

**CITY OF HUNTINGTON WOODS
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO. 628

AN ORDINANCE TO AMEND CHAPTER 40, ZONING, ARTICLE 6, GENERAL PROVISIONS, SECTION 40-6.04, HEIGHT AND AREA REGULATIONS AND EXCEPTIONS; AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

THE CITY OF HUNTINGTON WOODS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

Chapter 40, Zoning, Article 6, General Provisions, Section 40-6.04, Height and Area Regulations and Exceptions, is hereby amended to read as follows:

Section 40-6.04 Height and Area Regulations and Exceptions

A.-D. [No change]

E. Air Conditioners and Power Generators. Refrigeration or cooling equipment (used for central air conditioning purposes) or power generators (used as a source of interim power) installed outside of a dwelling or main building shall be:

- (1) Screened with approved fencing or landscaping.
- (2) Located in the rear yard of the dwelling or main building.
- (3) In compliance with sound emission as set forth in Section 40-9.04.C.
- (4) In the case of corner lots, the city manager or his designee may authorize installation toward the side lot line adjacent to the street in instances where compliance with the general rules set forth above would cause practical difficulties or result in unnecessary hardship. If authorized, shrubbery or other live plant material must be planted and maintained to screen it from view; further provided that the city manager or his designee may authorize installation toward side lot lines on any lot upon the receipt of written approval of such installation from the owner of the premises adjacent to and affected by such installation.

F.-I. [No change.]

Section 2 of Ordinance. Repealer.

All ordinances, parts of ordinances, or sections of the City Code in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. 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 5 of Ordinance. Effective Date.

This Ordinance shall be effective on the 8th 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 City Clerk

Section 7 of Ordinance. Enactment.

This Ordinance is declared to have been enacted by the City Commission of the City of Huntington Woods at a meeting called and held on the 7th day of December 2021, and ordered to be given publication in the manner prescribed by law.

Ayes: Paul, Jenks, Olsman

Nays: None

Abstentions: None

Absent: Rozell (excused), Elder (excused)

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Huntington Woods, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Commission of the City of Huntington Woods at a meeting held on the 7th day of December 2021, the original of which is on file in my office.

HEIDI BARCKHOLTZ, City Clerk
City of Huntington Woods