

**GREEN OAK CHARTER TOWNSHIP
ORDINANCE NUMBER 03-2010**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR GREEN OAK CHARTER TOWNSHIP BY ADOPTING A NEW CHAPTER 34, ARTICLE V, SECTIONS 34-501 THROUGH 34-535 DEALING WITH STORMWATER MANAGEMENT WITH GREEN OAK CHARTER TOWNSHIP, INCLUDING SECTIONS DEFINING THE PURPOSE, TITLE AND GENERAL PROVISIONS OF THE AMENDMENT, DISCHARGE REGULATIONS AND REQUIREMENTS, STORMWATER MANAGEMENT AND DRAINAGE PLANS, INSPECTIONS, ENFORCEMENT, AND PENALTIES FOR VIOLATIONS THEREOF; AND REPEALING ALL ORDINANCES IN CONFLICT WITH THIS NEW ORDINANCE, INCLUDING CHAPTER 8, ARTICLE II, SECTIONS 8-38 THROUGH 8-73.

GREEN OAK CHARTER TOWNSHIP ORDAINS:

Section 1.

The following amendments are added to the Code of Ordinances for Green Oak Charter Township, Chapter 34, Article V. The Green Oak Charter Township Stormwater Management Ordinance, which shall read as follows:

Sec. 34-501. Title.

This Ordinance shall be known as the "Green Oak Charter Township Stormwater Management Ordinance" and may be so cited.

Sec. 34-502. Findings.

- A. Land development alters the hydrologic response of watersheds, resulting in increased stormwater runoff rates and volumes, increased flooding, increased stream channel erosion, increased sediment transport and deposition, and increased nonpoint source pollutant loading to the receiving water bodies and the Great Lakes.
- B. Because stormwater conveyance systems are connected to surface water features, such as streams, lakes and wetlands, illicit discharges into a stormwater system can introduce significant pollutants into water features, degrading the water quality for ecological and recreational uses.
- C. Stormwater runoff, soil erosion, and nonpoint source pollution can be controlled and minimized by the regulation of stormwater runoff from development, and by regulation of illicit connections and discharges into stormwater conveyance systems.
- D. The constitution and laws of Michigan authorize local units of government to provide stormwater management services and systems that will contribute to the protection and preservation of the public health, safety, and welfare and to protect natural resources.

Sec. 34-503. Purpose and Intent.

The purpose and intent of this Ordinance is to:

- A. Protect and enhance the water quality of local watercourses, water bodies, and groundwater pursuant to and consistent with the Clean Water Act.
- B. Control non-stormwater discharges to stormwater conveyances and reduce pollutants in stormwater discharges.
- C. Provide design, construction, operation, and maintenance criteria for permanent and temporary on-site stormwater management facilities to control stormwater runoff volume to prevent flooding, protect stream channels from erosion, and preserve water quality.
- D. Encourage the recharge of groundwater by promoting the infiltration of stormwater as a supplement to normal conveyance systems, where appropriate, while preventing the degradation of groundwater quality.
- E. Where feasible and prudent, use Low Impact Development (LID) stormwater management principals and techniques, as described in the *Low Impact Development Manual for Michigan*, in new development and redevelopment projects.
- F. Ensure that all stormwater facilities have an appropriate governmental unit overseeing private maintenance of such facilities to ensure their continued and effective functioning.

Sec. 34-504. Definitions.

The terms as used in this Ordinance shall have the following meanings:

- A. Authorized Enforcement Agent. The Supervisor, Zoning Administrator, Ordinance Enforcement Officer, and/or any individual designated by the Supervisor, Zoning Administrator, Ordinance Enforcement Officer, as an Authorized Enforcement Agent.
- B. Best Management Practices ("BMPs"). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices that comply with the Michigan Department of Environmental Quality's Guidebook of Best Management Practices for Michigan Watersheds, and the Low Impact Development Manual for Michigan, and/or, where appropriate, the standards of the Livingston County Drain Commissioner and Road Commission. BMPs also include treatment requirements, operating procedures, and structural and managerial practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- C. CFR. The Code of Federal Regulations.

- D. Clean Water Act (CWA). Federal Water Pollution Control Act enacted by Public Law 92-500 as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; 33 USC 1251 et seq.
- E. County Drain: A combination of swale, ditch or pipe drainage established for maintenance by the County Drain Commissioner whose maintenance is assessed against a drainage district, in accordance with the provisions of Act 40 of the public acts of 1956, as amended.
- F. Stormwater Drainage Criteria. The stormwater management design criteria as outlined in the Rules of Livingston County Drain Commissioner *Livingston County Procedures and Design Criteria for Stormwater Management Systems and Soil Erosion and Sedimentation Control Program*.
- G. Detention. A system which is designed to capture stormwater and release it over a given period of time through an outlet structure at a controlled rate.
- H. Developed or Development. Any construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure within the jurisdiction of the Green Oak Charter Township, as well as any manmade change or alteration to the landscape, including, but not limited to, mining, drilling, dredging, grading, paving, excavating, and filling.
- I. Discharge. Any addition or introduction of any pollutant, non-stormwater runoff, stormwater, or any other substance whatsoever into a stormwater conveyance system, waters of the state, groundwater, or into waters of the United States.
- J. Discharger. Any person, who causes, allows, permits, or is otherwise responsible for, a discharge, including, without limitation, any operator of a construction site or industrial facility.
- K. Enforcement Official. Supervisor, Zoning Administrator, Ordinance Enforcement Officer. Those persons charged with enforcing this Ordinance.
- L. Fire Fighting Water. Any water, and any substance or materials contained therein, used in an emergency, to control or extinguish a fire.
- M. Grading. Any stripping, excavating, filling, and stockpiling of soil or any combination thereof and the land in its excavated or filled condition.
- N. Green Oak Charter Township Non-Stormwater Disposal Best Management Practices. Best management practices adopted by reference by this Ordinance for non-stormwater disposal.
- O. Illicit Connection. Any physical connection to a stormwater conveyance system that allows the discharge of non-stormwater, sanitary sewers, or septic systems and which has not been permitted by the Township or other appropriate public agency.

- P. Illicit Discharge. Any discharge to a stormwater conveyance that is not composed entirely of stormwater except discharges covered by and in compliance with an NPDES permit.
- Q. Impervious Surface. A surface which prevents or retards the penetration of water into the ground, including, but not limited to, roofs, sidewalks, patios, driveways, parking lots, concrete and asphalt paving, gravel, compacted native surfaces and earthen materials, and oiled, macadam, or other surfaces which similarly impede the natural infiltration of stormwater.
- R. Infiltration. The percolation of water into the ground, expressed in inches per hour.
- S. Maintenance Agreement. A binding agreement that sets forth the terms, measures, and conditions for the maintenance of stormwater systems and facilities.
- T. Major Modification. An alteration to an existing or planned stormwater drainage facility that does one or more of the following: changes the volume, surface area, depth, inflow rates, outflow rates or level of treatment by 5% or more; changes the treatment process; adds more than one thousand (1,000) square feet of impervious surface; or increases the tributary impervious drainage area to an individual drainage facility component by more than 10%.
- U. MDNRE. Michigan Department of Natural Resources and Environment.
- V. National Pollutant Discharge Elimination System (NPDES) Permit. A permit issued by the State of Michigan, as authorized by USEPA, Region 5, in compliance with the federal Clean Water Act for the discharge of pollutants into the waters of the state.
- W. Non-Stormwater Discharge. Any discharge that is not entirely composed of stormwater.
- X. Offsite Facility. All or part of a drainage system that is located partially or completely off the development site which it serves.
- Y. Owner or Operator. The owner or operator of any stormwater management system or activity subject to regulation under this Ordinance, including operational and day-to-day control over facility activities.
- Z. Peak Rate of Discharge. The maximum rate of stormwater flow at a particular location following a storm event, as measured at a given point and time in cubic feet per second. (CFS).
- AA. Person. Any individual, firm, association, club, organization, corporation, partnership, business trust, company or other entity which is recognized by law as the subject of rights or duties.

- BB. Pollutant. Sediment, non-point source pollutants in stormwater runoff, dredged spoil, solid waste, incinerator residue, filter backwash, sewage, wastewater, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 USC 2011 et seq.)), heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal and agricultural waste discharged into water as otherwise defined in 40 CFR 122.2.
- CC. Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.
- DD. Redevelopment. A project for which a building permit is required that proposes to add, replace and/or alter impervious surfaces affecting the existing drainage system, other than routine maintenance, resurfacing, or repair. A project which meets the criteria of a major modification as defined in this section shall be considered a redevelopment.
- EE. Retention. A holding system for stormwater, either natural or man-made, whose only outlet consists of an emergency spillway or high-water overflow to adjoining watercourses or wetlands. Water stored up to the emergency overflow elevation is removed through infiltration and/or evaporation processes.
- FF. Runoff. That part of precipitation which flows over the land (i.e. is not infiltrated).
- GG. Sediment. Mineral or organic particulate matter that has been removed from its site of origin by the processes of soil erosion, is in suspension in water, or is being transported.
- HH. Stormwater. Water runoff and surface drainage associated with rain storm events and snow melt.
- II. Stormwater Conveyance System. A conveyance or system of conveyances designed or used for collecting and conveying stormwater runoff including, but not limited to, roads, catch basins, curbs, gutters, parking lots, ditches, conduits, pumping devices, swales, or man-made channels.
- JJ. Stormwater Management. The process of infiltration, collection, conveyance, storage, treatment, and discharge of stormwater to ensure control of the magnitude and frequency of runoff and to minimize the hazards associated with flooding. Also includes implementing controls to reduce the discharge of pollutants including management practices, control techniques and systems, site design and engineering methods.
- KK. Stormwater Management Plan. Information prepared by a registered civil engineer which describes the details of the drainage system, structures, BMPs, concepts and techniques that will be used to control stormwater, including sealed drawings, written information, engineering calculations, computer analyses,

maintenance and operations procedures, and all other supporting documentation, having as its purpose to ensure that the objectives of this Ordinance are met.

- LL. Swale. Historically referred to as a ditch. A defined contour of land with gradual slopes that transport and direct the flow of stormwater.
- MM. Township. Green Oak Charter Township, Livingston County, Michigan. MM. U.S. EPA. United States Environmental Protection Agency.
- NN. Variance. A modification of the requirements of the Ordinance granted by the Township.
- OO. Waters of the State. All the accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof which are wholly or partially within, which flow through or border upon the state.
- PP. Waters of the United States. Waters as defined in 40 CFR 122.2.
- QQ. Waterways or Watercourse. All lakes, streams, drains, wetlands, or Waters of the State.
- RR. Watershed. An area in which there is a common outlet into which stormwater ultimately flows, otherwise known as a drainage area.
- SS. Wetland. An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation or aquatic life typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, wet meadows, wooded wetlands, bogs, and similar areas.

Sec. 34-505. Applicability.

- A. In General. Unless otherwise excluded, as described in Section 34-505 (A–F), all permanent and temporary stormwater management controls and facilities, constructed as part of the requirements of this Section as new construction, redevelopment, re-paving, infill, or site expansions in the Township, are subject to this Ordinance. This Ordinance also applies to any activities which may affect the quantity or quality of a private stormwater conveyance system or any waterway within the Township.
- B. In Particular. Unless otherwise excluded, as described in Section 34-505 (A–F), information regarding stormwater management through submission of a Stormwater Management Plan is required under this Ordinance in the following situations:
 - 1. For new or re-development projects that require a stormwater permit from the Livingston County Drain Commissioner, as outlined in the

Livingston County Drain Commissioner Procedures and Design Criteria for Stormwater Management Systems.

2. For new or re-development projects that require a Soil Erosion and Sedimentation Permit, and/or a grading permit from the Livingston County Drain Commissioner's office.
3. For new or re-development projects that require site plan review or minor site plan administrative review.
4. For new or re-development projects that require a Building Permit. (Note that projects that receive a waiver for or do not require a Soil Erosion and Sedimentation Permit from the Livingston County Drain Commissioner for such project are not subject to the requirements in this Ordinance.)
5. For new or re-development projects that require a Land Use Permit. (Note that projects that receive a waiver for or do not require a Soil Erosion and Sedimentation Permit from the Livingston County Drain Commissioner for such project are not subject to the requirements of this Ordinance.)
6. For any new or re-development on property divided by land division where more than three parcels of less than one acre are created.
7. For maintenance of a stormwater basin constructed prior to the effective date of the regulations of which this subsection is a part. (Note that projects that receive a waiver for or do not require a Soil Erosion and Sedimentation Permit from the Livingston County Drain Commissioner for such project are not subject to the requirements of this Ordinance.)
8. For new or re-development projects and earth changes not listed above or specifically exempted in Section 34-505 (A–F), a Stormwater Management Plan shall be submitted and reviewed in accordance with the requirements of Section 34-507 unless otherwise determined by the Township, or its designee.

The following activities do not require submission of a Stormwater Management Plan to the Township:

- A. Activities protected by the Right to Farm Act 93 of 1981.
- B. Activities involving improvement of county drains by the Drain Commissioner which are under the jurisdiction of the Michigan Department of Natural Resources and Environment.
- C. Routine single-family residential landscaping and/or gardening which conforms to the Stormwater Management Plan previously approved by Green Oak Township, and which does not otherwise materially alter stormwater flow from the property in terms of rate and/or volume.

- D. Development on one single-family lot, parcel, or condominium unit where the Township Engineer, or his/her designee, concurs with the owner or applicants determination that, due to the size of the site, or due to other circumstances, the quantity, quality, and/or rate of stormwater leaving the site will not be meaningfully altered.
- E. The installation or removal of individual mobile homes within a mobile home park. This exemption shall not be construed to apply to the construction, expansion, or modification of a mobile home park.
- F. Plats that have received preliminary plat approval and other developments with final land use approval prior to the effective date of this Ordinance, where such approvals remain in effect.

Sec. 34-506. Plan Approval Required.

No development or preparation for development on a site shall occur unless and until an application has been submitted and approved for a Stormwater Management Plan.

Sec. 34-507. Plan Preparation and Submission

- A. All plans are to be prepared by a registered civil engineer. Other persons and professionals may assist in the preparation of the plan. The plan shall be drawn in a standard engineering scale not less than 1" = 50', and provided on a sheet of paper that does not exceed 24" x 36".
- B. Fees. When plans are submitted to the Township, it shall be accompanied with a permit fee in an amount provided for in a fee schedule adopted by the Green Oak Charter Township Board. The fee schedule may be revised periodically by Resolution.
- C. Plan Submission.
 - 1. For developments subject to site plan review, the applicant shall submit the same number of copies of the Stormwater Management Plan as required for site plan review at the time that the preliminary site plan, if applicable, is submitted.
 - 2. For minor site plans subject to administrative review, the applicant shall submit the Stormwater Management Plan at the time that the minor site plan is submitted.
 - 3. For developments subject to subdivision plat review, the applicant shall submit the same number of copies of the Stormwater Management Plan as required for plat review at the time that the tentative preliminary plan is submitted.

4. For earth changes or other activities subject to administrative review and Stormwater Management Plan requirements, the plan shall be submitted to the Building Department at the same time grading and/or building plans are submitted.
5. Compliance with the requirements of this Ordinance does not eliminate the need for the proprietor to obtain required permits and approvals from county and state agencies, or for compliance with other applicable Township ordinances and regulations.

D. Stormwater Management Plan Contents. The plans shall include:

1. Information required, if any, by the Livingston County Drain Commissioner, as outlined in the *Livingston County Drain Commissioner Procedures and Design Criteria for Stormwater Management Systems*.
2. Location by means of a small location map, drawn to a scale no less than 1" = 2,000'.
3. Zoning classification of parcel and all abutting parcels.
4. Location and description of all on-site features and all adjacent off-site features within 200 feet, and all other off-site features that may be impacted in determining the overall requirements for the development.

This includes:

- a. Existing site topography with contours at two-foot intervals or less based on the USGS datum.
- b. Adjoining roads and developments.
- c. Railroads.
- d. High tension power lines or underground transmission lines.
- e. Cemeteries.
- f. Parks.
- g. Natural and artificial watercourses, wetlands and wetland boundaries, environmental feature boundaries, floodplains, lakes, bays, existing stormwater storage facilities, conveyance swales (natural or artificial) with identification of permanent water elevations.
- h. Location of woodlands.
- i. Designated natural areas.

- j. Any proposed environmental mitigation features.
- k. Drains, sewers, and water mains.
- l. Existing and proposed easements.
- m. A map, at USGS scale, showing the drainage boundary of the proposed development and its relationship with existing drainage patterns.
- n. Boundaries of any off-site drainage area contributing flow to the development.
- o. Any watercourse passing through the development, along with the following:
 - i. Area of upstream watershed and current zoning
 - ii. Preliminary calculations of runoff from the upstream area for both the 100-year and two-year 24-hour design storms, for fully developed conditions according to the current land use plan for the area to determine any necessary adjustments to the runoff coefficient for the upstream area, reflecting the adjusted peak flow at build out.
- p. Soil borings may be required at various locations including the sites of proposed retention/detention and infiltration facilities, and as needed in areas where high groundwater tables exist.
- q. Proposed site improvements including lot divisions and building footprints.
- r. Preliminary stormwater BMP information including:
 - i. Location of all stormwater BMPs.
 - ii. Identification of stormwater quality and quantity treatment facilities and method of stormwater conveyance.
 - iii. Preliminary sizing calculations for stormwater quality and quantity, including preliminary estimates of runoff volume captured by BMPs, (e.g. infiltration losses) for treatment facilities. (See explanatory table in the *Green Oak Township Stormwater Engineering Criteria*.)
 - iv. Preliminary tributary area map for all stormwater management facilities indicating total size and average runoff coefficient for each subarea using the Curve Method. (See explanatory table in the *Green Oak Township Stormwater Engineering Criteria*.)
 - v. Analysis of existing soil conditions and groundwater elevation and bedrock depth (including submission of soil

- boring logs) as required for proposed retention and infiltration facilities.
 - s. Preliminary landscaping plan for stormwater BMPs, as outlined in Section 38-177 of the Zoning Ordinance, and using the standards in the *Green Oak Township Stormwater Engineering Criteria*.
 - t. Preliminary easements for stormwater management facilities.
 - u. Required natural feature setbacks.
 - v. Drinking water wells, public wellheads, Wellhead Protection Areas (WHPAs), underground storage tanks, and Brownfield's.
 - w. Any areas of unique geological formations.
- E. Stormwater Management Plan Contents for Administrative Review: The plans for administrative review shall include:
- 1. Information required, if any, by the Livingston County Drain Commissioner, as outlined in the *Livingston County Drain Commissioner Procedures and Design Criteria for Stormwater Management Systems*.

Location by means of a small location map, drawn to a scale no less than 1" = 2,000'.
 - 3. Zoning classification of parcel.
 - 4. Location and description of all on-site features. This includes:
 - a. Existing site topography with contours at two-foot intervals or less based on the USGS datum
 - b. Natural and artificial watercourses, wetlands and wetland boundaries, environmental feature boundaries, floodplains, lakes, bays, existing stormwater storage facilities, conveyance swales (natural or artificial) with identification of permanent water elevations.
 - c. Location of woodlands.
 - d. Designated natural areas.
 - e. Any proposed environmental mitigation features.
 - f. Drains, sewers, and water mains.
 - g. Existing and proposed easements.
 - h. Proposed site improvements.
 - i. Preliminary stormwater BMP information including:

- i. Location of all stormwater BMPs.
 - ii. Identification of stormwater quality and quantity treatment facilities and method of stormwater conveyance.
 - iii. Preliminary sizing calculations for stormwater quality and quantity, including preliminary estimates of runoff volume captured by BMPs, (e.g. infiltration losses) for treatment facilities. (See explanatory table in the Green Oak Township Stormwater Engineering Criteria.)
 - iv. Preliminary tributary area map for all stormwater management facilities indicating total size and average runoff coefficient for each subarea using the Curve Method. (See explanatory table in the Green Oak Township Stormwater Engineering Criteria.)
 - j. Preliminary landscaping plan for stormwater BMPs, as outlined in Section 38-177 of the Zoning Ordinance, and using the standards in the *Green Oak Township Stormwater Engineering Criteria*.
 - k. Preliminary easements for stormwater management facilities.
 - l. Required natural feature setbacks.
 - m. Drinking water wells, public wellheads, Wellhead Protection Areas (WHPAs), underground storage tanks, and Brownfields.
 - n. Any areas of unique geological formations.
- F. Stormwater Management Plan Review. The Stormwater Management Plan shall be developed in accordance with the *Green Oak Township Stormwater Engineering Criteria*, which is a supplement to this Ordinance.
- 1. Developments Subject to Site Plan Review or Subdivision Plat Review. Stormwater Management Plans shall be made part of the plan set submitted for site plan or subdivision plat review. The Stormwater Management Plan shall be reviewed by the Township Engineer, as part of the site plan/subdivision plat review process, and comments provided to the applicant and the Township body responsible for review, as outlined in Division 2, Section 38-71(4) of the Zoning Ordinance, or Article 3 of the Green Oak Township Subdivision Regulations 8A. The appropriate Township body shall consider the recommendations of the Township Engineer, and approve, approve with minor revisions, table or deny the Stormwater Management Plan in conjunction with the submitted site plan or subdivision plat.
 - 2. Minor Site Plans. Projects that meet the criteria of Section 38-71(7) in the Zoning Ordinance for minor site plans shall be reviewed using the administrative process outlined in this section of the Zoning Ordinance.
 - 3. Earth Changes or Other Activities Subject to Stormwater Management

Plan Requirements. The Stormwater Management Plan shall be reviewed by the Green Oak Charter Township Engineer for compliance with the standards provided in this Ordinance, and outlined in the Low Impact Development Manual for Michigan.

- G. Stormwater BMP Construction Plans. After approval has been obtained for a Stormwater Management Plan, the applicant will submit five copies of final construction plans for stormwater BMPs to the Township. Building permits shall not be issued until the construction plans have been approved. The construction plans shall be drawn to a scale no smaller than 1" = 50', and on sheets no larger than 24" x 36". The scales used shall be standard engineering scales and shall be consistent throughout the plans. When plans have been completed with computer aided design technology, location shall be geo-referenced and a copy of the electronic file shall also be provided.

1. The construction plans shall include:
 - a. Proposed stormwater management facilities (plan and profile).
 - b. Proposed storm drains including rim and invert elevations.
 - c. Proposed open channel facilities including slope, cross section detail, bottom elevations, and surface material.
 - d. Final sizing calculations for stormwater quality and quantity treatment facilities and stormwater conveyance facilities.
 - e. Storage provided by one (1) foot elevation increments.
 - f. Tributary area map for all stormwater management facilities indicating total size and average runoff coefficient for each sub-area.
 - g. Analysis of existing soil conditions and groundwater elevation (including submission of soil boring logs) as required for proposed retention and infiltration facilities.
 - h. Details of all stormwater BMPs including, but not limited to:
 - i. Outlet structures
 - ii. Overflow structures and spillways
 - iii. Riprap
 - iv. Manufactured treatment system
 - v. Underground detention cross section and product details
 - vi. Cross section of infiltration and/or bioretention facilities

- i. Final landscape plan and details.
- j. Final easements for stormwater management facilities.
- k. Maintenance plan and agreement.

Construction drawings and engineering specifications shall be subject to review and approval by the Township Engineer to ensure that they conform with the approved Stormwater Management Plan and that adequate storm drainage will be provided and that the proposed stormwater management system provides adequately for water quantity and quality management to ensure protection of property owners and watercourses, both within the proposed development and downstream.

- 3. A building permit shall not be issued unless the detailed engineering drawings and specifications meet the standards of this Ordinance, other applicable Green Oak Township ordinances, engineering standards and practices, and other applicable requirements of other governmental agencies.
- 4. Conditions of Approved Construction Plans. When Construction Plans are approved, the following information shall be submitted to the Township before a building permit is issued:
 - a. Copies of all necessary wetland, floodplain, inland lakes and streams, erosion control or other required state, federal or local permits relating to stormwater management.
 - b. An agreement satisfactory to the Township, and approved by the Township Board, that assures long-term maintenance of all drainage improvements. See Section 34-511 for more information.
 - c. Cash or automatically renewing irrevocable letter of credit. See Section 34-509 for more information.
 - d. Electronic files of the as-built certification for storm drains and stormwater BMPs, along with the final Stormwater Management Plan. See Section 34-507 (I). for more information.
 - e. For developments that will result in disturbance of five (5) or more acres of land, a complete Notice of Coverage must be submitted to the Michigan Department of Natural Resources and Environment, Water Bureau, to have the discharge deemed authorized under a National Pollutant Discharge Elimination System permit.
 - f. The applicant will make arrangements acceptable to the Township for inspection during construction and for final verification of the construction by the Township Engineer prior to approving the Certificate of Occupancy or dedication of

infrastructure to the Homeowners Association.

- g. Approval of construction plans by the Township Engineer is valid for a period of one (1) year. If the construction plans are associated with an approved site plan, the construction plans shall be valid for the same length of time as the site plan, including any extensions obtained for the site plan. If not associated with a site plan, and extension beyond this period can be obtained by the applicant if a request is submitted, in writing, to the Township Building Department before expiration of the original time frame. The Building Department Director may grant a one (1) year extension of the approved construction plans, and may require updated or additional information if needed.
 - H. Notification. The Township shall be notified of the commencement of any construction covered by a Stormwater Management Plan and the owner or responsible person shall be required to provide engineering certification that the development is in conformity with the previously approved Stormwater Management Plan.
 - I. As-Built Certification of Stormwater BMPs. Electronic files (signed and sealed PDF plans, and copies in either ESRI format or shapefiles), signed and sealed by a professional engineer or land surveyor of the as-built certification for storm drains and stormwater BMPs will be submitted by the applicant or his/her engineer to the Township Building Department along with the final Stormwater Management Plan, or upon completion of system construction. This information must be provided to the Township before issuance of building permits for subdivision and site condominium projects can be granted, and before certificates of occupancy for industrial/commercial projects can be granted. The certification must include the following:
 - 1. A plan view of all detention basins, retention basins, and/or sediment forebays detailing the proposed and final as-built elevation contours. Sufficient spot elevations should be provided on each side of the basin, the bottom of the basin, and along the emergency spillway(s).
 - 2. Detention basin, retention basin, and/or sediment forebay calculations along with corresponding volumes associated with the as-built elevations. The proposed volume and final as-built volume should be indicated.
 - 3. Final as-built invert elevations for all inlet pipes and all associated outlet structure elevations, riser pipe hole sizes, and number of holes must be included. Invert elevations of the final outlet pipe to the receiving water or other jurisdiction and elevation of the final overflow structure should also be provided.
 - 4. Invert elevation and latitude/longitude coordinates (Michigan State Plane – South Zone, NAD 1983 HARN, International Feet) of the final outlet pipe to the receiving waters or other jurisdiction.
 - 5. The side slopes of all stormwater basins must be identified and must

meet minimum safety requirements.

6. The certification should be signed and sealed by a registered professional engineer or land surveyor.

Sec. 34-508. Variance Approval Procedure.

Requests for variances to these requirements shall be submitted in writing and reviewed by the Township Engineer. The Township's decision to grant, deny, or modify the proposed variance shall be based on evidence that the variance request meets the following criteria:

- A. The applicant is subject to special circumstances which are peculiar to the applicant's facility or situation and not caused by the applicant's actions or inaction; and
- B. Substantial, undue hardship would result from requiring strict compliance with the requirements from which the variance is sought by depriving the applicant of rights commonly enjoyed by other persons similarly situated under the terms of the Ordinance; and
- C. Any variance must prevent ground water and public water supply contamination and protect public health, safety, and welfare to an extent similar to the requirement(s) from which this variance is sought; and
- D. The change will achieve the intended result through a comparable, or even superior, design; and
- E. The change will not adversely affect maintainability.

A written appeal of the Township Engineer's decision may be submitted to the Green Oak Charter Township Board within 10 working days of receipt of the decision.

Sec. 34-509. Performance Guarantee.

The applicant shall post cash or an automatically renewing irrevocable letter of credit in an amount not less than 10 percent of the cost of the stormwater facilities for projects of less than \$100,000 or five percent of the cost for projects over \$100,000. This deposit will be held for one year after the date of completion of construction and final inspection of the stormwater facilities, or until construction on all phases in the development are completed, whichever time period is longer. This deposit will be returned to the applicant (in the case of cash) or allowed to expire (in the case of a letter of credit), as provided above, provided all stormwater facilities are clean, unobstructed, and in good working order, as determined by the Township Engineer.

Sec. 34-510. Stormwater Management Easements.

- A. Necessity of Easements. Stormwater management easements shall be provided in a form required by the applicable approving body of the Township, and recorded as directed as part of the approval of the applicable Township body to assure (1) access for inspections; (2) access to stormwater BMPs for maintenance purposes; and (3) preservation of primary and secondary drainage

ways which are needed to serve stormwater management needs of other properties.

- B. Easements for Off-site Stormwater BMPs. The Owner shall obtain easements assuring access to all areas used for off-site stormwater management, including undeveloped or undisturbed lands.
- C. Recording of Easements. Easements shall be recorded with the Livingston County Register of Deeds according to county requirements.
- D. Recording Prior to Building Permit Issuance. The applicant must provide the Township Clerk with evidence of the recording of the easement prior to final subdivision plat or condominium approval or other applicable final construction approval.

Sec. 34-511. Maintenance.

- A. The Owner shall provide guarantees, in acceptable forms, to the Township for the following:
 - 1. BMP maintenance for a period of at least two (2) years following final acceptance. The guarantee amount shall be determined as 10% of the total cost of construction of each stormwater management practice and drainage facility listed. The Township reserves the right to periodically modify the guarantee amounts and requirements by Resolution.
 - 2. BMP vegetation maintenance for a period of at least two (2) years following final acceptance. This shall be equivalent to 25% of the vegetation and installation cost and will be collected to ensure sufficient establishment of the native plants. The Owner or Operator shall provide a written cost estimate or actual contract amount as a basis for the guarantee amount. A pre-installation meeting between the landscape contractor and the Township shall be held prior to commencement of BMP landscape work.
- B. The owner or other responsible party shall make annual inspections of the facilities and maintain records of such inspections for a period of five (5) years.
- C. A long-term maintenance plan (example available from the Township) shall be submitted to the Township for approval. A maintenance agreement shall be signed by the Owner or Operator and shall be included as an obligation in the Master Deed, Easement document, or in another recordable form and recorded with Livingston County. Recording of such document shall be the responsibility of the Owner or Operator and recorded within 30 days of approval.
- D. Stormwater facilities shall be maintained by the Owner or other responsible party and shall be repaired and/or replaced by such person when such facilities are no longer functioning as designed. Disposal of waste from maintenance of facilities

shall be conducted in accordance with applicable federal, state and local laws and regulations.

- E. Records of installation and maintenance and repair shall be retained by the Owner or other responsible party for a period of five (5) years and shall be made available to the Authorized Enforcement Agent upon request.
- F. Any failure to maintain facilities or correct problems with facilities after receiving due notice from the Township may result in criminal or civil penalties and the Township may perform corrective or maintenance work which shall be at the Owner's expense.
- G. Drainage facilities along public roads may not be filled in without prior approval by the regulating agency with jurisdiction over such roads.

Sec. 34-512. Discharge Regulations and Requirements.

An illicit discharge to any stormwater conveyance system, including both public and private systems, is a violation of this Ordinance. The discharges listed in Sections 34-518 and 34-519 are not considered illicit discharges for the purpose of this Ordinance.

Sec. 34-513. General Requirements and Prohibitions.

- A. Any person engaged in activities which will or may result in pollutants entering a stormwater conveyance shall undertake reasonable measures to reduce such pollutants. Examples of such activities include, but are not limited to:
 - 1. Improper application, over use, and disposal of de-icing materials, herbicides, pesticides, and fertilizers by contractors or property owners.
 - 2. Landscaping contractors shall not allow topsoil or other landscaping materials to enter stormwater conveyances or waterways.
 - 3. Contractors shall not wash out concrete trucks or equipment into stormwater conveyances or waterways.
- B. Activities related to light industrial facilities or automobile businesses such as service stations, automobile dealerships, car washes, and body shops are often a source of pollutants. Reasonable actions shall be taken to reduce stormwater pollutant loadings from these sites.
- C. No person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, left or maintained, any refuse, rubbish, garbage, or other discarded or abandoned objects, articles, and accumulations, in or upon any public or private plot of land or stormwater conveyance system so that the same might become a pollutant. An exception applies where such materials are being temporarily stored in properly contained storage area, waste receptacles, or are part of a well-defined compost system outside of the floodplain.
- D. No person shall cause or permit any dumpster, solid waste bin, grease bin, or

similar container to leak such that any pollutant is discharged into any street, alley, sidewalk, or stormwater conveyance system, business place, or upon any public or private plot of land in the Township.

- E. The occupant or tenant, the owner, lessee, or proprietor of any real property in the Township where there is located a paved sidewalk or parking area shall maintain said paved surface free of dirt or litter to the extent reasonable and practicable and provide an adequate means or the disposal of refuse, rubbish, garbage, or other articles so as to prevent such matter from entering a stormwater conveyance system. Sweepings from said sidewalk shall not be swept or otherwise made or allowed to go into the stormwater conveyance system, gutter or roadway, but shall be disposed of in receptacles maintained on said real property.
- F. No person shall throw or deposit any pollutant in any fountain, pond, lake, stream, or any other body of water in a park or elsewhere within the Township, except as otherwise permitted under local, state or federal law.

Sec. 34-514. Illicit Connections.

It is prohibited to establish, use, maintain, or continue illicit drainage connections to a stormwater conveyance system, lake, pond, stream, river, or wetland, or to commence or continue any illicit discharges to a stormwater conveyance system, lake, pond, stream, river, or wetland.

Sec. 34-515. Parking Lots and Similar Structures.

- A. Persons owning or operating a paved parking lot, gas station pavement, paved private street or road, or similar structure or conducting routine building wash downs, shall clean and maintain those structures consistent with the 2006 Green Oak Charter Township Non- Stormwater Disposal Best Management Practices prior to discharging to a stormwater conveyance system.
- B. All water from non-stormwater sources or incidental stormwater sources (i.e. blown through openings and windows or transported on vehicles) that enter newly developed or significantly redeveloped covered parking garages are to be directed to the sanitary sewer disposal system unless that alternative is not reasonably feasible. Newly developed or significantly redeveloped covered permanent parking garages may drain into a stormwater conveyance system when no feasible alternative is available, with the consent of the owner and operator and in accordance to this and other Green Oak Charter Township Ordinances. The owner and operator of a stormwater conveyance system may impose requirements including the construction of control structures to ensure the pre-treatment of such discharges prior to entry into the stormwater conveyance system. All water from direct stormwater sources that enter uncovered parking garages is to go to a stormwater disposal system.
- C. For projects governed by other jurisdictions, e.g. the Livingston County Road Commission (LCRC), Livingston County Drain Commissioner (LCDC) or a

drainage district, the applicant must comply with their standards and requirements and receive approval from those entities.

Sec. 34-516. Outdoor Storage Areas – Commercial and Industrial Facilities.

In outdoor areas, no person shall store de-icing materials, soil, landscaping materials, grease, oil or hazardous substances in a manner that will or may result in such substances entering a stormwater conveyance system. In outdoor areas, no person shall store motor vehicles, machine parts, or other objects in a manner that may leak grease, oil, or other hazardous substances to a stormwater conveyance system.

To prevent the discharge of hazardous substances to waterways, the Township may require the installation of a spill containment system. Spill containment systems may consist of a system of dikes, walls, barriers, berms, oil/grit separators, or other devices as required. No person shall operate a spill containment system such that it allows incompatible liquids to mix and thereby create a hazardous condition.

Sec. 34-517. Construction Sites.

Any person performing construction work in the Township shall comply with the provisions of this Ordinance and Green Oak Charter Township Code Title 8 Chapter 17 Construction Site Erosion.

Sec. 34-518. Non-Stormwater Use of Stormwater Conveyance Systems.

Green Oak Charter Township Non-Stormwater Disposal Best Management Practices establishes minimum requirements for non-stormwater stormwater conveyance system uses within Green Oak Charter Township and is incorporated by reference and made part of this Ordinance. Discharges from the following activities will be allowed subject to application of the 2006 Green Oak Charter Township Non-Stormwater Disposal Best Management Practices: water line flushing and other discharges from potable water sources; landscape irrigation and lawn watering; irrigation water; diverted stream flows; rising ground waters; uncontaminated groundwater infiltration to stormwater conveyance systems; uncontaminated pumped groundwater; foundation and footing drains; roof drains; water from crawl space pumps; residential air conditioning condensation; springs; individual residential and non-profit group car washes; flows from riparian habitats and wetlands; de-chlorinated swimming pool discharges; or flows from fire fighting activities and training. Some of the activities listed above may require permits from other agencies. The discharger is expected to obtain any required permits prior to discharge.

Sec. 34-519. Discharge Pursuant to NPDES Permit.

The prohibition of discharges shall not apply to any discharge regulated under a NPDES point source permit issued and administered by the State, provided that the discharger is in full compliance with all requirements of the permit and other applicable laws or regulations. Compliance with an applicable NPDES permit governing discharges into a stormwater conveyance system shall be considered compliance with this Ordinance. NPDES permitted stormwater discharges are still subject to the county design criteria.

Sec. 34-520. Discharge in Violation of Permit.

Any discharge that would cause a violation of an NPDES Permit and any amendments, revisions or re-issuance thereof, either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and the township shall seek to have such persons defend, indemnify and hold harmless the Township in any administrative or judicial enforcement action against the permit holder relating to such discharge as provided by applicable rules of law.

Sec. 34-521. Compliance with NPDES Permits.

Any industrial discharger, discharger associated with construction activity, or other discharger subject to any NPDES permit issued by the U.S. EPA or MDNRE, shall comply with all provisions of such permits, including notification to and cooperation with local entities as required by Federal regulations. Proof of compliance with said NPDES Permits may be required in a form acceptable to the Supervisor, Zoning Administrator, Ordinance Enforcement Officer, prior to issuance of any grading, building or occupancy permits.

Sec. 34-522. Notification of Spills.

All persons in charge of a facility are to comply with applicable federal and state laws including facility personnel training, training record maintenance, training records, maintenance of notification procedures, and implementation of notification requirements for spill response to assure containment, clean up, and immediate notification to the owner and operator of the facility.

Individuals responsible for spills are to comply with applicable state and federal notification requirements to assure containment, clean up, and immediate notification to the facility owner.

Sec. 34-523. Inspection and Enforcement.

- A. Stormwater systems shall be inspected by the Green Oak Charter Township, or its designee, during and after construction to assure consistency with the approved Stormwater Management Plan.
- B. All stormwater systems shall be subject to the authority of the on-site detention inspection program of the Green Oak Charter Township Authorized Enforcement Agent to ensure compliance with this Ordinance and may be inspected when deemed necessary.
- C. The Owner or other responsible party shall make annual inspections of the facilities and maintain records of such inspections for a period of five years.
- D. Whenever necessary to make an inspection to enforce any of the provisions of this Ordinance, or whenever an Authorized Enforcement Agent has reasonable cause to believe that there exists in any building or upon any premises any condition which may constitute a violation of the provisions of this Ordinance, the agent may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the agent by this Ordinance; provided that (1) if such building or premises is occupied, he or she first shall present

proper credentials and request entry; and (2) if such building or premises is unoccupied, he or she first shall make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry.

- E. The property owner or occupant has the right to refuse entry but, in the event such entry is refused, the agent is hereby empowered to seek assistance from any court of competent jurisdiction in obtaining such entry and performing such inspection.
- F. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this Ordinance, including but not limited to, random sampling and/or sampling in areas with evidence of stormwater pollution, illicit discharges, or similar factors.

Sec. 34-524. Sampling.

With the consent of the owner or occupant or with Court consent, any Authorized Enforcement Agent may establish on any property such devices as are necessary to conduct sampling or metering operations. During all inspections as provided herein, the Agent may take any samples deemed necessary to aid in the pursuit of the inquiry or to record the on-site activities, provided that owners or occupants shall be entitled to split samples.

Sec. 34-525. Testing and Monitoring.

- A. Whenever the Enforcement Officer, or his designee determines that any person engaged in any activity and/or owning or operating any facility may cause or contribute to an illicit discharge to the stormwater system, the Enforcement Officer, or his designee may, by written notice, order that such person undertake such monitoring activities and/or analyses and furnish such reports as the Enforcement Officer, or his designee may recommend. The written notice shall be served either in person or by certified or registered mail, return receipt requested, and shall set forth the basis for such order and shall particularly describe the monitoring activities and/or analyses and reports required. The burden to be borne by the owner or operator, including costs of these activities, analyses and reports, shall bear a reasonable relationship to the need for the monitoring, analyses and reports and the benefits to be obtained. The recipient of such order shall undertake and provide the monitoring, analyses and reports within the time frames set forth in the order.
- B. Within twenty (20) days of the date of receipt of the order notice, the recipient shall respond personally or in writing advising the recipient's position with respect to the Order's requirements. Thereafter, the recipient shall be given the opportunity to meet with the Authorized Enforcement Agent or his designee to review the Order's requirements and revise the Order as the Enforcement Official or his designee deem necessary. Within 10 days of such meeting, Enforcement Official or his designee shall issue a final written order. Final Orders of the Enforcement Official or his designee may be appealed to the Green Oak Charter Township Board by the filing of a written appeal with the Township Clerk within ten (10) days of receipt of the final Order. The appeal notice shall set forth the

particular Order requirements or issues being appealed. Township Board shall hear the appeal at its earliest practical date and may either affirm, revoke or modify the Order. The decision of the Township Board shall be final.

- C. In the event the owner or operator of a facility fails to conduct the monitoring and/or analyses and furnish the reports required by the Order in the time frames set forth therein, the Township may cause such monitoring and/or analyses to occur and assess all costs incurred, including reasonable administrative costs and attorney's fees, to the facility owner or operator. The Township may pursue judicial action to enforce the Order and recover all costs incurred.

Sec. 34-526. Violations Constituting Municipal Civil Infractions.

The knowing violation of any provision of this Ordinance, or knowing failure to comply with any of the mandatory requirements of this Ordinance shall constitute a Municipal Civil Infraction.

Sec. 34-527. Continuing Violation.

Unless otherwise provided, a person, firm, corporation or organization shall be deemed guilty of a separate offense for each and every day during any portion of which a violation of this Ordinance is committed, continued, or permitted by the person, firm, corporation or organization and shall be punishable accordingly, as herein provided

Sec. 34-528. Concealment.

Causing, permitting, aiding, abetting, or concealing a violation of any provision of this Ordinance shall constitute a violation of such provision.

Sec. 34-529. Acts Resulting in Violation of Federal Clean Water Act.

Any person who violates any provision of this Ordinance, any provision of any permit issued pursuant to this Ordinance, or who discharges pollutants, waste or wastewater so as to cause an illicit discharge into waterways or a stormwater conveyance system, or who violates any cease and desist order, prohibition, or effluent limitation, may be in violation of the federal Clean Water Act and may be subject to the sanctions of that Act including civil and criminal penalties.

Sec. 34-530. Violations Deemed a Public Nuisance.

- A. In addition to the penalties herein provided, any condition caused or permitted to exist in violation of any of the provisions of this Chapter shall be considered a threat to the public health, safety, welfare and the environment, may be declared and deemed a nuisance by the Authorized Enforcement Agent, or his designee, and may be summarily abated and/or restored by the Township and/or civil action taken to abate, enjoin, or otherwise compel the cessation of such nuisance.

- B. Where the Township determines that violations of this Ordinance represent an imminent threat to polluting a stormwater conveyance system or waters of the state, the Township may provide cleanup (such as catch basin cleaning or debris removal) and back-charge the property owner or responsible contractor. The cost of such abatement and restoration shall be borne by the contractor or owner of the property and the cost thereof shall be a lien upon and against the property and such lien shall continue in existence until the same shall be paid.
- C. If any violation of this Ordinance constitutes a seasonal and recurrent nuisance, the Authorized Enforcement Agent, or his designee shall so declare. Thereafter such seasonal and recurrent nuisance shall be abated every year without the necessity of any further declaration.
- D. In any administrative or civil proceeding under this Ordinance in which the Township prevails, the Township may be awarded all costs of investigation, administrative overhead, out-of-pocket expenses, costs of administrative hearings, costs of suit and reasonable attorneys' fees.

Sec. 34-531. Civil Actions.

In addition to any other remedies provided in this section, any violation of this section may be enforced by civil action brought by the Township. In any such action, the Township may seek, and the Court shall grant, as appropriate, any or all of the following remedies:

- A. A temporary and/or permanent injunction.
- B. Assessment of the violator for the costs of any investigation, inspection, or monitoring survey which led to the establishment of the violation, and for the reasonable costs of preparing and bringing legal action under this subsection.
- C. Costs incurred in removing, correcting, or terminating the adverse effects resulting from the violation.
- D. Compensatory damages for loss or destruction to water quality, wildlife, fish and aquatic life. Assessments under this subsection shall be paid to the Township to be used exclusively for costs associated with restoration, monitoring, and establishing stormwater discharge control systems and/or implementing or enforcing the provisions of this Ordinance.

Sec. 34-532 Administrative Enforcement Powers.

In addition to the other enforcement powers and remedies established by this Ordinance, any Authorized Enforcement Agent has the authority to utilize the following administrative remedies.

- A. Cease and Desist Orders. When an Authorized Enforcement Agent finds that a discharge has taken place or is likely to take place in violation of this Ordinance, the agent may issue an order to cease and desist such discharge, or practice, or operation likely to cause such discharge and direct that those persons not complying shall: (a) comply with the requirement; (b) comply with a time schedule

for compliance, and/or (c) take appropriate remedial or preventive action to prevent the violation from recurring.

- B. Notice to Clean. Whenever an Authorized Enforcement Agent finds any oil, stockpiled soil, road salt, yard waste, rubbish, refuse, waste or any other material of any kind, in or upon the sidewalk abutting or adjoining any parcel of land, or upon any parcel of land or grounds or in close proximity to any open drain or ditch channel, which may result in an increase in pollutants entering the stormwater conveyance system or a non-stormwater discharge to the stormwater conveyance system, he or she may give notice to remove and lawfully dispose of such material in any manner that he or she reasonably may provide. The recipient of such notice shall undertake the activities as described in the Notice within the time frames set forth therein.
- C. In the event the owner or operator of a facility fails to conduct the activities as described in the notice, the Authorized Enforcement Agent, or his designee may cause such required activities as described in the notice to be performed, and the cost thereof shall be assessed and invoiced to the owner of the property. If the invoice is not paid within sixty (60) days, a lien shall be placed upon and against the property.

Sec. 34-533. Non-exclusivity of Remedies.

Remedies under this Ordinance are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

Sec. 34-534. Appeal.

Any person, firm, corporation or organization notified of non-compliance with this Ordinance or required to perform monitoring, analyses, reporting and/or corrective activities, who is aggrieved by the decision of the Township Engineer or Authorized Enforcement Agent, may appeal such decision in writing to the Green Oak Charter Township Board within 10 days following the effective date of the decision. Upon receipt of such request, the Township Board shall request a report and recommendation from the Township Engineer or Authorized Enforcement Agent and shall set the matter for administrative hearing at the earliest practical date. At said hearing, the Township Board may hear additional evidence, and may revoke, affirm or modify the Township Engineer's or Authorized Enforcement Agent's decision. Such decision shall be final.

Sec. 34-535. Disclaimer of Liability.

The degree of protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific, engineering and other relevant technical considerations. The standards set forth herein are minimum standards and this Ordinance does not imply that compliance will ensure that there will be no unauthorized discharge of pollutants into the waters of the United States. This Ordinance shall not create liability on the part of the Township, any agent or employee thereof for any damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

Section 2. Repealer.

This Ordinance hereby repeals any ordinances in conflict herewith, including but not limited to Chapter 8, Article II of the Code of Ordinances, Stormwater Management.

Section 3. Severability.

The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clauses is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

Section 4. Savings Clause.

That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Publication and Effective Date.

This Ordinance is hereby declared to have been adopted by the Green Oak Charter Township Board at a meeting thereof duly called and held on the fourth day of August, 2010, and ordered to be given immediate effect as mandated by Charter and statute.

Section 7. Adoption.

This Ordinance was duly adopted by the Green Oak Charter Township Board at its regular meeting called and held on the fourth day of August, 2010, and was ordered to be published in the manner required by law.

Michael H. Sedlak, CMC Township Clerk

Mark St. Charles Township Supervisor

Adoption Date: August 4, 2010

Publication Date: August 13, 2010

Effective Date: August 13, 2010

CERTIFICATION

I, Michael H. Sedlak, the Clerk for the Green Oak Charter Township, Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance Number 03-2010, adopted by the Green Oak Charter Township Board at a regular meeting held on

August 4, 2010. The following members of the Township Board were present at that meeting: Susan Daugherty, Treasurer, Tracey Edry, Trustee, Richard Everett, Trustee, Rollin Green, Trustee, Wally Qualls, Trustee, Michael Sedlak, Clerk and Mark St. Charles, Supervisor.

The Ordinance was adopted by the Township Board with seven members of the Board voting in favor and no members voting in opposition. Notice of adoption and publication of the Ordinance was published in the Livingston County Daily Press& Argus on August 13, 2010. The Ordinance shall be given immediate effect upon publication.

Michael H. Sedlak CMC, Township Clerk