

INTEROFFICE MEMORANDUM WHITE LAKE TOWNSHIP

Rik Kowall, Supervisor
Anthony L. Noble, Clerk
Mike Roman, Treasurer



Trustees
Scott Ruggles
Liz Fessler Smith
Andrea C. Voorheis
Michael Powell

OFFICE OF THE CLERK

TO: Board of Trustees
FROM: Anthony L. Noble
SUBJECT: Fee Ordinance #129 Amendment to Rescind/First Reading
DATE: May 21, 2024

Several months ago, we notified the Board that the Clerk's Office was working with Legal Counsel to revise the process of updating our fees by ordinance to a fee schedule approved by resolution.

In the early stages of my administration, we discovered the process of establishing fees through ordinances was extremely laborious and impacted the Township financially every time an adjustment was necessary. This could occur multiple times within a year and could be particularly challenging as fees established by external government entities change without notice. This forces us to introduce an amendment at the very next meeting following the approval of an adoption. In response, we began exploring alternative approaches, reaching out to the MTA as well as our neighboring Townships. We learned that it is not uncommon for townships to set fees by resolution rather than ordinances. Feedback received through the MTA indicated many townships set their fees by resolution. Locally, all but one of our neighboring Townships approves their fees by resolution.

If approved, rescinding the fee ordinance in favor of a fee schedule will reduce the number of times we have to introduce and adopt ordinances throughout the year which will in turn reduce man hours and publication expenses associated with the legal mandates for ordinance adoptions.

I respectfully request the Board approve the amendment to rescind Ordinance #129, and move this matter to a second reading at the June 18, 2024 Township Board meeting.

Additionally, I would like to extend my gratitude to our Township Attorney, Lisa Hamameh who first brought this to our attention and who has worked with the Clerk's Office on this project, culminating in its presentation before the Board today.

**CHARTER TOWNSHIP OF WHITE LAKE
OAKLAND COUNTY, MICHIGAN**

**NOTICE OF CONSIDERATION
ORDINANCE NO. 129 FEE ORDINANCE**

Notice is hereby given that at a regular board meeting on May 21, 2024, held in accordance with Open Meetings Act, Public Act 267 of 1976, as amended, the Charter Township of White Lake introduced an amendment to White Lake Township Code of Ordinances.

The purpose of this amendment is to revise and remove the reference to a “fee ordinance”, in various sections of the White Lake Township Code of Ordinances and replace the reference to “fee ordinance” with the following language:” Fee Schedule established by resolution of the township board”, and to rescind Ordinance No. 129 Sections 1 through 39 as adopted on February 20, 2024 in its entirety to allow the creation of a “Fee Schedule” by resolution for the purpose of setting forth the various fees charged, security required and fines assessed under Township Ordinances. Final consideration to be made at the June 18, 2024 regular board meeting.

Persons needing assistance or aid to attend the meeting should contact the White Lake Clerk’s Office by writing or calling 248-698-3300 ext. 7 at least 5 days prior to the meeting. A copy of the Fee Ordinance and proposed amendment(s) is available for public inspection at the office of the Township Clerk, White Lake Township Hall, located at 7525 Highland Road, White Lake, Michigan 48383, Monday through Friday during the Township’s regular business hours from 8 a.m. to 5 p.m., (excluding holidays) and on the Township’s website at www.whitelaketwp.com.

Anthony L. Noble, Clerk
White Lake Township

**CHARTER TOWNSHIP OF WHITE LAKE
AN ORDINANCE TO AMEND VARIOUS SECTION OF THE
WHITE LAKE TOWNSHIP CODE OF ORDINANCES TO REPLACE THE
REFERENCE TO “FEE ORDINANCE” WITH REFERENCE TO A
FEE SCHEDULE ESTABLISHED BY RESOLUTION**

THE CHARTER TOWNSHIP OF WHITE LAKE ORDAINS:

ARTICLE 1: AMENDMENT.

The following sections of the White Lake Code of Ordinances are hereby revised to remove the reference to a “fee ordinance”, and replace it with the following language: “fee schedule established by resolution of the township board”:

4-3(a)	24-9(a)
4-6	24-21(b)
4-7	30-22
6-52(d) and (e)	30-59(a)
8-22	38-19(a) – definition of <i>Capital</i>
8-88(2)	<i>Connection fee</i>
8-163(a)	38-79
6-165(7)	38-133
10-4(a) and (d)	38-137(a)
10-5(a)	38-170
10-20	38-176
10-22(c)	38-243(c)
14-21(a)(1)	38-271
14-22	38-272
14-97(a)(2)	38-273
14-137	38-353
18-25 (Fire Code Sec. 105.6)	38-418 – definition of <i>Capital</i>
18-57(c)(10)	<i>Connection Fee</i>
20-22(a)(10)	38-566
20-59(d)	38-572
20-93	38-574
24-4(a) and (b)	

ARTICLE 2: SEVERABILITY.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such selection, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

ARTICLE 3: EFFECTIVE DATE.

This Ordinance shall take effect following publication in the manner prescribed by law.

ARTICLE 4: REPEALER.

Ordinance No. 129 is hereby repealed in its entirety.

In addition, all other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

ARTICLE 5: ADOPTION.

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of White Lake at a meeting thereof duly called and held on the ____ day of _____, 2024, and ordered to be given publication in the manner prescribed by the Charter of the Charter Township of White Lake.

BY: _____
Rik Kowall, Supervisor

BY: _____
Anthony L. Noble, Clerk