

INTEROFFICE MEMORANDUM WHITE LAKE TOWNSHIP

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



Trustees
Scott Ruggles
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Liz Fessler Smith

OFFICE OF THE CLERK

TO: Board of Trustees
FROM: Anthony L. Noble ✓
SUBJECT: First Reading, Ordinance Amendment, Chapter 14, Article II
DATE: June 17, 2025

Attached for your review is the first reading of a proposed amendment to Chapter 14 of the White Lake Township Code of Ordinance. This amendment specifically addresses Section 14-25 – Performance Standards, under Article II – Excavations and Extractions of Chapter 14 – Environment. This request was submitted by the Community Development Department.

Thank you.

CHARTER TOWNSHIP OF WHITE LAKE OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE II – EXCAVATIONS AND EXTRACTIONS OF THE WHITE LAKE TOWNSHIP CODE OF ORDINANCES

THE CHARTER TOWNSHIP OF WHITE LAKE ORDAINS:

ARTICLE 1: AMENDMENT

Section 14-25 shall be amended to read as follows:

Sec. 14-25. Performance standards.

It shall be unlawful to carry on or permit to be carried on any activity or operation, or use of any land, building or equipment that produces irritants to the sensory perceptions or other physical results greater than the measures herein established which are hereby determined to be the maximum permissible hazards to humans or human activities. Such measures may be supplemented by other measures which are duly determined to be maximum permissible hazards to human activity.

- (1) *Noise.* No operation or activity shall cause or create noise that exceeds the sound levels prescribed below, using an A-weighted decibel scale dB(A), when measured at the lot line of any adjoining use, based upon the following maximum allowable levels for each use district:

Zoning of Adjoining Land Use	Maximum Allowable Noise Level Measured in dB(A) 6:00 a.m. to 9:00 p.m.
AG, SF, R1-A, R1-B, R1-C, R1-D,	60
MHP, PD (single-family residential)	60
RM-1, RM-2 (multiple-family residential)	65
NB-O, LB, RB, GB, PB, ROS (office, commercial, recreation)	70
LM, E, ROP (industrial, extractive and research)	80

- (2) *Vibration.* No machinery or equipment shall be located closer than 300 feet to a residential district without written certification by the township that a nuisance is not thereby caused to the residential district.
- (3) *Odor.* The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines or to produce a public nuisance or hazard beyond lot lines is prohibited.
- (4) *Gases.* The escape or emission of any gas that is injurious, destructive or explosive is prohibited. In addition, in accordance with the rules of the state department of environmental quality, air quality division, no escape or emission of any gas shall unreasonably interfere with the comfortable enjoyment of life and property.
- (5) *Glare and heat.* Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot line, except as necessary for construction purposes during the period of construction.
- (6) *Open storage and waste disposal.*
- Open storage of any industrial or commercial equipment, vehicles and all materials including wastes shall be allowed only to the extent allowed on the approved plans.
 - No materials or waste shall be placed upon a parcel in a manner that they may be blown, washed or transferred off the parcel by natural causes.

- c. All materials that may cause fumes or dust, that constitute a fire hazard, or may be edible by or otherwise be attractive to rodents or insects shall be removed from premises and disposed of in a proper manner to a legal land fill.
- (7) *Outdoor lighting.* Outdoor lighting shall be allowed only per township board approval following recommendation from the appropriate township staff.
- (8) *Smoke, dust and other particulate matter.*
- a. For purposes of this section, the term "smoke" means any visible emission into the open air from any source, except emissions of an uncontaminated water vapor. A "smoke unit" is a measure of the quantity of smoke being discharged, and is the number obtained by multiplying the smoke density in the smoke chart by the time of emission in minutes. Thus, the emission of smoke at a density of smoke chart number 1 for one minute equals one smoke unit. The Ringelmann Smoke Chart shall be the standard smoke chart and shall be on file with CDD.
 - b. A person or industry shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:
 - 1. As dark or darker in shade as that designated as No. ½ on the Ringelmann Chart, as published by the United States Bureau of Mines; or
 - 2. Of such capacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (8)b.1 of this section.

At no time may smoke emissions be darker than Ringelmann No. 1.
- (9) *Fire and explosive hazards.*
- a. The storage and handling of flammable liquids, liquefied petroleum, gases and explosives shall comply with the rules and regulations of the state and the ordinances of the township.
 - b. A person or industry shall not burn any combustible refuse in any open outdoor fire within any use district.
- (10) *Nuisance.* A person or industry shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment or nuisance to the public or which endanger the comfort, repose, health or safety of the public or which cause or have a natural tendency to cause injury or damage to business or property.
- (11) *Groundwater protection standards.*
- a. The project and related improvements shall be designed to protect the natural environment, including lakes, ponds, streams, wetlands, floodplains, groundwater and steep slopes.
 - b. Stormwater management and drainage facilities shall be designed to maintain the natural retention and storage capacity of any wetland, water body or watercourse, and shall minimize the potential for pollution of surface water or groundwater, on-site or off-site.
 - c. Sites at which hazardous substances and polluting materials are stored, used or generated shall be designed to prevent spills and discharges of polluting materials to the air, surface of the ground, groundwater, lakes, streams, rivers or wetlands.
 - d. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate township, state and county permits and approvals.
 - e. In determining conformance with the standards in this article, the township shall take into consideration the publication titled "Small Business Guide to Secondary Containment" and other references.

- (12) *Drifted and blown material.* There shall be no drifting or airborne transmission beyond the property line of dust, particles or debris from any open stockpile.
- (13) *Hours of operation.* Hours of operation shall be 7:00 a.m. to 6:00 p.m. from Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday, unless otherwise specified by the board. No operation shall be permitted on Sundays and legal holidays. In emergency situations, this time period may be modified by the township supervisor, provided such emergency order shall not be effective for more than 72 hours.
- (14) *Drainage.* Natural drainage shall not be blocked or diverted in such manner as to cause the natural water flow to back up onto adjacent property, or to flow in a different course upon leaving the property upon which the blocking or diversion occurs, unless an application is made and a permit is issued by the CDD pursuant to plans which provide for a drainage flow which will not be detrimental to surrounding properties.
- (15) *Mud, dirt, clay on public roads.* The permit holder shall take whatever steps are necessary to prevent any motor vehicle from carrying onto any public right-of-way any mud, dirt, clay or refuse. If mud, dirt, clay or refuse is carried or tracked onto a public right-of-way, the permit holder shall clean the right-of-way when and as often as necessary. In any case, a permit holder shall not leave any such debris on a public right-of-way after the end of any working day. If notified during a working day by the township that cleaning is required, it shall be accomplished within one hour, weather permitting, of the giving of such notice.
- (16) *Flagger.* The board may, in its discretion, require one or more flaggers to assist in traffic control where the traffic generated by a soil excavation and/or mining operation or earth-balancing operation may have an adverse impact on public roads, and/or as may be required by the road commission for the county or the state department of transportation.
- (a) The street address assigned by the building department shall be prominently displayed and maintained on the face of the building, dwelling, structure or other permanent object nearest the street on which the number is assigned and readily visible to passersby. This shall be construed to mean that if the numbers are hidden or obscured by an awning or other appurtenance, the owner of such building or persons having contract thereof shall provide supplementary numbers in such a manner as to comply with this article. Placement of numbers on a mail receptacle at the roadside shall not be an acceptable substitute for the above. In any event, the numbers so placed shall not be more than 75 feet distant from the front property line of the premises.
- (b) The size of numbers for residential premises shall be at least four inches in height, and, for commercial premises, at least six inches in height.
- (c) The color of the numbers shall be in contrast with the immediate background on which they are mounted.
- (d) The numbers may be numerals or script.

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.

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 _____, 2025, 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 MiPMC

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

NOTICE OF CONSIDERATION

**AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE II – EXCAVATIONS AND
EXTRACTIONS OF THE WHITE LAKE TOWNSHIP CODE OF ORDINANCES**

Notice is hereby given that at a regular board meeting on June 17, 2025, held in accordance with the Open Meetings Act, Public Act 267 of 1976, as amended, the Charter Township of White Lake introduced amendments to Chapter 14, Article II, Sections 14-25 of the White Lake Township Code of Ordinances. The purpose of the proposed amendment is to revise the hours of operations.

A copy of this ordinance and proposed amendments 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 summer hours), and on the Township's website at www.whitelaketwp.com.

Final consideration to be made at the July 15, 2025 regular board meeting. Individuals requesting assistance or special accommodations to attend the meeting should contact the Township Clerk at least 5 days prior to the meeting in writing or by calling 248-698-3300 ext. 7.

Anthony L. Noble, Clerk MiPMC
Charter Township of White Lake