

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF BLOOMFIELD HILLS
ORDINANCE NO. 424

TEXT AMENDMENT TO ZONING ORDINANCE

AN ORDINANCE TO AMEND THE TEXT OF CHAPTER 24 OF THE BLOOMFIELD HILLS CITY CODE, SPECIFICALLY, THE BLOOMFIELD HILLS ZONING ORDINANCE, ORDINANCE NO. 188, AS AMENDED, BY AMENDING THE DEFINITION OF RETAINING WALLS/LANDSCAPE WALLS OF SECTION 24-3. DEFINITIONS, OF ARTICLE I. – IN GENERAL, TO ELIMINATE THE REFERENCE TO LANDSCAPE WALLS AND TO MODIFY THE DEFINITION OF RETAINING WALLS AND ALSO BY AMENDING SUBSECTION (a) OF SECTION 24-242. – FENCES IN RESIDENTIAL DISTRICTS, TO ELIMINATE THE REFERENCE TO LANDSCAPE WALLS.

THE CITY OF BLOOMFIELD HILLS ORDAINS:

Section 1.

The definition of Retaining Walls/Landscape Walls as contained in Section 24-3. – Definitions, of Article I. – In General, of Chapter 24 of the Bloomfield Hills City Code, the Bloomfield Hills Zoning Ordinance, Ordinance No. 188, as amended, is hereby amended to now read as follows:

Retaining walls shall mean walls that are solely used for the purpose of retaining or maintaining soils native to the property in question and in the immediate vicinity of the proposed location of that wall. Retaining walls shall not include walls that retain or maintain soils when any portion of said soils were brought onto the property in question from other property and/or properties.

Section 2.

Subsection (a) Permits required of Section 24-242. – Fences in residential districts, of Article IV. – General Provisions, of Chapter 24 of the Bloomfield Hills City Code, the Bloomfield Hills Zoning Ordinance, Ordinance No. 188, as amended, is hereby amended to now read as follows:

- (a) *Permits required.* No fence, wall, gate or column structure shall be erected or replaced without the prior issuance of a zoning permit from the city. Any

front or side yard fence, wall, or gate is subject to review and approval by the planning commission. Retaining walls do not require review and approval by the planning commission but shall comply with the standards contained in subsection 7.5-2(10) of the Grading Ordinance and shall not adversely impact drainage conditions onto adjacent properties.

Section 3. Repealer.

Any and all Ordinances and resolutions heretofore adopted inconsistent herewith are hereby repealed to the extent that the provisions thereof are inconsistent with the provisions hereof.

Section 4. Severability.

If any one (1) or more provisions of this Ordinance shall ever be held by any Court of competent jurisdiction to be invalid or unenforceable for any reason, the remaining provisions hereof shall nevertheless be continued in full force and effect, it being expressly recited and declared that such remaining provisions would have been enacted despite the invalidity of such provision or provisions so held to be invalid.

Section 5. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon publication in the manner prescribed by the Bloomfield Hills City Charter.

Section 7. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Bloomfield Hills at a meeting thereof duly called and held on the 18th day of October, 2016, and ordered to be given publication in the manner prescribed by the Charter of the City of Bloomfield Hills.

AYES:5 (Sherr, Coakley, McClure, McCarthy, Dul)

NAYES:0

ABSTENTIONS:0

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of the City of Bloomfield Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 424 adopted by the City Commission of the City of Bloomfield Hills on the 18th day of October, 2016 the original of which is in my office.

Amy Burton, City Clerk
City of Bloomfield Hills

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