

Part 130

130.000

**PLANNING COMMISSION**  
**Ord. No. 41 (- of 1975)**

A resolution to establish a Planning Commission for the Village of Hopkins, pursuant to the Public Acts of Michigan for 1931, No. 285, effective September 18, 1931, as amended.

THE VILLAGE OF HOPKINS ORDAINS:

**130.001 Definitions.**

Sec. 1.

- A. The term "*Planning Commission*", as used in this Resolution shall mean Village Planning Commission.
- B. "*Master Plan*", shall mean that plan as designated under the provisions of Act 285 of 1931, as amended, being set forth in MSA 5.2996.

**130.002 Purposes.**

Sec. 2. To promote public health, safety, and general welfare; to encourage the use of resources in accordance with their character and adaptability; to avoid the overcrowding of land by buildings or people; to lessen congestion on public roads and streets; to facilitate provisions for a system of transportation, sewage disposal, safe and adequate water supply, recreation and other public improvements; and to consider the character of the Village and its suitability for particular uses judged in the terms of such factors as the trend in land and population development.

**130.003 Membership of commission.**

Sec. 3. The Planning Commission shall consist of nine members, who shall represent the major interests as they exist in the Village. The membership shall consist of three (3) members being specifically the Village President and two members of the Village Council. The other six members shall be from the commu-

nity at large appointed under the criteria set forth above by the President of the Village, which appointment is subject to the approval of the Village Council as a whole.

- A. Members as appointed by the President with the approval of the Village Board, may be removed by the President of the Village after a public hearing and with approval of the Village Council.
- B. Each member shall be appointed for a term of three (3) years except the first members appointed shall be for staggered terms of one-third for one (1) year; one-third for two (2) years; and one-third for three (3) years. Vacancies shall be filled within one month after occurrence by appointment as above.
- C. Compensation of members shall be set by the Village Council.
- D. The Planning Commission shall make and submit a detailed budget each year to the Village Council for approval or disapproval. The Village Council shall appropriate funds for purposes of the Commission, and may accept funds from other governmental agencies or private grants. Those received from the donor shall be placed in a special nonreverting Planning Commission Fund to be used for the purposes designated by the donor, and the Village Treasurer shall expend such funds upon voucher of the Chairman and Secretary of the Commission or order of the Village Clerk. The Commission shall not expend beyond the Village Council appropriations except for grants or gifts.
- E. The Commission may make and administer regulations relative to compensation of members for expenses when engaged in Commission business, subject to the Village Council approval.

- F. The Commission shall elect a Chairman and Secretary from its members and create themselves such other offices or committees as it may deem advisable, the Planning Commission may appoint advisory committees outside of its membership. The term of all officers shall be one (1) year.

**130.004 Meetings.**

Sec. 4. The Commission shall hold at least one (1) meeting each month at a time and place to be determined by resolution. Any two (2) members, in writing to the Secretary of the Commission, may request a special meeting, or a special meeting may be called by the Chairman of the Commission. At least forty-eight (48) hours notice of special meetings must be given to all members of the Commission. All meetings are public.

**130.005 Hiring of professional personnel.**

Sec. 5. The Planning Commission may hire full or part-time professional planning personnel as they deem necessary, so long as budgeted funds allow.

**130.006 Rules of procedure, public record, annual report.**

Sec. 6. The Commission shall adopt rules of procedure, and keep a public record of all transactions before it, and shall make an annual report of its activities during the year, including recommendations as to planning and development, to the Village Council at least annually.

**130.007 Master Plan.**

Sec. 7. The Planning Commission shall prepare a Master Plan as prescribed by Act 285 of the Public Acts of 1931, as amended. The Commission shall consider the relevant criteria set forth in the Act in terms of developing the Plan.

**130.008 Adoption of procedure.**

Sec. 8. The Master Plan shall be adopted by resolution of the Commission pursuant to the statutory authority, and may be adopted at such another time or as a whole at the discretion of the Commission. Upon adoption the same shall be certified to the Council and the County Register of Deeds.

**130.009 Approval for public construction.**

Sec. 9. Public construction after the date of approval of the Master Plan as provided by law shall be upon approval of the Planning Commission, which Commission shall communicate its reasons for disapproval to the Council which Council pursuant to the Act as herein quoted, shall have the right of override, or if public way, structure or utility shall fall under the province of any other body, such communication shall be to that body and that body shall have the rights of overriding said recommendation as provided by the Act. The failure of the Commission to act within sixty days upon any request shall be deemed an approval.

**130.010 Transfer of zoning board—Dissolution thereof.**

Sec. 10. The functions of the Hopkins Village Zoning Board as it now exists are hereby transferred to the Planning Commission, created hereunder, on the date of the first meeting of said Commission, at which time the present zoning board shall cease to exist. The Chairman of the Planning Commission shall be the first member of the Zoning Board of Appeals.

**130.011 Flats.**

Sec. 11. The Planning Commission upon completion of its Master Plan as provided by law, shall thereafter approve all plats prior to their being filed or recorded as provided by law.

**130.012 Validity.**

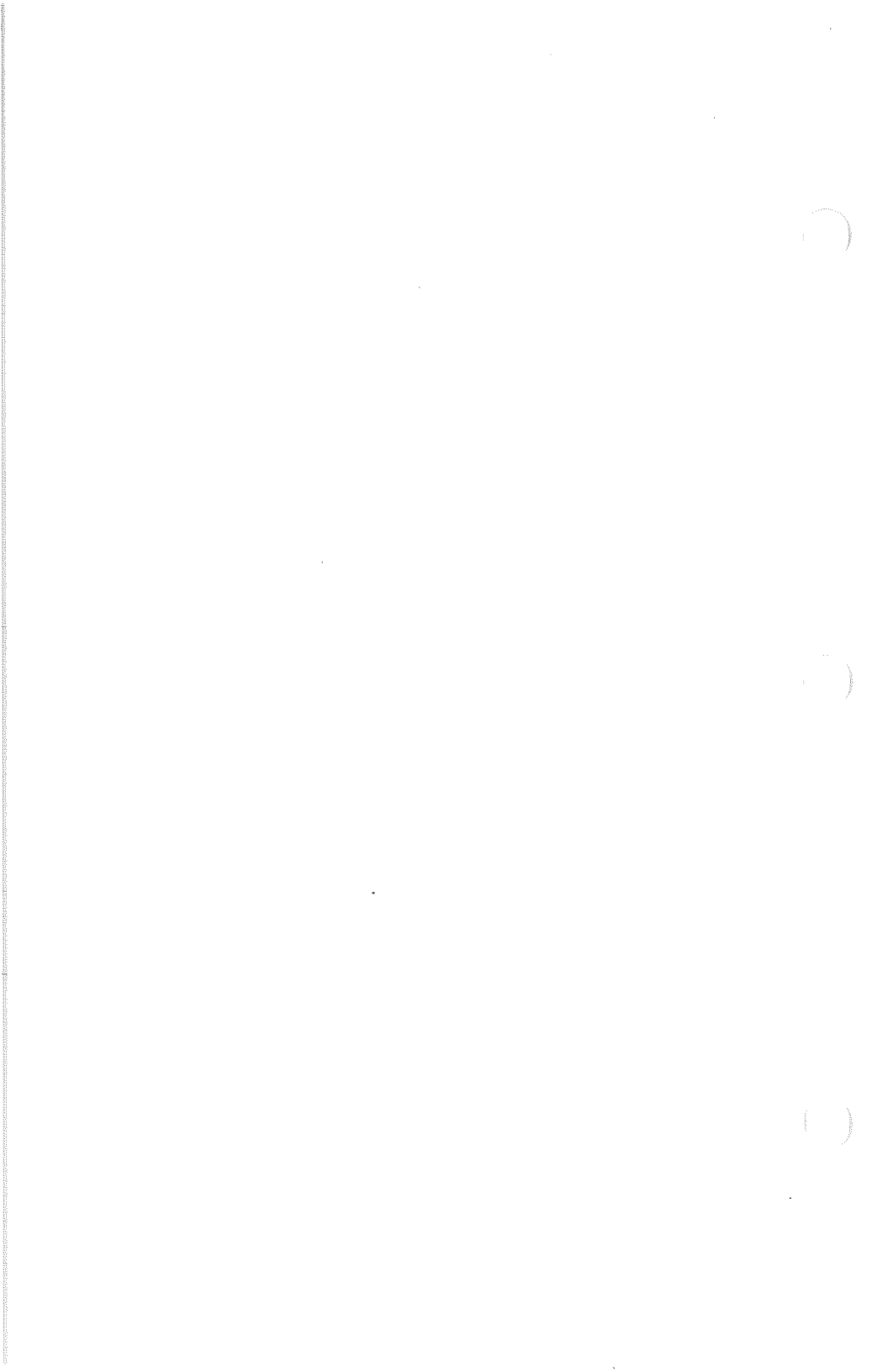
Sec. 12. Should any section, sub-section, clause or provision of this Ordinance be declared by the Courts to be invalid, such decision shall not affect the validity of the Ordinance in its entirety or any part thereof, other than the portion so declared to be invalid.

**130.013 Amendments.**

Sec. 13. This Ordinance may be amended as provided by law.

**130.014 Effective date.**

Sec. 14. This Ordinance shall become effective sixty (60) days after its passage, publication and recording by the Village Clerk.



Part 131

**131.000 DOWNTOWN DEVELOPMENT AUTHORITY  
Ord. No. 47 (1 of 1983)**

An ordinance to establish a downtown development authority in the Village of Hopkins pursuant to Act 197, Public Acts of Michigan, 1975; to provide for establishment of a board of directors for the authority; to define the boundaries of the downtown district constituting the downtown development authority; and to provide for all other matters necessary and related thereto.

THE VILLAGE OF HOPKINS ORDAINS:

**131.001 Title of ordinance.**

Sec. 1. This ordinance shall be known and may be cited as the "Downtown Development Authority Ordinance."

**131.002 Definitions.**

Sec. 2. The terms used in this ordinance shall have the same meaning as given to them in Act 197 or as hereinafter in this section provided unless the context clearly indicates to the contrary. As used in this ordinance:

*Act 197* means Act No. 197 of the Public Acts of Michigan of 1975, as now in effect or hereafter amended.

*Authority* means the downtown development authority of the Village of Hopkins created by this ordinance.

*Board* or *Board of directors* means the board of directors of the authority, the governing body of the authority.

*Chief executive officer* means the president of the Village.

*Council* or *Village Council* means the Village Council of the Village.

*Downtown district* means the downtown district designated by this ordinance as now existing or hereafter amended.

*Village* means the Village of Hopkins, Michigan.

**131.003 Determination of necessity.**

Sec. 3. The Village Council of the Village hereby determines that it is necessary for the best interests of the Village to halt property value deterioration and increase property tax valuation where possible in the business district of the Village to eliminate the causes of that deterioration and to promote economic growth by establishing a downtown development authority pursuant to Act 197.

**131.004 Creation of authority.**

Sec. 4. There is hereby created pursuant to Act 197 a downtown development authority for the Village. The authority shall be a public body corporate and shall be known and exercise its powers under the title of "Downtown Development Authority of the Village of Hopkins." The authority may adopt a seal, may sue and be sued in any court of this state and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided by this ordinance and Act 197. The enumeration of a power in this ordinance or in Act 197 shall not be construed as a limitation upon the general powers of the authority.

**131.005 Description of downtown district.**

Sec. 5. The downtown district in which the authority shall exercise its powers as provided in Act 197 shall consist of the described territory in the Village, subject to such changes as may hereinafter be made pursuant to this ordinance and Act 197, as set forth in Exhibit A, attached hereto and made a part hereof.

**131.006 Board of directors.**

Sec. 6. The authority shall be under supervision and control of a board of directors consisting of the chief executive officer of the Village and six (6) members as provided by Act 197. The members shall be appointed by the chief executive officer subject to approval by the



commission and shall hold office for the terms provided in Act 197. All members shall hold office until the member's successor is appointed.

**131.007 Powers of the authority.**

Sec. 7. Except as specifically otherwise provided in this ordinance the authority shall have all powers provided by law subject to the limitations imposed by law and herein.

**131.008 Fiscal year; adoption of budget.**

Sec. 8.

- (a) The fiscal year of the authority shall begin on January first of each year and end on December thirty-first of the following year, or such other fiscal year as may hereafter be adopted by the city.
- (b) The board shall annually prepare a budget and shall submit it to the Council on the same date that the proposed budget for the Village is required by the Village Charter to be submitted to the commission. The board shall not finally adopt a budget for any fiscal year until the budget has been approved by the Council. The board may, however, temporarily adopt a budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the ordinance authorizing the revenue bonds.
- (c) The authority shall submit financial reports to the Council at the same time and on the same basis as departments of the Village are required to submit reports. The authority shall be audited annually by the same independent auditors auditing the Village and copies of the audit report shall be filed with the commission.

**131.009 Section headings; severability; repealer.**

Sec. 9. Section headings are provided for convenience only and are not intended to be part of this ordinance. If any portion of this ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

**131.010 Publication, recording and filing.**

Sec. 10. This ordinance shall be published once after its adoption in full in the *Panacee Globe*, a newspaper of general circulation in the Village of Hopkins and the Village clerk shall file a certified copy of the ordinance with the Michigan Secretary of State promptly after its adoption.

This ordinance shall be effective from and after ten (10) days from the date of its adoption.

**131.020 EXHIBIT A—DOWNTOWN DEVELOPMENT AUTHORITY.****PROPOSED BOUNDARIES**

Beginning at the intersection of the centerline of Center Street with the centerline of Fulton Street; thence East along said centerline of Fulton Street to the intersection with the centerline of Maple Street, thence North along said centerline of Maple Street to the intersection with the centerline of Main Street; thence East along said centerline of Main Street to the intersection with the centerline of Cherry Street; thence North along said centerline of Cherry Street to the intersection with the centerline of Elm Street; thence East along said centerline of Elm Street to the intersection with the centerline of Jefferson Street; thence North along said centerline of Jefferson Street to the intersection with the Northern Hopkins Village limits; thence East along said Vil-

lage limits to a point intersecting due North of the centerline of Hoffmaster Street; thence South along said point due North of the centerline of Hoffmaster Street to the intersection with the centerline of North Street; thence West along said centerline of North Street to the intersection with the centerline of Franklin Street; thence South along said centerline of Franklin Street to the intersection with the centerline of Wise Street; thence West along said centerline of Wise Street to the intersection with the Eastern bank of Bear Creek; thence Southerly along the Eastern bank of Bear Creek to its intersection with the Southern Village Limit of the Village of Hopkins; thence West along said Village Limit to a point intersecting due South of the centerline of Center Street; thence North along said point South of said centerline of Center Street to the intersection with the centerline of Fulton Street and the point of beginning.



Part 132

**132.000 DEVELOPMENT AREA PLAN ORDINANCE  
Ord. No. 48 (1 of 1984)**

An ordinance approving the development area plan proposed by the authority within the downtown development area proposed and submitted by the downtown development authority for the Village of Hopkins pursuant to Act 197, Public Acts of Michigan, 1975; to define the boundaries of the development area, and to provide for all other matters necessary and related thereto.

THE VILLAGE OF HOPKINS ORDAINS:

**132.001 Title of the ordinance.**

Sec. 1. This Ordinance shall be known and may be cited as the "Development Area Plan Ordinance".  
(Adopted: 5-14-84)

**132.002 Definitions.**

Sec. 2. The terms used in this ordinance shall have the same meaning as given to them in Act 197 or as hereinafter in this section provided unless the context clearly indicates to the contrary. As used in this ordinance:

*Act 197* means Act No. 197 of the Public Acts of Michigan of 1975, as now in effect or hereafter amended.

*Authority* means the downtown development authority of the Village of Hopkins created in Ordinance No. 47 (1 of 1983).

*Board or Board of directors* means the board of directors of the authority, the governing body of the authority.

*Council or Village Council* means the Village Council of the Village of Hopkins.

*Downtown district* means the downtown district designated by this Ordinance as now existing or hereafter amended.

*Development plan or proposed development plan* means that information and those requirements for a development set forth in Act 197.

*Development area* means that area to which a development plan is applicable.

*Village* means the Village of Hopkins.  
(Adopted: 5-14-84)

### **132.003 Determination of public purpose.**

Sec. 3. The Village Council of the Village hereby determines that the proposed development plan submitted by the authority as set forth in Exhibit A, [not printed; a copy is available in the Village clerk's office] attached hereto and made a part hereof, constitutes and will serve a public purpose to the citizens and taxpayers of the Village and further that such development plan is consistent with the purpose for which the authority was created. It is further determined that the proposed plan meets the requirements of Section 17(2) of Act 197.  
(Adopted: 5-14-84)

### **132.004 Approval of development plan.**

Sec. 4. The Village Council hereby approves and adopts the proposed development plan, Exhibit A [not printed; a copy is available in the Village clerk's office] attached, which shall be hereafter known as the Development Plan, the provisions of such Development Plan being reasonable and necessary to carry out the purpose for which the authority was created, consistent with the planned future of the Village, and the land included within the development area being reasonably necessary to carry out the purpose of the plan in an efficient and economically satisfactory manner. Further, the Village Council believes that fire and police protection as well as public utilities are adequate to service the project area and that the proposed changes in zoning and streets are reasonably neces-

sary for the development area to succeed and in the municipalities best interest.

(Adopted: 5-14-84)

**132.005 Description of development area.**

Sec. 5. The Development Area within the Village of Hopkins shall be designated as encompassing the Railroad right-of-way and station grounds currently owned by United Railroad Corporation and running through the Village of Hopkins from the Southern border of the Village limits South of Mill Street and continuing in a Northeastern direction to the Northern Village limit, northeast of Clark Street, comprising a total area of approximately 14.5 acres.

(Adopted: 5-14-84)

**132.006 Section heading; severability; repealer.**

Sec. 6. Section headings are provided for convenience only and are not intended to be a part of this Ordinance. If any portion of this Ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

(Adopted 5-14-84)

**132.007 Publication, recording and filing.**

Sec. 7. This Ordinance shall be published once after its adoption in full in *Panacee Globe*, a newspaper of general circulation in the Village of Hopkins and the Village Clerk shall file a certified copy of this Ordinance with the Michigan Secretary of State promptly after its adoption.

This Ordinance shall be effective from and after 10 days from the date of its adoption.

(Adopted: 5-14-84)

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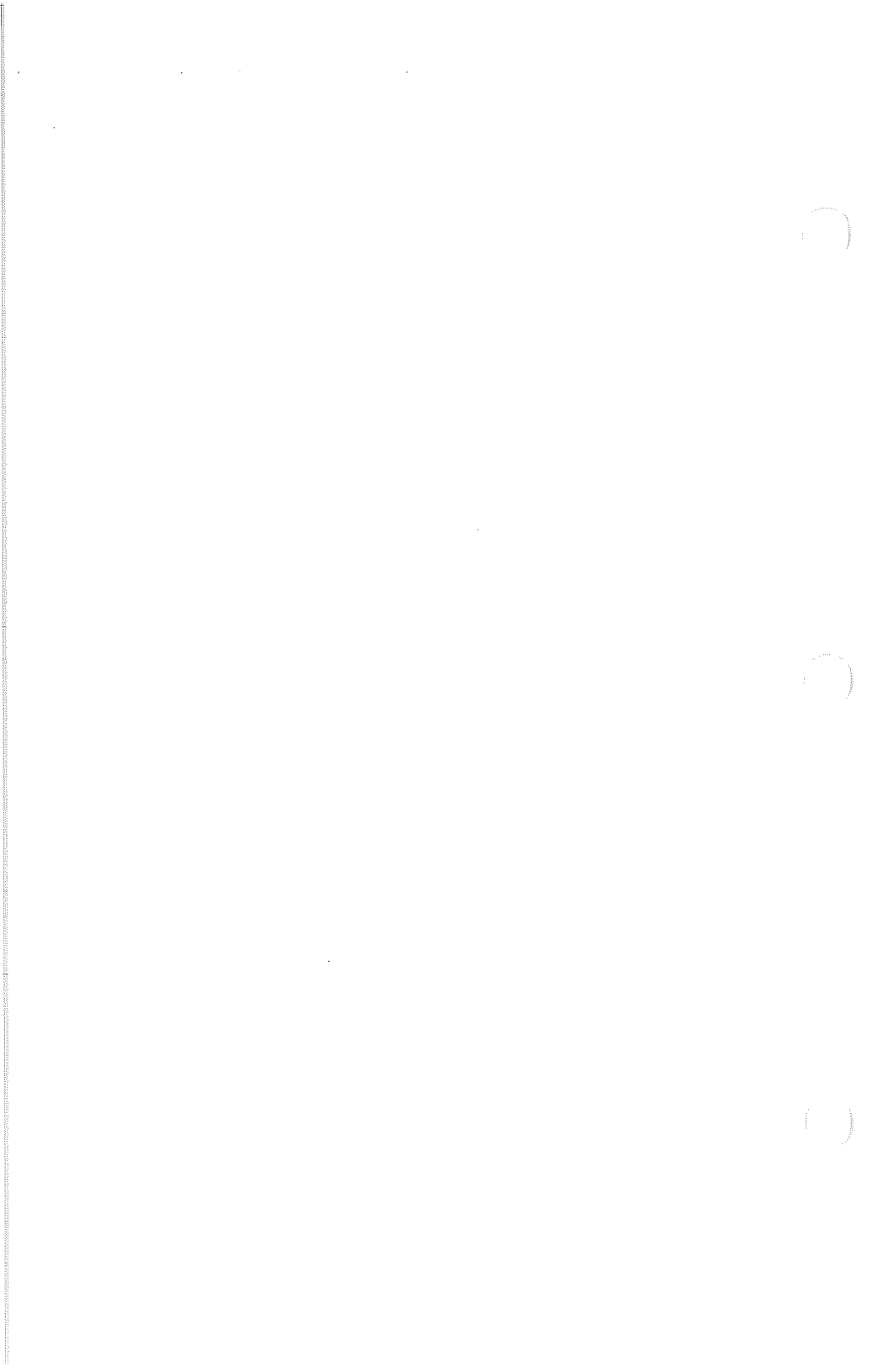
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Parts 133—135. Reserved.

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Part 136

**136.000 MOBILE HOMES DEFINED AS DWELLING  
Ord. No. 49**

Village of Hopkins zoning ordinance on mobile homes within the Village.

The definition of dwelling in the Ordinance has been changed to include mobile homes. The definition of mobile homes has been amended to match the definition found in the Mobile Home Commission Act.

Mobile homes must obtain a zoning permit and building permit before they can be placed in the Village outside of a mobile home park and must among other requirements abide by the following:

- (A) Have the same minimum square foot living area as required for conventionally built homes as in the building code.
- (B) Mobile homes shall have a minimum ceiling height of seven and one-half (7½) feet.
- (C) Mobile homes shall have all wheels and towing mechanisms removed completely.
- (D) The mobile homes shall be connected to public sewer and/or water supply as provided by Village Ordinance and State Ordinances or to such private facilities approved by the Health Department.
- (E) Mobile homes shall have a frost-free footing with slab positioned lengthwise of the said unit and must extend three (3) feet past each end and six (6) inches beyond the outside dimension of sides of said unit. Minimum depth of slab will be at least three (3) inches.
- (F) Mobile homes shall be anchored to said slab in accordance with Mobile Home Manufacturers Specifications.
- (G) Mobile homes may also be installed on a basement foundation, complying with code requirements.

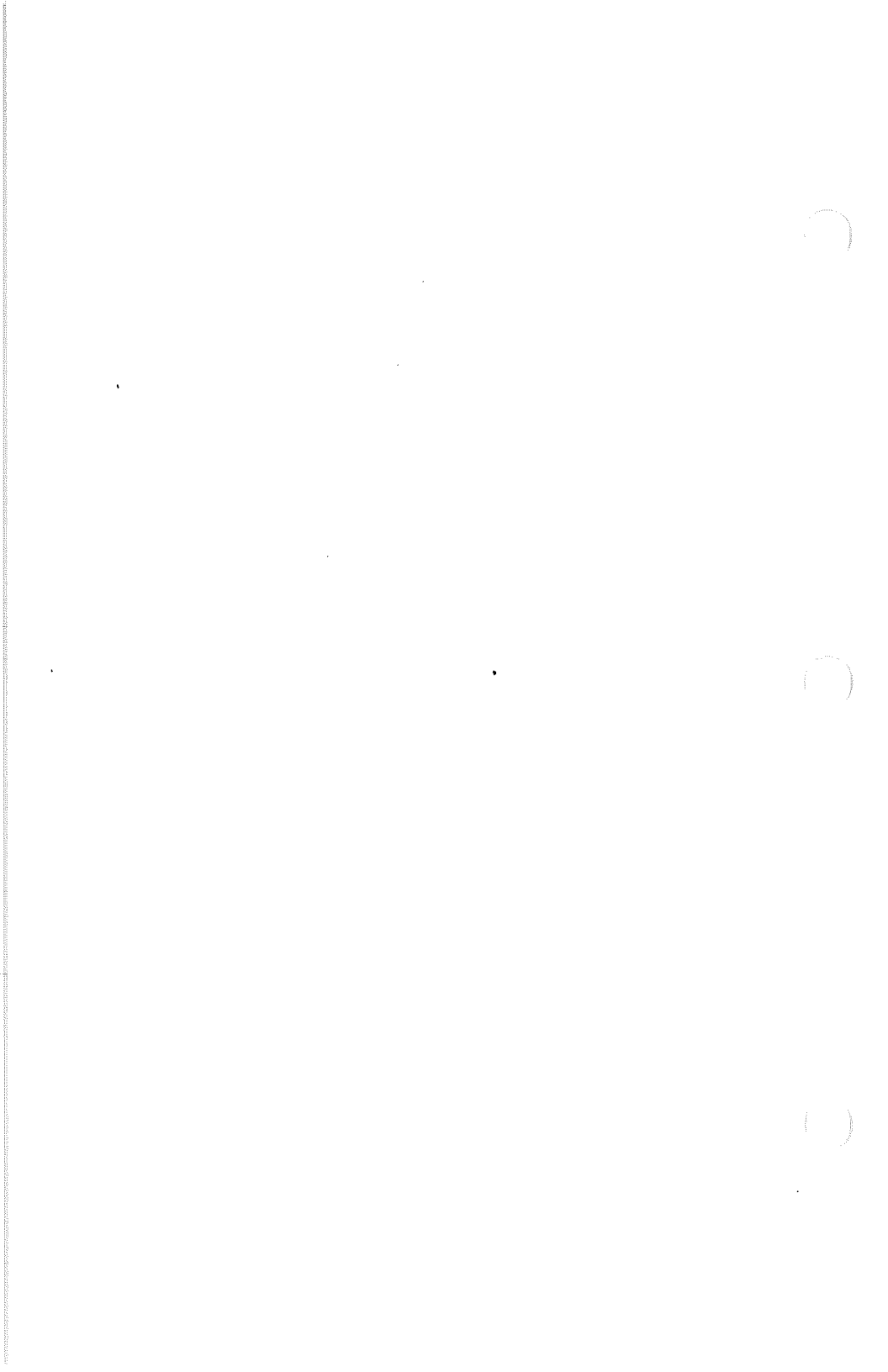
- (H) All mobile homes without basements must have a masonry or metal or fiberglass skirting erected between slab and bottom of home on all sides. An access panel of sufficient size to allow full access to area below dwelling be available.
- (I) The dwelling is aesthetically compatible in design and appearance with other conventional on-site homes, with either a roof overhang of not less than six (6) inches on all sides, or alternatively with window sills or roof drainage systems concentrating roof drainage at collection points along the sides; and has not less than two (2) exterior doors with the second one being in either the rear or side of dwelling and contains steps connected to said door areas where a difference in elevation requires the same.
- (J) Mobile homes must meet all standards of the United States Department of Housing and Urban Development of Mobile Home Construction and Safety Standards. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements. All mobile homes shall bear the Michigan State Construction Seal. No person may occupy any mobile home as a dwelling until a certificate of approval is issued by the building inspector.
- (K) All additions to mobile homes must meet either HUD standards or constructed similar quality workmanship as the original structure, including permanent attachment to the principal structure. All additions must have a description and design shown to Building Inspector before permit is issued.
- (L) The dwelling shall contain a storage capability area in a basement located under the dwelling, in an attic, in a closed area or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which the storage area shall be equal to 10% of the square

footage of the dwelling or 100 square feet, whichever shall be less.

- (M) All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Village building code.
- (N) Applications for special use permits must be filed with the Hopkins Village Council. The Council will make decisions for the issuance or denial of special use permits.
- (O) The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by State or Federal law or otherwise specifically required by any other ordinances pertaining to such parks.
- (P) All mobile homes erected or installed pursuant to this ordinance shall be placed in such a manner so that the longest side is parallel to or facing a public street or roadway. In the event that a lot has frontage on more than one public street or roadway then the Village Council shall decide which street said mobile home shall face.

(Adopted: 8-19-85)

HOPKINS PUBLIC LIBRARY  
118 E. MAIN STREET  
HOPKINS, MI 49328



Part 137

137.000

**SATELLITE DISH ANTENNAS**

**Ord. No. 60**

**137.001 Definition.**

Sec. 1. A satellite dish antenna is one of the disc-shaped or other type of structures commonly used to intercept signals for television reception.

**137.002 General provisions.**

Sec. 2. All of the following provisions shall apply to structures known as satellite dish antennas as defined in this ordinance:

- a. No satellite dish antenna shall exceed a height of fifteen (15) feet, including its mounting structure.
- b. Except as described in c., satellite dish antennas shall be located in the rear yard and not attached to the principal building, its attachments, or accessory structures, except for conduit purposes to the receiving television set.
- c. No satellite dish antenna over 36 inches in diameter shall be attached to the roof of any building or other structure.
- d. No more than two such satellite dish antennas shall be placed on any residential lot.
- e. The satellite dish antenna shall be at least ten (10) feet from any property line.
- f. Satellite dish antennas shall be permanently anchored to a foundation or structure.
- g. All satellite dish antennas shall require a building permit prior to erection. The application for a permit must include a sketch showing the proposed location, height, and anchoring details of the antenna and a \$15.00 fee.

**137.003 Satellite receivers and dish antennas.**

Sec. 3. Any exterior audio-visual dish antenna or receiver (a "satellite-dish antenna") being three feet or larger in diameter, to be placed upon a lot, parcel or building shall be deemed an accessory structure (building) in the applicable zoning district, and the location thereof shall comply with the regulations applicable thereto in the particular zoning district. Further, such "satellite-dish antennas" shall conform to all building height restrictions in the applicable zoning district and be so located to be as obscure as possible to public view.

[The next page is 905]



AN ORDINANCE ADOPTING AND ENACTING A RE-CODIFICATION FOR THE VILLAGE OF HOPKINS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES TO INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH RE-CODIFICATION; AND PROVIDING WHEN SUCH RE-CODIFICATION AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

THE VILLAGE OF HOPKINS ORDAINS:

Section 1. The Re-Codification entitled "Re-Codification of Ordinances" which consists of Parts 1 through 137, each inclusive concerning the following subjects are adopted: Administration, Business REgulation, Franchise, Traffic and/or Vehicle Codes, Criminal Offenses, Building Regulation, Environmental Protection, Nuisances, Junk Cars, Animal Control, Public Works and Utilities, Public Safety, Dangerous Buildings, Planning and Zoning, and Downtown Development Authority.

Section 2. All ordinances of a general and permanent nature enacted on or before May 14, 1984 , and not included in the Re-Codification or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in Section 2 hereof shall not be construed to have any effect upon the Zoning Ordinance of 1954, which is saved hereby from repeal. The repeal provided for in Section 2 shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance or part thereof that has been repealed by a subsequently ordinance that is repealed by this ordinance.



Section 4. Unless another penalty is expressly provided, ever person convicted of a violation of any provision of the Compilation or any ordinance, rule or regulation adopted to exceed one hundred dollars (\$100.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Compilation section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the Village may pursue other remedies such as abatement of nuisances, injunctive relief, and revocation of licenses or permits.

Section 5. Additions or amendments to the Re-Codification when passed in the form as to indicate the intention of the Village to make the same a part of the Re-Codification shall be deemed to be incorporated in the Re-Codification, so that reference to the Re-Codification includes the additions and amendments.

Section 6. Ordinances adopted after May 14, 1990 that amend or refer to ordinances that have been included in the Re-Codification, shall be construed as if they amend or refer to like provisions of the Re-Codification.



Section 7. This ordinance shall become effective  
May 14, 1990.

Passed and adopted by the Village of Hopkins this 14th  
day of May, 1990.

Steven D. Stearns  
President

Sandra Morris  
Clerk

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is a true copy of the  
ordinance passed at the regular meeting of the Village Council of  
the Village of Hopkins held on the 14th day of May,  
1990.

Sandra Morris  
Clerk

