

# HOUSE BILL No. 4609

April 12, 1989, Introduced by Reps. Harrison, Saunders, Watkins, Kilpatrick, Joe Young, Sr., Berman, DeMars, Stallworth, Perry Bullard, Joe Young, Jr., Emerson, Hollister and Wallace and referred to the Committee on Appropriations.

A bill to amend sections 11 and 15 of Act No. 183 of the Public Acts of 1943, entitled as amended

"The county rural zoning enabling act,"

being sections 125.211 and 125.215 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 11 and 15 of Act No. 183 of the Public  
2 Acts of 1943, being sections 125.211 and 125.215 of the Michigan  
3 Compiled Laws, are amended to read as follows:

4 Sec. 11. After the adoption of a zoning ordinance by the  
5 county board of commissioners, the ordinance, including zoning  
6 maps, signed by the chairperson of the county board of commis-  
7 sioners and certified by the county clerk, shall be submitted to  
8 the department of ~~natural resources~~ HOUSING AND URBAN AND RURAL  
9 DEVELOPMENT for approval. The approval of the department of

1 ~~natural resources~~ HOUSING AND URBAN AND RURAL DEVELOPMENT shall  
2 be conclusively presumed unless the department of ~~natural~~  
3 ~~resources~~ HOUSING AND URBAN AND RURAL DEVELOPMENT, within 30  
4 days after receipt, notifies the county clerk of its  
5 disapproval. Disapproval of a county zoning ordinance shall be  
6 based upon noncompliance or conflict with either state or federal  
7 law or administrative rule or regulation, or a decision of a  
8 state or federal court. The zoning ordinance shall become effec-  
9 tive on the date ~~following~~ OF its approval by the department of  
10 ~~natural resources~~ HOUSING AND URBAN AND RURAL DEVELOPMENT,  
11 regardless of the requirements relative to the effective date of  
12 county ordinances as specified in Act No. 156 of the Public Acts  
13 of 1951, as amended, being sections 46.1 to 46.32 of the Michigan  
14 Compiled Laws. The zoning ordinance and subsequent amendments  
15 shall be filed with the county clerk, who shall maintain a copy  
16 in the office of the county clerk for public use.

17       Sec. 15. To protect the public health, safety, and general  
18 welfare of the inhabitants of the county, and the lands and  
19 resources of the county during the period required for the prepa-  
20 ration and enactment of an ordinance authorized by this act as  
21 provided by sections 7 to 12, the county board of commissioners  
22 may direct the county zoning commission to submit, within a spec-  
23 ified period of time, recommendations as to the provisions of an  
24 interim zoning ordinance and to submit those recommendations  
25 without consideration for sections 7, 8, and 9. Before present-  
26 ing its recommendations to the county board of commissioners, the  
27 zoning commission shall submit the interim zoning ordinance, or

1 an amendment to the interim zoning ordinance, to the department  
2 of ~~natural resources~~ HOUSING AND URBAN AND RURAL DEVELOPMENT  
3 for approval, which approval shall be conclusively presumed  
4 unless the department of ~~natural resources~~ HOUSING AND URBAN  
5 AND RURAL DEVELOPMENT, within 15 days after the receipt of the  
6 ordinance or amendment notifies the county clerk in writing of  
7 its disapproval. Disapproval of a county interim zoning ordi-  
8 nance or an amendment to an interim zoning ordinance shall be  
9 based upon noncompliance or conflict with either state or federal  
10 law or administrative rule, or a decision of a state or federal  
11 court. After approval by the department of ~~natural resources~~  
12 HOUSING AND URBAN AND RURAL DEVELOPMENT, the county board of com-  
13 missioners by majority vote of its members may enact an interim  
14 ordinance or an amendment to an interim ordinance without consid-  
15 eration for sections 10 and 12 and give the interim ordinance or  
16 an amendment to an interim ordinance immediate effect. A notice  
17 of adoption of the interim ordinance or an amendment to the  
18 interim ordinance shall be published within 15 days after its  
19 adoption by the county board of commissioners by 1 publication of  
20 a notice containing the information stipulated in section 11a in  
21 a newspaper of general circulation published in the county. The  
22 interim ordinance or an amendment to the interim ordinance shall  
23 be filed with the county clerk and the department of ~~natural~~  
24 ~~resources~~ HOUSING AND URBAN AND RURAL DEVELOPMENT. The interim  
25 ordinance shall be limited to 1 year from the date it becomes  
26 effective and to not more than 2 years of renewal thereafter by  
27 resolution of the county board of commissioners.