

ORDINANCE NO 21-04

ORDINANCE AMENDMENT TO THE VERNON VILLAGE ZONING ORDINANCES ARTICLE 5 VILLAGE ZONING BOARD OF APPEALS

The Village of Vernon ordains:

Section 5.1 CREATION AND MEMBERSHIP

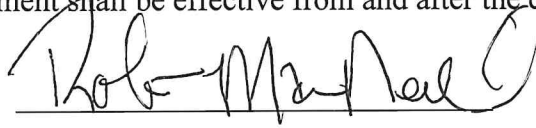
SECTION 5.1.1 Establishment

- 1) There is hereby established a Zoning Board of Appeals, which shall perform its duties and exercise its powers as provided in Act 110 of the Public Acts of 2006, as amended, in such a way that the objectives of this Ordinance shall be observed, public safety secured, and substantial justice done. The Zoning Board of Appeals shall consist of three (3) regular members, all of whom shall be appointed by the Village Council. One (1) regular member of the Zoning Board of Appeals shall be a member of the Planning Commission and not more than one (1) regular member may be a member of the Village Council.
- 2) The remaining regular members of the Zoning Board of Appeals shall be selected from the electors of the Village. An employee or contractor of the Village may not serve as a member of the Village Zoning Board of Appeals. Members of the Zoning Board of Appeals shall be removable by the Village Council for misfeasance, malfeasance or nonfeasance upon written charges and after a Public Hearing. A member shall disqualify himself from a vote in which he has a Conflict of Interest shall constitute misfeasance in office.
- 3) The terms of each regular member shall be for three (3) years; however, the terms of office shall be staggered so that not more than two (2) or less than one (1) appointment shall expire in any given year. All vacancies for unexpired terms shall be filled for the remainder of the terms.
- 4) The Village of Vernon Village Council shall establish the rate of compensation and reimbursement for members of the Board of Zoning Appeals.
- 5) The Village Council may appoint not more than two (2) alternate members of the Board of Appeals to serve for a three (3) year term. An alternate member of the Zoning Board of Appeals shall serve as a regular member of the Zoning Board of Appeals in the absence of a regular member. An alternate may also be called to serve as a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reason of a conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. The alternate member shall have the same voting rights as a regular member of the Zoning Board of Appeals. An alternate member shall be called to serve on a rotating basis by the chairman of the Zoning Board of Appeals when the absence, unavailability or conflict of interest of a regular member becomes known to the chairman.

Section 2. Savings Clause. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order or parts thereof, hereby repealed, and this ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the Village, County or other person, either criminal or civil, that may have already occurred, accrued or grown out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order parts thereof, hereby repealed.

Section 3. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

Section 4. Effective Date. This Amendment shall be effective from and after the date of its publication.



Robert Mac Neill, Village President



Krista E. Goodman, Village Clerk

Village Council Member Pfeiffer offered the foregoing Amending Ordinance, and moved its adoption. The motion was seconded by Village Council Member Ethington, and upon being put to a vote, the vote was as follows:

Robert Mac Neill, President	Yes
Carah Warren, President Pro-Temp	Absent
Scott Ethington, Trustee	Yes
Carolyn Pfeiffer, Trustee	Yes
John Rosser, Trustee	Absent
Linda West, Trustee	Yes

The President there upon declared this Ordinance approved and adopted by the Village Council of the Village of Vernon this 26th day of May, 2021.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 21-04 adopted by the Village Council of the Village of Vernon, County of Shiawassee, Michigan, at a regular meeting held on May 26, 2021.



Krista E. Goodman, Village Clerk

