

**ORDINANCE NO. 2023 - 01  
CITY OF ST. CLAIR  
COUNTY OF ST. CLAIR, MICHIGAN**

**AN ORDINANCE OF THE CITY OF ST. CLAIR, ST. CLAIR COUNTY, MICHIGAN TO AMEND APPENDIX B OF THE CITY'S CODE OF ORDINANCES "ZONING," ARTICLE 1 "TITLE, PURPOSE, CONSTRUCTION, RULES APPLYING TO TEXT AND ENABLING AUTHORITY" BY REVISING SECTIONS 1.2 "PURPOSE," 1.3 "CONSTRUCTION," AND 1.6 "ENABLING AUTHORITY."**

**THE CITY OF ST. CLAIR ORDAINS:**

**SECTION 1. AMENDMENT.**

Appendix B, Article 1, Sections 1.2, 1.3, and 1.6 of the City Code of Ordinances is hereby amended to read as follows:

**APPENDIX B.—ZONING**

**ARTICLE 1.— TITLE, PURPOSE, CONSTRUCTION, RULES APPLYING TO TEXT AND ENABLING AUTHORITY.**

**SECTION 1.2—PURPOSE.**

The purpose of this Ordinance is to regulate the development and use of land; to provide for the adoption of zoning ordinances; to prescribe the powers and duties of certain City officials; to provide for the assessment and collection of fees; and to prescribe penalties and provide remedies pursuant to the authority set forth in Section 1.6.

It seeks to promote the public health, safety, and general welfare of the City; protecting the character and stability of neighborhoods; to encourage the use of lands in accordance with their character, relationships, and adaptability; and to limit the improper use of land; to avoid the overcrowding of population; to provide adequate light and air; to lessen congestion on the public roads and streets; to reduce hazards to life and property; to facilitate adequate provision of water supply and sewage disposal, education, recreation, and other public improvements; and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources, and properties, and with reasonable consideration to the character of each district, its peculiar suitability for particular uses, the conservation of natural resources, and the general and appropriate trend and character of land, building, and population development, as studied and recommended within the Master Plan adopted by the City's Planning Commission and endorsed by the City Council.

The zoning districts and regulations established herein have been constructed in accordance with a general plan for the physical development of the City and its surrounding land area. The City's Master Plan provides thoroughly considered objectives for the sound and orderly development of the City.

**SECTION 1.3—CONSTRUCTION.**

This Ordinance shall be liberally construed in such manner as to best effectuate its purpose. In interpreting and applying its provisions, this Ordinance's requirements shall establish a

minimum basis for the promotion of the public health, safety, convenience, comfort, prosperity and general welfare and shall resolve any conflicts with private restrictions placed on property. Where any condition imposed by any provision of this Ordinance upon the use of any lot, building, or structure is either more restrictive or less restrictive than any comparable condition imposed by any other provision of this Ordinance, or by the provision of an ordinance adopted under any other law, the provision which is more restrictive or which imposes a higher standard or requirement shall govern.

#### **SECTION 1.6—ENABLING AUTHORITY.**

This Ordinance is adopted pursuant to the authority granted by the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended.

#### **SECTION 2. SEVERABILITY.**

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

#### **SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.**

Any and all Ordinances of the City of St. Clair or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

#### **SECTION 4. RATIFICATION.**

All other provisions of the code of Ordinances of the City of St. Clair, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

#### **SECTION 5. PUBLICATION.**

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the city of St. Clair, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

#### **SECTION 6. EFFECTIVE DATE.**

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of St. Clair.

#### **ORDINANCE DECLARED ADOPTED.**

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William Cedar, Jr., Mayor  
City of St. Clair, Michigan

## **CERTIFICATION**

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 17th day of July, 2023, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: Cedar, Gottler, Kuffa, LaPorte, Paul, Watt  
Members Absent: Volz

It was moved by Member Kuffa and supported by Member Gottler to adopt the Ordinance.

Members voting yes: Gottler, Kuffa, LaPorte, Paul, Watt, Cedar  
Members voting no: None

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of St. Clair.

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Annette Sturdy, City Clerk  
City of St. Clair, Michigan

INTRODUCED: July 3, 2023  
ADOPTED: July 17, 2023  
PUBLISHED: July 21, 2023  
EFFECTIVE: July 21, 2023