - a. Prominently display the issued inspection sticker.

- b. Not be located in any required setback, any sight distance triangle, or required buffer.
- c. Not present any parking, traffic, vehicular accessibility or pedestrian or other non-motorized conflicts or impediments on the property. Mobile vendors shall not block or obstruct any fire lanes. Mobile vendors shall not violate any provisions of the local or State Building Codes.
- d. Not be located less than 20 feet from driveways, sidewalks, utility boxes, handicap ramps, building entrances or exits.
- e. Not be located within 20 feet of any fire hydrant or fire escape.
- f. Provide waste receptacles and remove all litter and debris on a daily basis.
- g. Comply with the Noise Ordinance and may not use loud music or audible methods to gain attention to its operation.
- h. Comply with all applicable federal, state and county regulations and provide a copy of the Oakland County Health Department permit.
- i. Not leave a vending unit unattended for more than 2 hours and must not be in residential areas between 9 p.m. to 9 a.m. and not be in business areas between 11 p.m. and 7 a.m.
- j. Not use electricity or power source without written authorization of the power customer. Any power cable device extended across any street, alley or sidewalk must be done in a safe manner.
- k. Keep trucks attractive and kept clean.
- l. Follow temporary event signage requirements.

E. Mobile Food Vendors that are not outfitted with the ability to cook, heat, re-heat or warm food are excluded from this Waterford Regional Fire Department Fire Marshals Division review.

### **Section 5 of Ordinance**

The effective date of this Ordinance shall be on the 8<sup>th</sup> day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

### **CERTIFICATION**

I certify that this Zoning Ordinance Text Amendment was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on June 27, 2022.

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Date

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Kimberly Markee, Township Clerk

## 2022 Board approved Fees

### **WATERFORD REGIONAL FIRE DEPARTMENT**

#### Fire Systems Plan Review and Inspection Process

- Commercial Cooking Fire Suppression Fee: \$200
- Fire Alarm System Fee: \$200
- Fire Suppression/Sprinkler System Fee: \$300
- Fire Pump Fee: \$200
- Fire System Re-inspection Fee: \$75
- Address Assignment Fee: \$75
- Carnivals Permit Fee: \$125
- Firework Display Permitting & Inspection Fee: \$350
- Prescribed Burns or Controlled Burns Permit Fee: \$125
- After Business Hour Special Inspection Fee: \$100.00 an Hour
- Mobile Food Vending (food truck) Inspection fee: \$75
- Third Party Review Fee: 10% handling Fee