

**CITY OF HASTINGS & CHARTER TOWNSHIP OF RUTLAND
BARRY COUNTY, STATE OF MICHIGAN
RUTLAND CHARTER TOWNSHIP ORDINANCE NO. 2020-175**

ADOPTED BY TOWNSHIP BOARD: MAY 13, 2020

EFFECTIVE DATE: MAY 29, 2020 (or as otherwise provided by law)

CITY OF HASTINGS ORDINANCE NO. 589

ADOPTED BY CITY COUNCIL: MAY 11, 2020

EFFECTIVE DATE: MAY 29, 2020 (or as otherwise provided by law)

**JOINT ORDINANCE TO AMEND HASTINGS-RUTLAND JOINT PLANNING
COMMISSION ZONING ORDINANCE**

An Ordinance to amend Section 4.13 of the Zoning Ordinance of the Hastings-Rutland Joint Planning Commission (Rutland Charter Township Ordinance No. 2016-156, as amended/City of Hastings Ordinance No. 532, as amended) pertaining to the keeping of animals.

**THE CITY OF HASTINGS & THE CHARTER TOWNSHIP OF RUTLAND
BARRY COUNTY, MICHIGAN**

ORDAIN:

SECTION 1

AMENDMENT OF SECTION 4.13 PERTAINING TO THE KEEPING OF ANIMALS

Section 4.13 of the Zoning Ordinance of the Hastings-Rutland Joint Planning Commission, presently pertaining to exotic animals, is hereby amended to also address the keeping or raising of livestock with new content recognizing the siting of a new or expanding commercial livestock production facility in any zoning district is controlled by the State of Michigan pursuant to the Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Facilities issued by the Michigan Commission of Agriculture & Rural Development under authority of the Michigan Right To Farm Act; and further clarifying the keeping or raising of livestock for any non-commercial purpose is not allowed in any zoning district, thus causing Section 4.13 to read as follows:

“Section 4.13 Exotic Animals, and livestock

A. Exotic animals are not permitted on any premises which are under the jurisdiction of the Joint Planning Commission without a determination by the Zoning Administrator that the subject animal(s) will pose no threat to the health, safety and welfare of persons or property, after submission of a site plan pursuant to Chapter 9 and pursuant to the standards for site plan approval in Section 9.04; provided that the Zoning Administrator may instead refer the site plan submission to the Planning Commission for review pursuant to the applicable provisions of Chapter 9 if the Zoning Administrator determines such review by the Planning Commission instead of the Zoning Administrator is in the public interest.

B. Livestock. The keeping or raising of livestock is subject to the following:

1. Commercial Production Purposes. This Zoning Ordinance does not provide for commercial production livestock land uses in any zoning district, but certain premises may potentially be determined by the State of Michigan to be permissible for the siting of a new or expanding commercial livestock production facility pursuant to the Generally Accepted Agricultural and Management Practices for Site Selection and Odor Control for New and Expanding Livestock Facilities issued by the Michigan Commission of Agriculture & Rural Development under authority of the Michigan Right To Farm Act.
2. Non-Commercial Production Purposes. The keeping or raising of livestock for any non-commercial purpose is not allowed in any zoning district.
3. For purposes of the provisions of this Zoning Ordinance pertaining to the keeping or raising of livestock for “commercial” purposes, or referring to a livestock “production” facility or similar term, these terms shall mean the act of producing an item intended to be sold at a profit.”

SECTION 2

EFFECTIVE DATE/REPEAL

This Ordinance shall take effect on the latter of: (1) 15 days after enactment by both the City and Township, or (2) the eighth day after publication of a notice of adoption of this Ordinance as required by law; provided, however, if a notice of intent to file a petition under *MCL 125.3402* is timely filed with respect to this Ordinance and/or if the right of referendum under applicable provisions of the charter of the City of Hastings is timely initiated, this Ordinance shall then only take effect as provided by applicable provisions of *MCL 125.3402* and/or the City charter, or as otherwise provided by law.

Robin Hawthorne, Clerk
Charter Township of Rutland

Jane Saurman, Clerk
City of Hastings