



CITY COUNCIL ACTION REPORT

DATE: June 29, 2009

TO: John Szerlag, Acting City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services
Mark F. Miller, Planning Director

SUBJECT: Ratification of Resolution #2009-06-181 from the Regular City Council Meeting on June 15, 2009 for Zoning Ordinance Text Amendment (File Number: ZOTA 238) – Article 28 – Social Service Facilities in M-1 to Correct a Numbering Error

City Council approved ZOTA 238 at the July 15, 2009 Regular meeting. Following the meeting, it was discovered that the approved text amendment contained a numbering error. The City Clerk's office determined that this is a non-substantive correction that can be corrected through the ratification of Resolution #2009-06-181.

The attached text includes the corrected version of the text amendment.

Attachments:

1. ZOTA 238 City Council Public Hearing Draft.

Prepared by RBS/MFM

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CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING
ZOTA 238

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as the 235th amendment, as ratified, to Chapter 39 of the Code of the City of Troy.

Section 2. Amendment to Article IV of Chapter 39

Article IV of Chapter 39 of the Code of the City of Troy is amended to add a definition for Social Service Agency, to read as follows:

04.20.131A SOCIAL SERVICE FACILITY: A facility operated by an organization which provides products and services for individuals, including but not limited to training, counseling, health, or the distribution of food or clothing.

Section 3. Amendment to Article XXVIII of Chapter 39

Article XXVIII of Chapter 39 of the Code of the City of Troy is amended to permit social service facilities by Special Use in the M-1 District, to read as follows:

28.00.00 ARTICLE XXVIII M-1 LIGHT INDUSTRIAL DISTRICT

| 28.30.4213 Social service facilities, subject to the following:

A. Overnight stay is not permitted.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of July, 2009.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk