

**CHAPTER 1
DEFINITIONS**

SECTION 1.01 RULES APPLYING TO TEXT. The following listed rules of construction apply to the text of this Ordinance:

- A. The particular shall control the general.
- B. In the case of any difference in meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
- C. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
- D. Words used in the present tense shall include the future; and words used in the singular number shall include the plural; and the plural the singular, unless the context clearly indicates the contrary.
- E. A “building” or “structure” includes any part thereof.
- F. The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- G. Unless the context clearly indicates the contrary, the conjunctions noted below shall be interpreted as follows.
 - 1. “And” indicates that all connected items, conditions, provisions, or events shall apply.
 - 2. “Or,” indicates that the connected items, conditions, provisions or events may apply singularly or in any combination.
 - 3. “Either. . or” indicates that the connected items, conditions, provisions or events shall apply singularly but not in combination.
- H. Terms not herein defined shall have the meaning customarily assigned to them.

SECTION 1.02 DEFINITIONS – A

ACCESSORY BUILDING. A subordinate building on the same premises with a main building or portion of a main building and occupied or devoted to an accessory use; for example, a private garage.

ACCESSORY USE, OR ACCESSORY. A use of a zoning lot which is clearly incidental to the principal use of the lot and customarily found in connection with the principal use. When “accessory” is used in this text, it shall have the same meaning as accessory use.

ACT 177 CLUSTER DEVELOPMENT. A residential development in which the applicant or developer wishes to provide for individual lot sizes smaller than permitted in the applicable zoning district, pursuant to the provisions of Chapter 11 of this Ordinance which were adopted to implement Act 177 of the Public Acts of Michigan of 2001. **[Section 1.02, Act 177 Cluster Development, added 12/4/02]**

ADULT BOOKSTORE. An enclosed building used for the sale of motion picture films, video cassettes, magazines, posters, and other printed material, or tapes, or sex objects for other than contraceptive purposes, distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined in this Ordinance, for sale to patrons therein.

ADULT LIVE ENTERTAINMENT THEATER. An enclosed building for presenting live entertainment involving the use of strip dancers, naked individuals, individuals who wear see through clothing which permits the view of “specified anatomical areas,” individuals who are partially clothed and partially unclothed so as to permit the view of “specified anatomical areas,” or individuals conducting “specified sexual activities.”

ADULT MOTION PICTURE THEATER. An enclosed building used for presenting motion picture films, video cassettes, cable television, or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” as defined in this Ordinance, for observation by patrons therein.

ADULT USES. Uses whose primary business is for an adult bookstore, adult live entertainment theater, or adult motion picture theater, or a combination thereof.

AGRICULTURE. The cultivation, tilling or use of soil for the purpose of growing or storing crops thereon or use of land for the purpose of animal or poultry husbandry, including the preparation and marketing of agricultural products for commercial purposes. All reasonable dust, spray drift, water drift, noise, odors, and other conditions normally association with the foregoing agricultural uses are considered a part of the agriculture and are permitted.

ALTERATIONS. Any change, addition, or modification in construction or type of occupancy, or in the structural members of a building, such as walls or partitions, columns, beams or girders, any substantial change in the roof, or an addition to or diminution of a structure or building.

AVERAGE GRADE. The average finished ground elevation of a building established for the purpose of regulating the number of stories. Average grade is determined by averaging the elevation of the ground at the center of each face of the building or structure being measured. **[Section 1.02, Average Grade, amended 12/3/03]**

SECTION 1.03 DEFINITIONS – B

BASEMENT. That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story.

BERM. A mound of earth graded, shaped and improved with landscaping in such a fashion as to be used for visual or audible screening purposes.

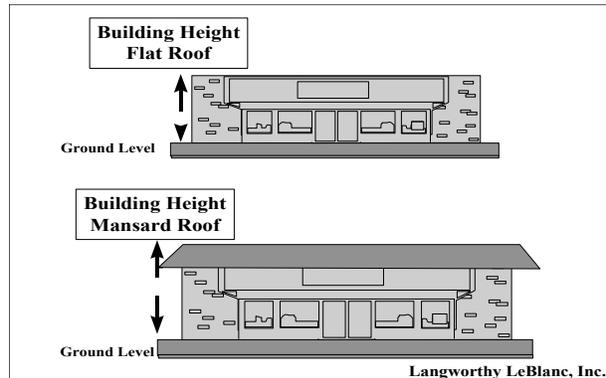
BODY SHOPS. Any buildings, premises, or lands in which or upon which the principal use is the servicing, repair, or painting of motor vehicles.

BUFFER STRIP. A strip of land required between certain districts reserved for plant material, berms, walls, or fencing to serve as a visual barrier.

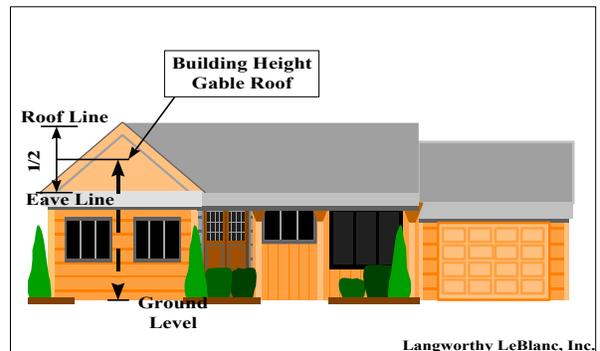
BUILDING. A structure erected on site, pre-manufactured or pre-cut structure, above or below ground, designed primarily for the shelter, support or enclosure of persons, animals or property of any kind.

BUILDING CODE. The currently adopted Township code or codes governing the erection and maintenance of buildings.

BUILDING HEIGHT. The vertical distance measured from the lowest point of ground elevation around the perimeter of the building to the highest point of the roof surface of flat roofs, to the deck of mansard roofs, and to the mean height level between the eaves and the ridge of gable, hip, and gambrel roofs. [Section 1.03, Building Height, amended 12/3/03]



BUILDING INSPECTOR. The person designated by the Township Board to administer the provisions of the adopted Building Codes for Courtland Township.



BUILDING LINE. A line formed by the eave of the building, or the most horizontal appendage of the building; and for the purposes of this Ordinance, a minimum building line is the same as the front setback.

SECTION 1.04 DEFINITIONS - C

CERTIFICATE OF OCCUPANCY. A document signed by an authorized Township official as a condition precedent to the commencement of a use or the construction of a structure or building which acknowledges that such use, structure or building complies with the provisions of the Zoning Ordinance.

CHILD CARE CENTERS. Any facility other than a private residence, licensed by the Michigan Department of Social Services, in which one or more children are given care and supervision for periods of less than 24 hours per day, and where a parent or legal guardian is not immediately available to the child. Child care centers include facilities which provide care for not less than two consecutive weeks, regardless of the number of hours of care per day.

Child care centers do not include Sunday schools, vacation Bible schools, or religious classes that are conducted by a religious organization where children are in attendance for not greater than four hours per day for an indefinite period, or not greater than eight hours per day for a period not to exceed four weeks, during a 12-month period, or a facility operated by a religious organization where children are cared for not greater than four hours, while persons responsible for the children are attending religious classes or services.

COMMERCIAL STORAGE WAREHOUSES. Any building or buildings used primarily as a commercial business for the storage of goods and materials.

COMMERCIAL WIRELESS TELECOMMUNICATION SERVICES. Licensed telecommunication services, and unlicensed telecommunication services using duly authorized devices that do not required individual licenses, including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public. (11-5-97)

CONVALESCENT OR NURSING HOME. A structure with sleeping rooms, where persons are housed or lodged and are furnished with meals, nursing and medical care.

SECTION 1.05 DEFINITIONS - D

- A. **DISTRICT.** A zoning district as described in Section 3.01 of this Ordinance.
- B. **DRIVE-THROUGH FACILITIES.** Any facility used in connection with a business establishment so developed that its retail or service character provides a driveway approach or parking spaces for motor vehicles to serve patrons while in the motor vehicle either exclusively or in addition to service within a building or structure, or to provide self-service for patrons and food carry-out.
- C. **DWELLING, MULTIPLE-FAMILY.** A dwelling, or a portion of a building, designed exclusively for occupancy by three or more families living independently of each other.

- D. DWELLING, SINGLE FAMILY. A detached dwelling designed exclusively for and occupied exclusively by one family.
- E. DWELLING, TWO-FAMILY. A dwelling designed exclusively for occupancy by two families living independently of each other.
- F. DWELLING UNIT. One room or suite of two or more rooms designed for use and occupancy by one family for living and sleeping purposes, with housekeeping facilities.

SECTION 1.06 DEFINITIONS - E

- A. ERECTED. Built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises which are required for construction, excavation, fill, drainage, etc.
- B. ESSENTIAL PUBLIC SERVICE EQUIPMENT. Natural gas transmission pipes, pipes carrying potable water, sewer pipes, poles, wires or fibers carrying electricity or communications, and transformers, pumps, fire alarm boxes, police call boxes, traffic signals, hydrants, potable water towers, electrical substations and metering stations, located either above or below ground, which distribute or carry electricity, communications, natural gas ready for consumer use, sanitary sewage, or potable water in a form ready for consumer use. The term does not include facilities such as cell towers, radio or television towers, wind energy facilities, or facilities for the production, generation, exploration or processing of energy or energy-producing products, or transmission pipelines which are not part of a local distribution system. **[Section 1.06.B amended 7/2/14]**
- C. EXCAVATION. Any breaking of ground, except common household gardening and ground care.

SECTION 1.07 DEFINITIONS - F

FAMILY. One person residing in a household; or two or more persons related by blood, marriage, or adoption, including minor foster children and servants residing together; or three or fewer unrelated persons residing together as one housekeeping unit in a dwelling unit as a continuing, domestic relationship. A “Family” does not include societies, clubs, fraternities, halfway houses, or other arrangements of persons who live together in a transitory basis or for an anticipated limited duration, or who reside together for the purpose of treatment or supervision. **[Section 1.07, Family, amended 12/3/03]**

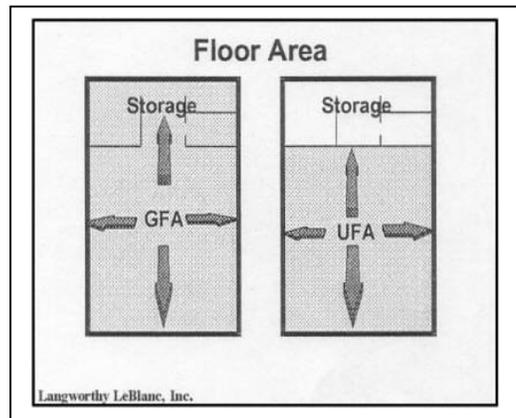
FAMILY DAY CARE HOMES. Any private residence in which the operator permanently resides as a member of the household, registered with the Michigan Department of Social Services, in which one but less than seven minor children are given care and supervision for periods of less than 24 hours per day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Family day-care homes includes homes that give care to unrelated minor children for more than four weeks during a calendar year.

FARM. A lot with a contiguous area not less than five acres, or lesser area as permitted by an applicable generally accepted agricultural and management practice promulgated by the Michigan Commission of Agriculture, which is in active agricultural use for the commercial production of farm products intended to be marketed and sold at a profit or for the marketing of produce permitted by an applicable generally accepted agricultural and management practice. "Farm products" means plants and animals useful to human beings produced by agriculture, including but not limited to, forage and silage crops, grain and feed crops, field crops, dairy and dairy products, poultry and poultry products, cervidae, livestock, including breeding and grazing, equine, fish, and other agricultural products, bees and bee products, berries, herbs, fruits, vegetables, flowers, seeds, grasses, nursery stock, trees and tree products, mushrooms, and other similar products, or any of the products which incorporate the use of food, feed, fiber or fur. "Farm" does not include stockyards, slaughter houses, factories for food processing, packaging or bottling, recreation parks, sawmills, stone quarries, gravel, dirt or sand pits, game or hunting preserves, kennels, stables, riding academies, or mineral or water extraction. [Section 1.07, Farm, amended 2/1/12]

FARM BUILDING. A building or structure located on land which meets the definition of a farm according to this Ordinance, and which is used directly in connection with the commercial production of farm products intended to be marketed and sold at a profit, or which is a farm market or roadside stand permitted by an applicable generally accepted agricultural and management practice promulgated by the Michigan Commission of Agriculture. [Section 1.07, Farm Building, added 2/1/12]

FLOOR AREA, GROSS (GFA). The sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the interior faces of exterior walls, but excluding porches, patios, terraces, breezeways, carports, verandas, garages, and basements.

FLOOR AREA, USABLE (UFA). That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers; or area used in a dwelling unit for living purposes. Floor area which is used or intended to be used principally for the storage or processing of merchandise, for hallways, or for utilities shall be excluded from the computation of usable floor area. Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building measured from the interior faces of the exterior walls.



SECTION 1.08 DEFINITIONS - G

GRADE. The gradient, the rate of incline or decline expressed as a percent. For example, a rise of 25 feet in a horizontal distance of 100 feet would be expressed as a grade of 25 percent.

GREENBELTS. A strip of land of definite width and location reserved for the planting of shrubs, trees, or grasses to serve as an obscuring screen or buffer strip in carrying out the requirements of this Ordinance.

GROUP DAY CARE HOMES. Any private residence in which the operator permanently resides as a member of the household, licensed by the Michigan Department of Social Services, in which more than six but not more than 12 minor children are given care and supervision for periods of less than 24 hours per day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day-care homes include homes that give care to unrelated minor children for more than four weeks during a calendar year.

SECTION 1.09 DEFINITIONS – H

HEIGHT. (See Building Height) The vertical distance measured from the average grade to the highest point of a structure. In the case of a building, height shall be measured from the average grade to the highest point of the roof surface for a flat roof; to the deck line of mansard roofs; and to the midpoint between the eaves and ridge for gable, hip, and gambrel roofs.

HOME OCCUPATION. An occupation or profession that is clearly a customary, incidental, and secondary use of a residential dwelling unit. Without limiting the foregoing, a single family residence used by an occupant of that residence to give instruction in a craft or fine art within the residence shall be considered a home occupation. (2-16-99)

SECTION 1.10 DEFINITIONS – I

INOPERATIVE VEHICLES. Any motor vehicle which can no longer propel itself.

SECTION 1.11 DEFINITIONS - J

JUNK. Any worn out or discarded materials including, but not necessarily limited to, scrap metal, inoperable motor vehicles and parts, construction material, household wastes, including garbage and discarded appliances, and yard debris.

JUNK YARDS, OR SALVAGE YARDS. An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled. These materials include, but are not limited to: scrap iron and other metals, paper, rags, rubber tires, and bottles. A “junk yard” or “salvage yard” includes automobile wrecking yards and includes any area of more than 200 square feet

for storage, keeping or abandonment of junk, but does not include uses established entirely within enclosed buildings.

SECTION 1.12 DEFINITIONS - K

KENNEL, COMMERCIAL. Any lot or premise on which three or more dogs, cats, or other household pets, six months of age or older, are either permanently or temporarily boarded for commercial purposes. A kennel shall also include any lot or premises where household pets are bred or sold for commercial purposes.

SECTION 1.13 DEFINITIONS - L

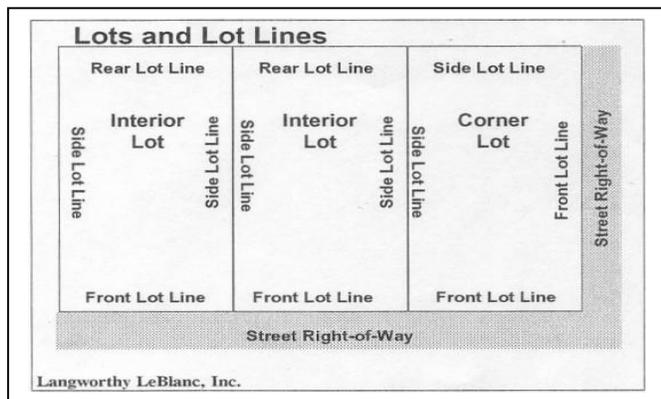
LOADING SPACE. An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a vehicle while loading and unloading merchandise or materials.

LOT. A parcel, vacant land, occupied land, or land intended to be occupied by a main building and accessory buildings, or utilized for the principal accessory use(s) together with yards and open spaces required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on public records. A lot may also mean a portion of a condominium project, as regulated by Public Act 59 of the Michigan Public Acts of 1978, as amended, designed and intended for separate ownership and use.

LOT, CORNER. Any lot having at least two contiguous sides abutting upon a street, provided that the interior angle at the intersection of such two sides is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve, at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line, intersect at an interior angle or less than 135 degrees.

LOT, INTERIOR. A lot other than a corner lot, flag lot, or through lot.

LOT, THROUGH. Any interior lot having frontage on two parallel streets. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and through yard setbacks shall be provided as required.



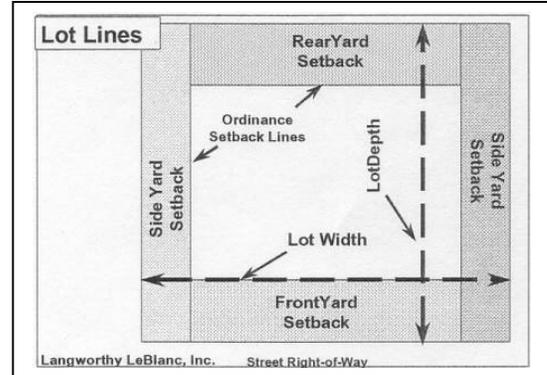
LOT, WATERFRONT. A lot having a property line abutting a shoreline.

LOT AREA. The total horizontal area within the lot lines.

LOT COVERAGE. The part of the lot occupied by any building, including accessory buildings.

LOT DEPTH. The horizontal distance between front and rear lot lines, measured along the median between the side lot lines.

LOT LINES. The lines bounding a lot as defined herein:



- A. **FRONT LOT LINE.** In the case of an interior lot, it is the line separating the lot from the street. In the case of a through lot, the Zoning Administrator shall designate one of the lines fronting either street as a front lot line, in consideration of which street will provide driveway access to the property, the orientation of buildings located on adjacent properties, the preference of the property owner and other appropriate factors. In the case of a lot having frontage on a body of water, the front lot line shall be considered that lot line on the waterfront. In the case of a corner lot, each line separating the lot from the street shall be a front lot line.
- B. **REAR LOT LINE.** That lot line opposite the front lot line. In the case of a lot which is pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long, lying farthest from the front lot line and wholly within the lot. In the case of a corner lot, the rear lot line may be opposite either front lot line.
- C. **SIDE LOT LINE.** Any lot line other than the front lot line or rear lot line. In the case of a corner lot, the side lot line shall be that lot line which is not a front or rear lot line. [Section 1.13, Lot Lines, amended 9/2/15]

LOTS OF RECORD. Any parcel of land, the dimensions of which are shown on a document or map on file with the County Register of Deeds or in common use by Township or county officials, which actually exists as shown, or any part of a parcel held in a record ownership separate from that of the remainder thereof.

LOT WIDTH. The horizontal straight line distance between the points where the side lot lines intersect the front lot line. (But see Section 2.05 for cul-de-sac lots.) [Section 1.13, Lot Width, amended 4/2/03]

SECTION 1.14 DEFINITIONS - M

MAIN BUILDING. A building in which is conducted the principal use of the lot upon which it is situated.

MANUFACTURED HOME. A structure transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure, excluding, however, a

vehicle designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle moved on or drawn by another vehicle. Also referred to as a “mobile home” in this Ordinance. **[Section 1.14, Manufactured Home, amended 4/4/01]**

MANUFACTURED HOUSING COMMUNITY. A parcel or tract of land under the control of a person upon which three or more manufactured homes are located on a continual non-recreational basis and which is offered to the public for that purpose regardless of whether a charge is made therefor, together with any building, structure, enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a manufactured home. Also referred to as a “manufactured home park” in this Ordinance. **[Section 1.14, Manufactured Housing Community, amended 4/4/01]**

MASTER PLAN. The Master Plan currently adopted by Courtland Township, including graphic and written proposals, indicating the general location for streets, parks, schools, public buildings, and all physical development of the Township, and includes any unit or part of such plan and any amendment to such plan.

MEDICAL MARIHUANA ENTERPRISE. A place at which marihuana, or paraphernalia relating to the administration of marihuana, is possessed, cultivated, processed, manufactured, delivered, or transferred by a primary caregiver (as that term is defined by the Michigan Medical Marihuana Act, Initiated Law 1 of 2008) in compliance with the Michigan Medical Marihuana Act. The term does not include the acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia related to administration of marihuana by a qualifying patient (as defined by the Medical Marihuana Act) for the qualifying patient’s own use, or by a primary caregiver solely for use of not more than one qualifying patient who makes their permanent residence in the same single family dwelling with the primary caregiver, and in compliance with the Michigan Medical Marihuana Act.

For purposes of this Ordinance, a medical marihuana enterprise shall not be considered an accessory use, agricultural use, farm, or home occupation. **[Section 1.14, Medical Marihuana Enterprise, added 7/6/11]**

MOTEL/HOTEL. A building or group of buildings on the same lot, whether detached or in connected rows, containing sleeping or dwelling units which may or may not be independently accessible from the outside with garage or parking spaces located on the lot and designed for, or occupied by, automobile travelers. The term shall include any building or building groups designated as motor lodges, transient cabins, or by any other title intended to identify them as providing lodging, with or without meals, for compensation on a transient basis.

SECTION 1.15 DEFINITIONS - N

NONCONFORMING BUILDING. A building or portion thereof lawfully existing at the effective date of this Ordinance or amendments thereto and not conforming to the provisions of the Zoning Ordinance in the district in which it is located.

NONCONFORMING USE. A use or activity, which lawfully occupied a building or land at the effective date of this Ordinance or amendments thereto and which does not conform to the use regulations of the district in which it is located.

NONRESIDENTIAL DISTRICT. The C or LI Districts.

SECTION 1.16 DEFINITIONS - O

OFF-STREET PARKING LOT. A facility providing parking spaces, along with adequate drives, maneuvering areas, and aisles, for the parking of more than three vehicles.

OIL AND GAS STRUCTURE. Any process facility or equipment, any building, machinery, equipment and/or other structure used for or in connection with the production, processing, or transmitting (but not off-premise vehicle transport) of natural gas, oil or allied products or substances, with includes, but is not limited to any pipeline, flowline, sweetening plants, separators, central processing facilities, compression facilities, CO₂ removal facilities, bulk storage plants, H₂S removal facilities, dehydration facilities, compressor stations, pigging stations, metering facilities or any other facility, mud pits or brine disposal pits related to exploring, drilling, production or operating an oil and gas well. Processing or related oil and gas facility may also be referred to as any type of on-site or off-site “separating facilities” or “sweetening facilities.” However, “oil and gas structure, process facility, or process facility, or process equipment” does not include the exploration, drilling, completion, operation, or abandonment of any oil and gas well exempted by the Zoning Enabling Act, or any such facility which is under the exclusive jurisdiction of the Supervisor of Wells. **[Section 1.16, Oil and Gas Structure, added 7/2/14]**

OPEN AIR BUSINESSES. Retail sales establishments operated substantially in the open air, including:

- A. Bicycle, utility truck or trailer, motor vehicle, boats, or home equipment sales, repair or rental services.
- B. Outdoor display area and sale of garages, motor homes, recreation vehicles, manufactured homes, snowmobiles, swimming pools and similar activities, but not including farm implements or commercial construction equipment.
- C. Retail sales of trees, fruits, vegetables, shrubbery, plants, seeds, topsoil, humus, fertilizer, trellises, lawn furniture, playground equipment and other home garden supplies and equipment, but not including lumberyards.
- D. Tennis courts, archery courts, shuffleboard, horseshoe courts, miniature golf, golf driving range, children’s amusement parks or similar recreational uses (transient or permanent).

ORDINARY HIGH WATER MARK OR SHORELINE. The line between upland and bottomland which persists through successive changes in water levels, below which the

presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. Where the water levels vary for purposes of water level management, the ordinary high water mark shall be the higher of the levels generally present.

SECTION 1.17 DEFINITIONS - P

PARKING SPACE. An area of definite length and width, said area shall be exclusive of drives, aisles or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

PERSONAL SERVICE ESTABLISHMENTS. Any commercial business conducting services that are performed primarily on the premises.

PLANNED UNIT DEVELOPMENT. A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.

PLANNING COMMISSION, OR COMMISSION. The Courtland Township Planning Commission.

PRIMARY ROAD. A county primary roadway as designated in the Courtland Township Master Plan or the Kent County Road Commission. For purposes of this Ordinance only, a state trunk-line shall also be considered as a county primary.

PRINCIPAL USE. The primary use to which the premises is devoted.

PUBLIC UTILITY. A person, firm, or corporation, municipal department, board or commission duly authorized to furnish to the public under federal, state or municipal regulations, gas, steam, electricity, sewage disposal, communication, telegraph, transportation, or water.

SECTION 1.18 DEFINITIONS - R

RECREATIONAL VEHICLE OR EQUIPMENT. Vehicles or equipment used primarily for recreational purposes. For the purpose of this Ordinance, recreational vehicle shall mean: 1) A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle such as a motor home or camper; 2) Boats and trailers designed to transport boats; 3) Snowmobiles and trailers designed to transport snowmobiles; 4) Off-road vehicles and trailers designed to transport off-road vehicles; 5) Pop-up tent and camper trailers; 6) Other similar vehicles deemed by the Zoning Administrator to be a recreational vehicle. This term shall not include motorcycles or motorbikes or other similar means of transportation intended primarily for on-street use.

RESIDENTIAL DISTRICT. Residential district shall refer to the R-R, R-1, R-2, and MHC Districts, as described in this Ordinance. [Section 1.18, Residential District, amended 4/4/01]

REQUIRED YARD. The required yard shall be that set forth in the applicable chapters of the Courtland Township Zoning Ordinance as the minimum yard requirement for each district.

SECTION 1.19 DEFINITIONS - S

SALVAGE YARD. An open space where waste, surplus, discarded, or salvaged materials are brought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, including house wrecking and structural steel materials and equipment and automobile wrecking.

SATELLITE DISH ANTENNA, OR DISH ANTENNA. An apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit.

SECONDARY STREET. The secondary street shall be the street on a corner lot which is not fronting on the street which is considered as the street for the determination of the front yard.

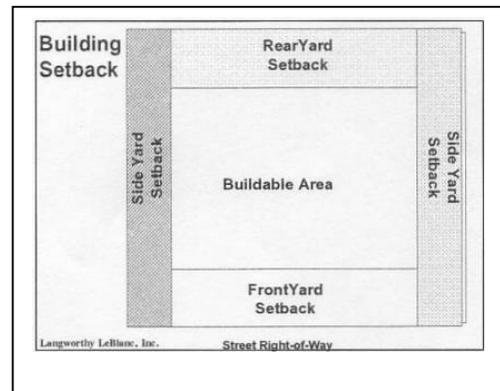
SETBACK. The distance required to obtain minimum front, side or rear yard open space provisions of this Ordinance.

SIGN. A lettered board, or other notice advertising an individual, firm, profession, business or other thing and visible to the general public.

SIGNIFICANT NATURAL FEATURES. Any natural area as designated by the Planning Commission, Township Board, or the Michigan Department of Natural Resources that exhibits unique topographic, ecological, hydrological, or historical characteristics such as a wetland, floodplain, water features, or other unique natural features.

SPECIFIED ANATOMICAL AREAS.

- A. Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and
- B. Human male genitals in a discernible turgid state, even if completely and opaquely covered.



SPECIFIED SEXUAL ACTIVITIES.

- C. Human genitals in a state of sexual stimulation or arousal;
- D. Acts of human masturbation, sexual intercourse or sodomy;
- E. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

STATE LICENSED RESIDENTIAL FACILITY. A residential care facility licensed by the State of Michigan under Act 287 of 1972 of the Public Acts of Michigan, as amended, or Act 116 of 1973 of the Public Acts of Michigan, as amended, which provides resident care services under 24 hour supervision or care for persons in need of that supervision or care. This term does not include such facilities licensed by the State of Michigan for care and treatment of persons released from or assigned to adult correctional institutions. (2-16-99)

A Family Home Facility includes a state licensed residential facility providing resident services to six or fewer persons. *A Group Home Facility* includes a state licensed residential facility providing resident services to more than six persons.

STORY. That part of a building included between the surface of any floor above the average grade or ground at the foundation and the surface of the next floor, or if there is no floor above, then the ceiling next above.

STORY, HALF. An uppermost story lying under a sloping roof having an area of at least 200 square feet with a clear height of seven feet six inches. For the purpose of this Ordinance, the usable floor area is only that area having at least five feet clear height between floor and ceiling.

STREET. A public, dedicated right-of-way, other than an alley, which affords the principal means of access to abutting property, or a private easement which affords principal access to more than one lot.

STRUCTURE. Anything constructed or erected, the use of which requires location on the ground or attachment to something on the ground.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, before improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or the Michigan Register of Historic Places.

SECTION 1.20 DEFINITIONS – T AND U

TOWNSHIP. Courtland Township, Kent County, Michigan.

TOWNSHIP BOARD. The Township Board of Courtland Township.

TRUCK TERMINAL. A building or area in which freight brought by truck is assembled and/or stored for routing or reshipment, or in which semi-trailers, including tractor and/or trailer units and other trucks, are parked or stored.

TRUE CASH VALUE. The value placed on a property by the Township Assessor on the last tax day, being December 31st of each year, as kept in the records of the Township.

UTILITY AND PUBLIC SERVICE BUILDINGS. A building which encloses equipment used in the distribution of electricity, communications, potable water, and collection of sanitary sewage to or for consumers within the Township and immediately surrounding areas. The term does not include essential public service equipment, or buildings which contain administrative offices for public utilities, except for such offices as are directly used by persons operating the equipment in the public utility building. The term also does not include oil and gas structures or facilities devoted to the generation, creation, exploration, processing or production of energy or energy-producing products. The building may include outdoor storage, if allowed by the district regulations applicable to the location of the building. **[Section 1.20, Utility and Public Service Buildings, added 7/2/14]**

SECTION 1.21 DEFINITIONS - V

VEHICLE SERVICE STATIONS. Buildings and premises where the principal uses include the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and other similar motor vehicle accessories, or the minor servicing of vehicles, including such activities as engine tune-ups, oil changes, muffler replacements, and other similar minor repairs, but not including body shops. **[Section 1.21, Vehicle Service Stations, amended 10/6/93]**

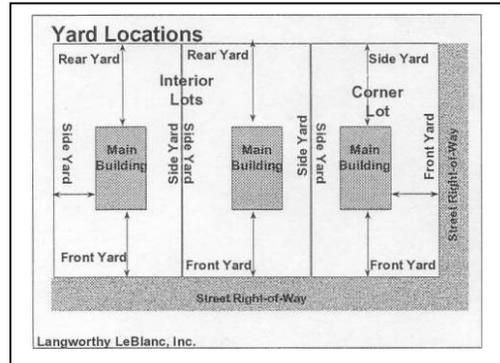
SECTION 1.22 DEFINITIONS - W

WASTE DUMPSTER. A container used for the temporary storage of rubbish and/or materials to be recycled pending collection, having capacity of at least one cubic yard.

SECTION 1.23 DEFINITIONS - Y

YARDS. The open spaces on the same lot with a main building that are unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance, and as defined herein.

A. **FRONT YARD.** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the building line of the main building. In the case of a lot having frontage on a body of water, the front yard shall be considered that area between the shoreline and the building line of the main building. A corner lot shall have two front yards defined by the building line and the front lot lines.



B. **REAR YARD.** An open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the building line of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage.

C. **SIDE YARD.** An open space between a main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the building line of the main building. In the case of a corner lot, the side yard shall be a yard which is neither a front yard nor a rear yard. **[Section 1.23.A and C, Yards, amended 9/2/15]**

YARD, REQUIRED. The required yard shall be that set forth in the applicable chapters of the Courtland Township Zoning Ordinance as the minimum yard requirement for each district.

SECTION 1.24 DEFINITIONS - Z

ZONING ACT. The Zoning Enabling Act; Act 110 of the Public Acts of Michigan of 2006, as amended. **[Section 1.24, Zoning Act, amended 8/2/06]**

ZONING ADMINISTRATOR. The person designated by the Township Board to administer the provisions of this Zoning Ordinance.

ZONING BOARD OF APPEALS, OR BOARD. The Zoning Board of Appeals of Courtland Township.