

**BLACKMAN CHARTER TOWNSHIP
BOARD MEETING AGENDA
Monday, August 19, 2024
6:00 PM**

CALL TO ORDER / PLEDGE OF ALLEGIANCE

BRIEF PUBLIC COMMENTS - (two-minute limit)

ADDITIONS / DELETIONS

MINUTES APPROVAL

1. Approval of the minutes for the Regular Board Meeting held on Monday, July 15, 2024

PRESENTATIONS

1. Rehmann
2. Waste Management

CONSENT AGENDA

1. Approval of payroll for the dates 7/05/24 in the amount of \$164,929.07 and for 7/19/24 in the amount of \$197,437.28.
2. Approve \$400,000.00 transfer of funds from General Fund to Public Safety Fund for the month of July 2024.
3. Receive Revenue and Expenditure Report for the month of July 2024
4. Receive and Approve Final Audit Revenue and Expenditure Report for year ending 12/31/2023

SUPERVISOR'S UPDATE

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TREASURER'S UPDATE

•

CLERK'S UPDATE

•

PUBLIC SAFETY

•

PLANNING COMMISSION

1. Meeting Minutes Monday, July 16, 2024

ZONING BOARD OF APPEALS

•

PARKS & RECREATION

1. Hurst Foundation Grant Application

TECHNOLOGY COMMITTEE

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UTILITIES COMMITTEE

1. Meeting Minutes Wednesday, August 14, 2024
2. Dettman Sewer Repair Agreement

ORDINANCE REVIEW COMMITTEE

1. Meeting Minutes Thursday, July 25, 2024
2. Large Event Ordinance – Second Reading
3. Special and Large Event Application
4. Fireworks – Second Reading
5. Disorderly Persons – Second Reading

NEW BUSINESS

1. Mission Statement

BILLS

1. Approve payment of bills on the Board Invoice Post Audit Report dated 8/07/24 in the amount of \$307,972.27 and Board Invoice Report dated 8/20/24 in the amount of \$311,839.69

EXTENDED PUBLIC COMMENT (Three-minute limit)

OPEN DISCUSSION

ADJOURNMENT

Regular Board Meeting
Blackman Charter Township
July 15, 2024

The Blackman Charter Township Board convened at 6:00 p.m. on Monday, July 15, 2024 at the Township Hall, 1990 West Parnall Road, Jackson, Michigan.

Members present: Supervisor Jancek, Clerk Elwell, Treasurer Preston, and Trustees: Ambs, Thomas, and Williams, Pack

Members absent:

Public Attendance:

Ray Snell	James Southworth	Jennifer Biddinger
Jeff Kirkpatrick	Darin Southworth	Irene Disenroth
Dennis Byrne	Cindy Southworth	Suellen Thomas

CALL TO ORDER / PLEDGE OF ALLEGIANCE

BRIEF PUBLIC COMMENTS - (two-minute limit)

1. **Dennis Byrne, Cascades Amateur Rodio Society**
 - a. Presentation of Field Day 2024 exercise.
 - b. Thank You to BCT for the use of Marino's parking lot.
2. **Ray Snell, 9th District County Commissioner**
 - a. Assassination attempt on Former President Donald Trump
 - b. Parks
 - i. No easement from Consumers Energy
 - ii. Electrical upgrades at Cascades
 - c. Ordinances
 - i. Liked debris on roadways, swatting being addressed
 - ii. Would like to see burning in roadway addressed
3. **Jennifer Biddinger resident**
 - a. Hopes that corruption is not happening in local government.
 - b. Thank you for the Newsletter

ADDITIONS / DELETIONS

1. Add Planning Commission Meeting Minutes and Case #1576
Motion by Treasurer Preston, supported by Trustee Thomas to approve the Board of Trustee agenda for the Regular Board Meeting held on Monday, July 15, 2024.
Unanimously approved by voice vote

MINUTES APPROVAL

1. No changes/corrections.
Motion by Clerk Elwell, supported by Trustee Ambs to approve the Board of Trustee minutes for the Regular Board Meeting held on Monday, June 17, 2024.
Unanimously approved by voice vote

CONSENT AGENDA

1. Approval of payroll for the dates 06/07/24 in the amount of \$184,155.99 and for 06/21/24 in the amount of \$192,826.28.
2. Approve \$300,000.00 transfer of funds from General Fund to Public Safety Fund for the month of June 2024

3. Receive Revenue and Expenditure Report for the month of June 2024.
 Motioned by Treasurer Preston, supported by Trustee Pack
Roll Call: *Ayes - Elwell, Pack, Thomas, Williams, Ambs, Jancek, Preston*
Nays - None Motion Approved

SUPERVISOR'S UPDATE

1. Read letter from Sheriff
2. LDFA met last week
3. New monument sign to be installed by Johnson Sign
4. Blight
 - a. List of properties – discussion

TREASURER'S UPDATE

1. Tax Collection time
 - a. Going well
 - b. Less foot traffic coming into the office due to other payment methods.
 - c. Rehmann Report to review.

CLERK'S UPDATE

1. Election Update
 - a. Early Voting - July 26 to August 4, 2024
 - b. Election Day – August 6, 2024
 - c. Explanation of ballot signatures and signature cure process.
 - d. Cemetery work with Rob Wells
 - i. Expressed thanks and job well done to the lawn mowing crew.

PUBLIC SAFETY

PUBLIC SAFETY BUDGET Motion by Trustee Williams, supported by Trustee Pack to amend the Insurance Payment line of budget 205-000-687.000 to \$69,432.84
Roll Call: *Ayes - Ambs, Thomas, Jancek, Elwell, Preston, Pack, Williams*
Nays - None Motion Approved

PUBLIC SAFETY BUDGET Motion by Trustee Williams, supported by Trustee Thomas to amend the Reimbursable Expense line 205-345-936.000 of the Public Safety budget to \$76,047.32
Roll Call: *Ayes - Jancek, Preston, Pack, Thomas, Elwell, Ambs, Williams*
Nays - None Motion Approved

PURCHASE 2024 DODGE DURANGO PURSUIT AWD Motion by Trustee Williams, supported by Trustee Ambs to authorize the Director of Public Safety to purchase a 2024 Dodge Durango Pursuit AWD from LaFontaine CDJR-Lansing not to exceed the amount of \$44,628.00, under the State of Michigan bid to replace totaled-out vehicle from line 205-901-970.000.
Roll Call: *Ayes - Williams, Preston, Thomas, Jancek, Ambs, Elwell, Pack*
Nays - None Motion Approved

PURCHASE CLASS A (DRESS) UNIFORMS Motion by Trustee Williams, supported by Clerk Elwell to authorize the Director of Public Safety to purchase Class A (Dress) Uniforms to include apparel for all PSO's/Sergeants and Command as budgeted from line 205-345-790.000, not to exceed \$14,834.09
Roll Call: *Ayes - Jancek, Ambs, Williams, Pack, Elwell, Preston, Thomas*
Nays - None Motion Approved

**FILL VACANCY
AFTER
RETIREMENT
AUGUST 1, 2024**

Motion by Trustee Williams, supported by Clerk Elwell to authorize the Director of Public Safety to fill vacant spot after Detective Merritt's retirement date of August 1, 2024.

Unanimously approved by voice vote

**EMERGENCY
EQUIPMENT BY
SOUTHERN
MICHIGAN
UPFITTERS**

Motion by Trustee Williams, supported by Trustee Ambs to authorize the removal, replacement, and installation of emergency equipment completed by Southern Michigan Upfitters in the amount, not to exceed \$7,831.35 from line 205-901-970.000

Roll Call: Ayes - Preston, Williams, Thomas, Ambs, Pack, Elwell, Jancek

Nays - None Motion Approved

**PUBLIC SAFETY
MILLAGE
RENEWAL
LANGUAGE**

Motion by Trustee Williams, supported by Clerk Elwell to move forward with Public Safety millage renewal language and to submit to Jackson County Clerk's office for the November 5, 2024 election.

Roll Call: Ayes - Pack, Elwell, Preston, Williams, Thomas, Jancek, Ambs

Nays - None Motion Approved

**RESOLUTION
#09-2024-0715**

Motion by Trustee Williams, supported by Clerk Elwell to approve Resolution #09-2024-0715, a resolution of recognition, honoring James A. Southworth, retired Director of Public Safety.

Unanimously approved by voice vote

PLANNING COMMISSION

**CASE #1577:
COND. USE
PERMIT**

Motion by Treasurer Preston, supported by Clerk Elwell to approve Case #1577 – Conditional Use Permit; Outdoor Storage at existing storage facility; 2543 Shirley Dr., Parcel 000-08-12-456-001-00, Zoned General Commercial (C-2), requested by Cindy Shultz; with conditions: all motorized vehicles be parked on an impervious surface.

Roll Call: Ayes - Ambs, Thomas, Jancek, Elwell, Preston, Pack, Williams

Nays - None Motion Approved

**CASE #1576:
COND. USE
PERMIT**

Motion by Treasurer Preston, supported by Trustee Thomas to approve Case #1576 – Conditional Use Permit; Home Occupation Child Daycare; 3933 Sycamore St., Parcel 000-08-17-476-001-88, Zoned Planned Residential (PR-1) requested by Sierra Lasky; with conditions: provide to the township final approval/license from State of Michigan for Home Daycare and letter from Walnut Ridge (property owner) that a daycare facility is allowed within the park facility.

Roll Call: Ayes - Jancek, Preston, Pack, Thomas, Elwell, Ambs, Williams

Nays - None Motion Approved

ZONING BOARD OF APPEALS

- Case #1579 was tabled for clarification of existing road.

PARKS & RECREATION

APPROVE BID – NON-MOTORIZED PATH, SOUTH PHASE Motion by Treasurer Preston, supported by Clerk Elwell to approve bid contract to The Isabella Corporation in the amount of \$167,859.08 for the Parnall Road Complex Non-Motorized Path, South Phase.
Roll Call: Ayes - Williams, Preston, Thomas, Jancek, Ambs, Elwell, Pack
Nays - None Motion Approved

TECHNOLOGY COMMITTEE

UTILITIES COMMITTEE

1. Improper discharge connections to municipal sewer – discussion
2. Ordering one new pump. Ordering parts to repair existing pump.
3. EGLE unfunded mandate to expose lines to confirm they are not lead.
4. City is filing lawsuit over PFAS.

ORDINANCE REVIEW COMMITTEE

DISORDERLY PERSONS Motion by Treasurer Preston, supported by Supervisor Jancek to approve First Reading of Disorderly Persons Ordinance
Roll Call: Ayes - Jancek, Ambs, Williams, Pack, Elwell, Preston, Thomas
Nays - None Motion Approved

BLIGHT Motion by Treasurer Preston, supported by Supervisor Jancek to approve First Reading of Blight Ordinance.
Roll Call: Ayes - Thomas, Ambs, Elwell, Jancek, Pack, Williams, Preston
Nays - None Motion Approved

LARGE EVENTS & LARGE EVENTS PERMIT APPLICATION Motion by Treasurer Preston, supported by Clerk Elwell to approve First Reading of Large Events Ordinance and Large Events Permit Application.
Roll Call: Ayes - Preston, Williams, Thomas, Ambs, Pack, Elwell, Jancek
Nays - None Motion Approved

NEW BUSINESS

RESOLUTION #10-2024-0715 FOIA COORDINATOR Motion by Supervisor Jancek, supported by Trustee Williams to approve Resolution #10-2024-0715; a resolution to designate the Township Clerk as the FOIA Coordinator for Blackman Charter Township.
Roll Call: Ayes - Pack, Elwell, Preston, Williams, Thomas, Jancek, Ambs
Nays - None Motion Approved

EXTERIOR PAINTING TOWNSHIP HALL AND PUBLIC SAFETY Motion by Supervisor Jancek, supported by Treasurer Preston to approve bid contract to Mike Richards Painting in the amount of \$18,500.00 for exterior painting of the Township Office and Public Safety buildings with conditions; providing information on paint to be used.
Roll Call: Ayes - Elwell, Pack, Thomas, Williams, Ambs, Jancek, Preston
Nays - None Motion Approved

REHMANN 2023 AUDIT REPORT Motion by Clerk Elwell, supported by Treasurer Preston to receive the Rehmann 2023 Audit Report.
Unanimously approved by voice vote

BILLS

Motion by Clerk Elwell, supported by Treasurer Preston to approve payment of bills on the Board Invoice Post Audit Report dated 7/01/24 in the amount of \$209,255.94 and the Board Invoice Report dated 7/16/24 in the amount of \$501,557.70

*Roll Call: Ayes - Jancek, Preston, Pack, Thomas, Elwell, Ams, Williams
Nays - None Motion Approved*

EXTENDED PUBLIC COMMENT (Three-minute limit)

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OPEN DISCUSSION

1. Rear lower door, water drainage at township office.
2. Blight tracking.

The Supervisor declared the meeting adjourned at 7:18pm.

David Elwell, Township Clerk

MINUTES
BLACKMAN CHARTER TOWNSHIP
PLANNING COMMISSION
1990 W. PARNALL RD.
MONDAY July 16, 2024
6:00PM

The Blackman Charter Township Planning Commission Convened at 6:00pm on Monday, July 16, 2024, at the Blackman Township Office.

Members Present: Decker, Preston, Schroeder, Grabert, Frohm
Members Absent:

Sign-in list of names present: In file

MINUTES APPROVAL: July 02, 2024

Motion by: **Grabert**, supported by: **Preston** to approve Minutes for Planning Commission meeting held 07/02/2024 with changes.

Roll Call: Ayes 5, Nays 0. Motion Carried.

CASE #1575 – CONDITIONAL USE

Motion by: **Schroeder** Seconded by **Preston** to abstain from Case #1575 due to conflict of interest.

Roll Calls: Ayes 4, Nays 0. Motions carried.

CASE #1575 – CONDITIONAL USE

Boots & Bands Concert

Address: 2543 Shirly Drive, Jackson, MI 49201

Parcel #000-08-33-351-001-03

Zoning: Planned Commercial (PC-1)

Requested by: Scott Vitale

Presented by: Scott Vitale & Christopher Crisenbery (AE Design Solutions)

-Temporary outdoor concert venue with hours of 6pm-11pm.

-Asked what the township Attorney determined about clarification of zoning.

-Adjusted site venue direction due to sensitive neighbors to not be a nuisance.

-Request for Venue has been asked for since October 2023.

Public Comment:

Paul Titus (Pattie Ave)

-In Favor of concert venue.

Lisa Lazarus (Pattie Ave)

-In favor of concert venue.

Scott Maynard

-In Favor of concert venue and has attended others that produced by Mr. Vitale with no issues.

Mike Hirst

-Not in favor of concert venue due to Andy's Place and disturbance of patrons in the facility.

-Andy's Place is on of a kind in the nation and is the flagship of others being developed.

-Question; Would you put a casino next to a rehab gambling facility?

Newel Turpel

-Live in resident at Andy's Place as facility director

-One of a kind facility in the nation

-People living in the facility are venerable when put back in a addictive situation

-Other similar project approved in the State and lots of eyes watching this first of its kind rehab facility.

Close Public Comment

Planning Commission Discussion:

Dan Decker

- Clarification to members and audience on outcome of attorney review of zoning.
- Review of permitted uses in PC-1 were read aloud
- Review of Conditional use in PC-1 were read aloud
- Review of permitted uses in C-1 were read aloud
- Review of Conditional use in C-1 were read aloud
- Review of permitted uses in C-2 were read aloud
- Review of Conditional use in C-2 were read aloud
- Question to board on reading are any use similar in nature? No response from board

Bruce Grabert

- Question that this is not a permanent structure and was temporary in nature

Motion by: **Preston** Seconded by **Frohm** to recommend denial of Case #1575

Roll Calls: Ayes 4, Nays 0. Motions carried.

OTHER MATTERS REVIEWED:

Zoning Ordinance Update:

- Definitions to be organized in one location
- Format to be consistent
- Draft zoning

PUBLIC COMMENT: None

TRUSTEE REPORT:

- Approved walkable trail in marinos park
- 3 Ordinances for first reading (Blight, Large Events & Police Action)

ZBA REPORT: One item on previous meeting agenda and was table for further information

OPEN DISCUSSION: None

ADJOURNMENT: Motion by: **Decker**, supported by: **Schroeder**, adjourned at 7:30 pm

Minutes prepared by: Byron Schroeder, Secretary

Minutes Approved:

Byron P. Schroeder, Secretary



Contact Information

Date of Application: 8-20-24 Tax ID: 38 6000 232

Legal Name of Applying Organization: Blackman Charter Township Parks and Recreation

Is your organization a 501(c)3? Yes No Year Founded: July 16, 1984

Address: 1990 W. Parnall Road City: Jackson, State: Michigan Zip Code: 49201

Organization Website: www.blackmantwp.com

Executive Director: Phil Preston, BCT Treasurer:

Phone Number: 517-788-4345, Direct 517-990-8226 Email: Treasurer@blackmantwp.com

Board of Directors and Titles:

Pete Jancek, BCT Supervisor

Dave Elwell, BCT Clerk

Phil Preston, BCT Treasurer

Brandon Williams, Trustee

Mike Thomas, Trustee

Scott Pack, Trustee

Mike Ambs, Trustee

Board Chair; Pete Jancek Phone Number: 517-788- 4345 Email: Supervisor@blackmantwp.com

Proposal Request

Project Name: Blackman Charter Township Parnall Road Community Park Development

Purpose of Grant: To support of the development of significant recreational facilities for Blackman and the greater Jackson community in the area north of I-94. Blackman Charter Township has 24% of the households in the County but does not have any County parks resulting in no funding from Jackson County Parks. The Grant will allow Blackman to develop a variety of recreational options in support of the Five Year Parks and Recreation Plan.

Amount Requested: \$ 100,000 **Total Project Cost:** \$ 800,000 **Total Operating:** 140,000 (millage)
(amount requested for project) (total cost of the project) (total annual/operating budget for organization)

Geographic Area Served: Blackman Charter Township and the Greater Jackson community

What is the time frame for the project? Development over next 3 years

What would you do with partial funding? Follow the planning priorities established in the Five Year Parks & Recreation plans based upon community input, to develop the facilities surrounding the Blackman Township Offices.

When is the grant needed Beginning of 2025. **Is this a multi-yea** **Yes** **If so, how many years?** Three years, as multiple stages of development will require detailed RFQs with overall site plans and public input continues to be evaluated. This project has several pieces that will be done based upon priority of impact for public usage and funding availability.

Budget Format

Below is a listing of standard budget items. Please provide the project budget in this format and order.

A. Total annual budget: \$140,000 – current, based upon millage

B. Time period this budget covers: one year, millage approved for 4 more years

C. Expenses

TITLE	PROJECT	TOTAL ANNUAL OPERATING BUDGET
Salaries/Compensation:	_____	_____
Roles of paid staff members:	Township Engineer as needed for RFQ/ RFP, Bid package, project monitoring.	10-15%
	_____	_____
	_____	_____
	_____	_____
	_____	_____
Consultants/Professional Fees:	<input type="checkbox"/> 10-15% <input type="checkbox"/>	
Insurance:	_____	_____
Travel:	_____	_____
Equipment:	_____	_____
Office Supplies:	_____	_____
Location/Office:	Blackman Charter Township, 1990 W. Parnall Rd, Jackson, Mi. 49201	_____
Marketing:	_____	_____
Other (specify):	_____	_____
	_____	_____
Total Requested:	\$ _____	Total Operating Expenses: \$ _____

Sources of Funding

	Committed	Pending
1. Grants/Contracts/Contributions		
Local Government	\$ 750,000	\$
State Government	\$	\$
Federal Government	\$	\$
Foundations	\$	\$ 100,000
Corporations	\$	\$ 100,000
Individuals	\$	\$
Other (specify)	\$	\$
2. In-kind Support	\$	\$
3. Other (specify)	\$	\$
Total Revenue*	\$ 750,000	\$ 200,000

Note: The total revenue from committed sources and pending sources must be equal to the projected budget for your project.

Signatures

Chairperson, Board of Directors: _____ Date: _____

Executive Director: _____ Date: _____

SUMMARY

Blackman Charter Township is committed to provide more healthy and active options for the Jackson community and to support the development of these with a focus in Blackman Township, which has 25 % of the households in the County, and a population of 24,000. Blackman contributed \$284,000 to the County Parks, while receiving no funds for parks or recreation.

The Township was able to purchase property on Parnall Road with two purposes: To improve facilities for Public Safety and to ensure and enhance the park and recreation opportunities in Blackman. The Public Safety Facilities were built many years ago for a staff of 17 and now has a staff of 44, with increased equipment and expectations.

Blackman Township residents passed its first parks and recreation millage in 2017 for .25 mills and dedicated itself to improving Rod Mills Park with a DNR 50/50 Grant for playground expansion and improvements. With the millage being approved again in 2022 and the property on Parnall now offering further options, Blackman is committed to continuing our efforts for enhancing park and recreation opportunities. Based upon input collected by surveys and public meetings

for updating the Five-Year Parks and Recreation Plan, the Township is now working towards enhanced facilities that include:

- A non- motorized walking trail around the Parnall campus of ~3000 feet in length, **on order** at a cost of \$167,000, with a *second loop* extending around the back soccer fields planned for the future. The fields were part of the recent purchase to ensure ongoing land for soccer and other uses for future generations.
- Exercise stations along the trails in the future
- Bathroom facilities positioned centrally and near the soccer fields, **on order** at a cost of \$40,000.
- Planned Pavilion near the soccer fields available for community use (\$100,00 or greater in cost estimates)
- Pickleball facilities, two courts minimum. (\$250,000 cost Estimates)
- Playground equipment (modest, basic, estimate \$50,000)
- Power & lighting in support of community days such as food trucks, special events (\$100,000 estimates)

This work is planned to occur over the next three years. While this is separate from the development of the Public Safety facilities, it is around / adjacent to the work for the expansion of the Public Safety facilities which is in the planning stages and will be completed in the 2–3-year time as well.

Additional Items Required

Please email the following to hurstfdn@gmail.com

1. Summary: In 500 words or less describe your request and purpose for funds. Please include the following:
 - Benefits to the community
 - Any collaborative partnerships, including organizations with similar targets
Plans to become self sustaining
2. Current year's annual budget and comparison to actual
3. Letter of 501(c)3 designation
4. Optional: Letters of support
5. Additional information may be requested

Utilities Committee
Blackman Charter Township
Meeting Minutes
August 14, 2024

The Blackman Charter Township Utilities Committee convened at 1990 W. Parnall Road, Jackson, Michigan.

Members Present: Pete Jancek, Mike Thomas, Brandon Williams,
Members Absent: None
Others Present: Jack L. Ripstra

Meeting called to order at 5:17 p.m.

APPROVAL OF MINUTES

The minutes from November 8, 2023 were approved.

ADDITION TO AGENDA

No Additions.

**BLACKMAN TWP SANITARY
SEWAGE FLOW SUMMARY**

The Blackman Township 2023 Sanitary Sewage Flow Chart, the 15 Year Sewage Flow Summary, and the current 2024 Sanitary Sewage Flow Chart were explained by Jack L. Ripstra. Jack also explained the lift station problems that occurred after the heavy July 2024 rains.

LEONI SEWER AUTHORITY

Nothing was discussed.

**WASTEWATER CONTRACT
WITH CITY OF JACKSON**

Pete Jancek explained the status of the contract negotiations.

TECHNOLOGY PARK NORTH

Pete Jancek explained about the recent asphalt paving repairs, the proposed parcel purchase by Midbrook and the marketing plan being prepared by Quest Site Solutions.

**COLLAPSED TRUNK LINE SEWER
AT WWTP**

Jack explained about the collapsed 36" diameter trunk line sewer and that the repairs are scheduled to begin on September 3, 2024.

LEAD SERVICE LINE TESTING

Jack explained about the requirement change by EGLE on lead service lines verification. We now only have to excavate 18 services to prove they are not lead instead of 300 services.

**6580 RIVES JUNCTION ROAD
SEWAGE BACKUP**

Jack explained that during the first week of January 2024 Richard Tosi's finished basement was flooded with sewage due to lightning striking the control panel for the sewage grinder station. Richard has provided documentation of the \$8,815.92 payment he received from Hanover Insurance. Richard has requested that the township consider paying the \$1,000.00 deductible he paid to the contractor. The motion was approved to recommend to the Township Board to reimburse Richard Tosi the \$1,000.00 he paid to the contractor.

**SUMMIT TOWNSHIP LIFT STATION
AUDITS**

Jack explained the 2023 sanitary lift station audits for Summit Township. Summit has paid to Blackman Township \$10,347.67 for the Oaks Lift Station and \$23,939.64 for the Westwood Mall Lift Station.

PRISON ANNUAL SEWER AUDIT

Jack explained the 2023 SPSM audit has resulted in a \$7,885.30 credit to the State Prison of Southern Michigan.

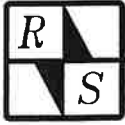
**CITY OF JACKSON DIRECT SANITARY
SEWER CUSTOMER AUDIT**

Jack explained the 2023 audit was completed in July of this year as required by our contract with the City of Jackson.

DETTMAN ROAD SEWER COLLAPSE

Pete explained about the recent meeting with Mike Jester and Howard Linnabary on the sewer collapse. Jack has prepared a cost split as was agreed to by all at that meeting. Pete and Jack will now meet with Mile and Howard to explain this cost split.

Adjourned at 5:55 p.m.



RIPSTRA & SCHEPPELMAN, INC.

CIVIL ENGINEERING – LAND SURVEYING

2535 SPRING ARBOR ROAD

JACKSON, MI 49203

OFFICE 517-789-9898

FAX 517-789-6065

www.ripstra-scheppelman.com

**TABULATION TO SPLIT THE COSTS OF REPAIRS DUE TO THE COLLAPSED
MANHOLE IN DETTMAN ROAD AND TO REPLACE THE SANITARY SEWER LOCATED
EAST OF DETTMAN ROAD BETWEEN BLACKMAN AND LEONI TOWNSHIPS.**

TOTAL PROJECT COSTS FOR BLACKMAN TOWNSHIP

Cost to Install Sanitary Sewer Across Dettman Road	\$44,533.65
Half of Total Shared Costs	\$120,365.35
TOTAL AMOUNT	\$164,899.00

TOTAL PROJECT COSTS FOR LEONI TOWNSHIP

Cost to Replace Sanitary Sewer in Leoni Township	\$108,992.35
Half of Total Shared Costs	\$120,365.35
TOTAL AMOUNT	\$229,357.70

TOTAL SHARED COSTS TO BE SPLIT BETWEEN TOWNSHIPS

Original Total Project Cost	\$394,256.70
Cost to Install Sanitary Sewer Across Dettman Road	(\$44,533.65)
Cost to Replace Sanitary Sewer in Leoni Township	(\$108,992.35)
TOTAL SHARED COSTS	\$240,730.70
HALF OF TOTAL SHARED COSTS	\$120,365.35



BLACKMAN CHARTER TOWNSHIP

1990 W. Parnall Road • Jackson, Michigan 49201-8612 • Phone (517) 788-4345 • Fax (517) 788-4689

Ordinance Committee Meeting DRAFT for 7/25/2024

Members attending: Brandon Williams, Mike Thomas, Shelly Sercombe, Phil Preston. **Absent:** Rachel Johnson

1. Approve minutes from 6/20/2024 - unanimously approved.
2. Comments regarding first read: Disorderly Persons, Large Event (Special Event) and Blight. – non received to date.
3. Review of Fireworks supplied by Eric White, Attorney. Discussion as follows:

E code (web site) for Fireworks and the proposed replacement was shared for comparison.

- a. Under proposed Section V, 1. K.

“Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws” –
could we & should we stipulate a distance from another’s property or persons, even for commercial level?

- b. **Further Question from the Chair Person (Phil Preston)**

-I believe there should be a link between special events & fireworks, particularly display fireworks. I recommend that the ordinance section on Display fireworks should require a Special Event / Large Gather application for safety reasons, and for the likely impact to many people, including those not in attendance, even when under the specified number of 250. I will review with Eric, and bring back to the committee at the next O C meeting.

-This would imply that the *form for Large* even applications should be for *Large and Special Events*.

-Ensure that the Large & Special Event *TOWNSHIP* form be required, along with the form from the State of Michigan, which we also must provide.

Discussion also occurred regarding fireworks that exceeded the time & dates per state law. No recommendations made.

4. **Draft of our current Cemetery was reviewed. Discussion as follows:**

Red mark-ups generally accepted. The Committee continues to feel a deference to the Clerk’s office on complex issues, leaving some discession. Example: On the issue of qualified family, (\$57-4 B) suggest adding wording allowing Clerk’s decision as to who qualifies. And suggest “**other family arrangements as determined by the Clerk**”. Example: **unmarried partner of many years?**

-The size of the burial urns (§57-7, G 0 needs to be clarified. If it to be a 12 inch square or cube? A 12 inch square could be 6 feet long.

Reported by Phil Preston.

Next meeting Tentatively August 22, 5:30.

C:\Users\ppreston\Desktop\Ordinance Work\DRAFT MINUTES\7-25-2024 DRAFT Ordinance Copmmittee meeting minutes.docx

BLACKMAN CHARTER TOWNSHIP LARGE EVENTS ORDINANCE

The Township Board of Trustees finds and declares that the interests of the public health, safety, and welfare of the citizens of the Township require the regulation of assemblages of large numbers of people in excess of those normally drawing upon the health, sanitation, fire, police, transportation, utility, and other public services regularly provided in the Township.

BLACKMAN CHARTER TOWNSHIP ORDAINS:

Section 1. Definitions.

The following terms, as used in this Ordinance, are hereby defined to mean:

“Course Map” shall mean an illustration of all areas of the Township where participants of an event may occupy for purposes of the given event.

“Event” shall mean an organized and open to the general public event where **two hundred fifty (250)** people or more will be in attendance at one time and held on either public or private real property or on the roads within the Township and may be held at one or more sites; provided, **however, an event shall not include an activity of any size that is sponsored by an elementary or secondary school recognized as such by the State of Michigan for purposes of supporting that entity and held on school premises or as otherwise authorized in the zoning ordinance.**

“Permittee” shall mean any person, entity and/or sponsor to whom a permit is issued pursuant to this Ordinance.

“Person” shall mean any natural person, partnership, corporation, limited liability company, association, organization, or other legal entity.

“Site(s)” shall mean the location(s) where the event is to be held.

“Sponsor” shall mean any person or entity that organizes, promotes, conducts, or causes to be organized promoted or conducted an event.

“Temporary Structure” shall mean any structure erected or placed for the use of an event which is transient in nature and easily removed without causing undo harm to any site hosting an event subject to this ordinance.

“Township” shall mean Blackman Charter Township.

“Township Board” shall mean the Supervisor, Clerk, Treasurer, and four Trustees of Blackman Charter Township or its designated representative(s).

Section 2. Permit Requirements.

2.1 Necessity of Permit

A person shall not sponsor, maintain, conduct, **promote** or permit an event in Blackman Charter Township without first obtaining an approval from the Township Board for each such event and obtaining a permit for the approved event from the Blackman Charter Township Zoning Administrator.

2.2 Application for Permit

No later than **one hundred twenty (120) days** before the proposed event, the person or sponsor(s) of the event shall submit in writing an application for an event permit to the Building & Zoning Department on such forms and in such manner as the Township prescribes. If the person or sponsor(s) fails to provide all the information required by this Ordinance, then the application shall be deemed incomplete, shall not be processed, and may be denied by the Building & Zoning Department on that basis. The application shall contain:

- (1) The name(s), address(es) and telephone number(s) of the sponsor(s) of the proposed event.
- (2) If the event is to be held on private property, the name(s), address(es) and telephone number(s) of the owner or lessee whose presence will be required during the event.
- (3) The date(s) and estimated hours of the proposed event.
- (4) A description of the kind, character and type of the event proposed.
- (5) The address or location of the site(s) at which the proposed event will be held, including a written statement from the real property owner consenting to the use of his or her property for the proposed event.
- (6) An estimate of the maximum number of people expected to attend (including staff, vendors, and volunteers) the proposed event.
- (7) A copy of the notice required to be sent per Section 2.7 of this ordinance.
- (8) A rendering of all signage proposed as part of the event with dimensions and in compliance with Blackman Charter Township Zoning Ordinance requirements.
- (9) A written statement that indicates how the sponsor(s) plans to provide for the following:
 - (a) Police and fire protection.
 - (b) Medical facilities and services; including emergency vehicles and equipment.
 - (c) Food and water supply facilities.
 - (d) Health and sanitation facilities.
 - (e) Vehicle access and parking facilities.
 - (f) Cleanup and waste disposal.
 - (g) Noise control & trespass.
 - (h) Road closures
 - (i) Insurance or bonding arrangements.
 - (j) A list of the names and addresses of all persons to whom the public notification document is to be sent as per Section 2.7 of this Ordinance.

(10) A site plan, drawn to scale, illustrating the following uses as part of the proposed event:

- (a) Parcel boundaries of the site(s).
- (b) Location of event area on the site(s).
- (c) Location of parking areas and ingress/egress as required by Section 2.3 of this Ordinance.
- (d) Location of sanitary facilities.
- (e) Location and number of temporary structures.
- (f) Location of medical facilities.
- (g) Location of waste disposal facilities.
- (h) A course map, if applicable, of the event including the location and description of what activities will take place upon those areas of the Township subject to the proposed event.
- (i) Location of all signage on site(s) and along the event's course.

2.3 Parking requirements

- (1) One (1) parking space is required for every three (3) persons attending/participating in the event.
- (2) Parking spaces shall measure a minimum of ten (10) feet by thirty (30) feet in size.
- (3) All parking spaces shall be located on the event site(s).

2.4 Pre-Application Meeting

Prior to any official application being accepted by the Building & Zoning Department the applicant must meet with the Township staff. This meeting will be scheduled with the assistance of the Building & Zoning Department and shall include other permitting agencies and services as necessary.

2.5 Emergency Services

Large outdoor events may require additional emergency services. The event sponsor shall be responsible for all expenses incurred as a result of contracting the required emergency services.

2.6 Road Closures

Any proposed road closures within Blackman Charter Township will require the support and approval of the Township Board and the Jackson County Department of Transportation.

2.7 Public Notification

Following application for an event, and at least fifteen (15) days prior to the meeting of the Township Board where the application will be discussed the applicant shall send by first class mail a written notice of the of the hearing to all owners and occupants of real property within 300 feet of the of the site(s). The notice shall contain the following information:

- (a) The location of the proposed event and its course, if applicable.
- (b) The date(s) and time(s) of the proposed event.
- (c) The date, time, and location of the public hearing where the application will be discussed.

(d) A statement that the site plan and application for the proposed event is available for public inspection at the Township offices.

Upon granting of the permit and at least fifteen (15) days but not more than thirty (30) days prior to the event the applicant shall send by first class mail a written notice of the approved event to all owners and occupants of real property within 300 feet of the of the site(s). The notice shall contain the following information:

(a) The location of the proposed event and its course, if applicable.

(b) An estimate of the maximum number of people expected to attend the event.

(c) The date(s) and time(s) of the proposed event.

(d) A statement that the site plan and application for the proposed event is available for public inspection at the Township offices.

2.6 Additional Permit Approvals

Any event (including temporary structures and/or accessory equipment) which may be subject to any local, State, or Federal regulations shall provide approved permits for closure of roadways, sales of alcohol, usage of public facilities, and sanitation requirements. Any site or business within the Township which has a Conditional Use Permit must also continue compliance with the regulations outlined in that permit.

2.7 Application Fee

Each application for an event permit shall be accompanied by a nonrefundable fee in an amount established by the Township Board.

2.8 Action on Application

After receiving a complete application for an event permit and the appropriate fee, the Township Board shall consider the information contained in the application and shall, if necessary, investigate or cause to be investigated the circumstances surrounding the proposed event, including the suitability of the site(s) location and course for the proposed event, the time span of the proposed event, the number of people anticipated to attend, whether there is a conflict with other uses of the site(s), the increased demands on the Township, including law enforcement, fire services, and emergency medical resources, and the sponsor's plans to provide adequate food and water facilities, bathroom facilities, disposal of solid waste and garbage, vehicle parking and access to the site(s).

Within sixty (60) days after receiving a complete application (as determined and stated in writing by staff) for an event permit, the Township Board shall consider the application and approve the event, unless after considering the above factors, it finds that holding the event as proposed in the application would be detrimental to the public health, safety, and welfare of the Township.

If the Township Board denies or revokes an event permit, the Planning & Zoning Department shall send by certified mail written notice and the reasons for such actions to the sponsor(s) of the event.

2.9 Basis for Determination

The Township Board shall find that each proposed event meets the following standards:

- (a) That the sponsor can legally apply for an event permit.
- (b) That the event meets the requirements of Blackman Charter Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (c) That the event meets the standards of all other governmental agencies where applicable, and the approval of these agencies has been obtained or is assured.
- (d) That the parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.
- (e) That vehicular and pedestrian traffic within the site(s) and course, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
- (f) That outdoor storage of garbage is located so as to not be a nuisance to the subject property or neighboring properties and a plan for removal upon completion of the event is outlined.
- (g) That the sponsor(s) have an adequate plan to assure that all signage approved in conjunction with the event be removed within 24 hours of the end of the event.
- (h) That the event will not have a substantially negative impact on township or county resources or on adjacent properties. When considering this standard, the Township Board shall consider the type, time of year, and impact of the proposed event as well as the impacts and number of previously approved events in the same calendar year and shall apply this standard in a manner to avoid overuse of township or county resources or to avoid repetitive, negative impacts on the same adjacent property or properties. In addition, the Township Board shall find adequate evidence that each event will:
 - (i) Not be hazardous to existing uses in the same general vicinity.
 - (ii) Be served adequately by essential facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, and water and sewage facilities.
 - (iii) Not create additional requirements at public cost for public facilities and services.

2.10 Insurance and Conditions

- (a) The sponsor shall maintain general liability insurance **of no less than \$1,000,000.00 (one million dollars)** naming Blackman Charter Township as an additional insured and shall as a condition of receiving a permit under this Ordinance, provide a copy of the insurance policy binder as well as the name, telephone number and, if applicable, email address of the name of the insurance company agent who issued the insurance policy.
- (b) The Township Board may attach reasonable condition with the approval of an event under this Ordinance. Any such condition shall be imposed to ensure continuing compliance with the requirements of this Ordinance.

Section 2.11 Annual Permit Renewal

If the event is to happen on an annual basis and in the same location a permit may be issued upon review by Building & Zoning staff for up to two subsequent years after initial permit request provided the applicant provides the following information:

- (a) Number of participants expected, and that number does not exceed permitted participants by more than ten (10) percent; and
- (b) Any changes to initial permit application.

Section 3. Violations.

3.1 Municipal Civil Infractions

Any person who violates any provision of this Ordinance or any condition imposed under this Ordinance shall be responsible for a municipal civil infraction and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

3.2 Enforcement Official

The Township Supervisor, Zoning Administrator, and all Township Public Safety Officers are hereby designated as the authorized Township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

3.3 Nuisance Per Se

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety, and welfare.

3.4 Civil Remedies

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 4. Conflicts With Other Ordinances.

To the extent that any section of this Ordinance conflicts with the provisions of any Ordinance adopted by Blackman Charter Township, the provisions of the other Ordinance shall supersede and govern.

Section 5. Severability.

If any portion of this Ordinance shall be found to be invalid by any court of competent jurisdiction and venue, the remaining provisions of this Ordinance shall be severable and valid.

Section 6 . Effective Date.

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

Blackman Charter Township

1990 W. Parnall Rd.
 Jackson, MI 49201
 Phone: 517-788-4345 Fax: 517-788-4689
 Website: www.blackmantwp.com
 Email: buildingzoning@blackmantwp.com

Special Events Permit Application

Fee _____

:: FOR OFFICIAL USE ONLY ::	
<input type="checkbox"/>	\$100 application fee (must be paid by cash or check when application is submitted). <i>Fee is non-refundable. Application will not be processed until payment is received.</i>
<input type="checkbox"/>	Completed Application Form Date: _____
<input type="checkbox"/>	Obtained all Township approvals Date: _____
<input type="checkbox"/>	Copy of Applicant's Driver's License (or other identification)
<input type="checkbox"/>	Copies of Certificate(s) of Liability Insurance (if applicable)
<input type="checkbox"/>	Copy of Misc. Use of ROW Permit for road closure(s) (if applicable)
<input type="checkbox"/>	Copy of Liquor License (if applicable)
<input type="checkbox"/>	Copy of Temporary Food Establishment Permit (if applicable)
<input type="checkbox"/>	Copy of Map/Diagram of Proposed Site Plan / Set-up / Parking
<input type="checkbox"/>	Obtained Security / Traffic Control / EMS / Fire Safety services, as required. (Circle all that apply.)

Applicant Information		
(Please Print)		
Applicant Name _____		
Street Address _____		
City _____	State _____	Zip Code _____
Home Telephone No. _____	Cell Phone _____	
Work Telephone No. _____	Email _____	

Organization / Business Sponsoring Event			
(Please Print)			
Name of Organization / Business _____		Contact Person _____	
Street Address _____	City _____	State _____	Zip Code _____
Email _____	Office No. _____	Fax No. _____	Cell Phone _____

Contact Person(s) on Day(s) of Event			
(Please Print)		(Please Print)	
Contact Person No. 1 (Primary Contact) _____		Contact Person No. 2 (Secondary Contact) _____	
Telephone No. _____	Cell Phone _____	Telephone No. _____	Cell Phone _____
Email _____		Email _____	

Event Details			
(Please Print)			
Name of Event _____	Start Date <u> </u> / <u> </u> / <u> </u>	End Date <u> </u> / <u> </u> / <u> </u>	Estimated Attendance (Include volunteers & participants) _____
Hours of Event (List hours of each day separately, if multi-day event) _____	Estimated Time for Set-Up _____		Estimated Time for Clean-Up _____
Location of Event _____	Purpose of Event _____	Property Zoning Classification _____	

Brief Description of Event	
Type of Event: _____	Map attached: <input type="checkbox"/> Yes (Include locations for parking, food/beverage, booths, tents, rest areas, stages, first aid, etc.) <input type="checkbox"/> No

:: FOR OFFICIAL USE ::	Time Stamp
Received By: _____ (Initials)	

LOGISTICS SECTION	
UTILITY NEEDS: (List items needed) _____ _____ _____ Will additional electrical supply be required? _____ _____	SANITATION / RESTROOM FACILITIES: _____ _____ _____ _____
BOOTHS / TENTS / AWNINGS: _____ _____ _____ _____	PICNIC TABLES / REFUSE BARRELS: _____ _____ _____ _____
BARRICADES / TRAFFIC CONES / SIGNS: _____ _____ _____ Are signs township approved? _____ Township Approval Date: _____	CLEAN-UP PROCEDURES: _____ _____ _____ _____ _____
HOSPITALITY SECTION	
FOOD & BEVERAGES: Will food and/or beverages be served? <input type="checkbox"/> Yes <input type="checkbox"/> No Provide a copy of completed JCHD Application. <i>(See information below)</i>	ALCOHOLIC BEVERAGES: Will alcoholic beverages be served? <input type="checkbox"/> Yes <input type="checkbox"/> No Provide a copy of completed MLCC Application. <i>(See information below)</i>
:: FOR OFFICIAL USE ONLY ::	
Date Stamp of JCHD Application: _____ Copy of Temporary Food Permit Application: _____ A copy of the Temporary Food Application to be submitted upon approval of the Jackson County Health Department If food is being prepared for this event, a Temporary Food Establishment Permit must be obtained from the Jackson County Health Department (JCHD).	Date Approved by MLCC: _____ Special Liquor License No: _____ (A copy of the Special Liquor License to be submitted upon approval of MLCC, State Application Form LCC-3511 or Form LCC-146) If alcoholic beverages are being served at this event, a Special Liquor License must be obtained from the Michigan Liquor Control Commission (MLCC) , through the Department of Licensing and Regulatory Affairs (LARA). Website: www.michigan.gov/lara/ MLCC Licensing Division: (866) 813-0011 Email: mlccinfo2@michigan.gov

Describe Proposed Event Plans (Briefly explain how the following items will be addressed at this event.)

Please provide details of proposed plans for the following items pertaining to your special event.
 If more room is needed for explanation, please attached additional sheets, as necessary.

NOTE: Any increase in township staffing (i.e., security, fire, utilities, etc.,) requested and/or required for this event will be billed to the organization listed on this form. The Applicant shall be responsible for securing any permits or approvals required in connection with this event, such as parking permits, utility permits, temporary liquor license, road closure permits, etc.

PUBLIC SAFETY SECTION

NOTE: All proposed public safety plans are subject to review and modification by the Blackman Charter Township Department of Public Safety.

SECURITY: Will security be on-site for event? Yes
 No
 If so, for how long? _____
 Will security be armed? Yes
 No
 Will security be uniformed or non-uniformed? _____

 If private security, provide contact information: _____

PARKING: How many staff will handle parking? _____
 How many parking spaces will be available? _____
 Where are parking locations? _____

 If on adjacent properties, is approval obtained? _____
 List all property owners who have authorized parking: _____

 Are Parking Permits Required? _____ If yes, are copies attached? _____ No. of Permits _____

TRAFFIC CONTROL & TRAFFIC FLOW: Yes
 No
 Will pedestrian and vehicular traffic be impacted?
 How will the event impact pedestrian and vehicular traffic flow in and around the area? _____

 Who will direct traffic? _____

CROWD CONTROL / FIRE SAFETY:
 How will crowd control be maintained? _____

 If indoor event, will occupancy limit be exceeded? Yes
 No
 Will FD be required to remain on-site? Yes
 No
 If yes, indicate timeframe FD is needed: _____

 Will a medical standby be required? Yes
 No
 Will fire lanes and hydrants be accessible? Yes
 No
 Will there be open flames or pyrotechnics? If yes, list items below:

 Will this event have a large amount of combustible material? If yes, what type and amount? _____

ROAD CLOSINGS: List road(s) to be closed: _____

:: FOR OFFICIAL USE ONLY ::

Date JCDOT approved : _____
 Permit No./Resolution No: _____ / _____
 (Copy of Road Closure Permit to be submitted upon approval of JCDOT)

 If a public road(s) must be closed for this event, a "Miscellaneous Use of Right-of-Way Permit" must be obtained from the Jackson County Department of Transportation

Impact on Adjacent Properties

Briefly explain how the event may impact other properties, businesses, and/or residents: _____

Will music be provided? Yes No Location of Live Band/Disc Jockey/Loudspeakers/Equipment

If yes, what type of music? _____

Live Amplified Recorded Loudspeakers _____

Other (Explain) _____ _____

Insurance Requirements

Unless waived by the Township Supervisor, the following liability insurance is required for approval of this Special Permits Application.

Please provide one (1) copy(ies) of each certificate of insurance with this application. Certificates must name Blackman Charter Township as "additional insured."

NOTE: Insurance companies, named insureds and policy forms may be subject to the approval of Blackman Charter Township, if requested by the Township Supervisor. Such approval shall not be unreasonably withheld. Insurance policies shall not contain endorsements or policy conditions which reduce coverage provided to Blackman Charter Township. The Applicant shall be responsible to Blackman Charter Township or insurance companies insuring Blackman Charter Township for all costs resulting from both financially unsound insurance companies selected by the Applicant, and their inadequate insurance coverage. The Applicant shall furnish the Township with satisfactory certificate(s) of insurance or a certified copy of the policy, if requested by the Township Supervisor.

At a special event for which a Professional Services Contract for police/fire/medical service is required, the minimum insurance requirements are as follows:

- Workers' Compensation Insurance with Michigan statutory limits and Employer's Liability Insurance with a minimum limit of \$1,000,000 each accident for any employee.
- Commercial General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage. The policy shall include contractual liability and personal injury coverage. Blackman Charter Township shall be added as "additional insured" on General Liability Policy with respect to the services provided under the Professional Services Contract.
- Automobile Liability Insurance covering all owned, hired and non-owned vehicles with Personal Protection Insurance and Property Protection Insurance to comply with the provisions of the Michigan No-Fault Insurance Law, including residual liability insurance with a minimum combined single limit of \$1,000,000 each accident for bodily injury and property damage.
- Professional Liability Insurance coverage with a minimum of \$1,000,000 each occurrence. **Blackman Charter Township must be named as "Additional Insured."**
- Staff Fidelity Bonding

At a special event that does not require the services of police/fire/medical personnel, the minimum insurance requirements are as follows:

- Commercial General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage. The policy shall include contractual liability and personal injury coverage. Blackman Charter Township shall be added as "additional insured" on General Liability Policy with respect to the services provided under the Professional Services Contract.

Does this event require Police / Fire / Medical Services?

If yes, what type of services will be required?

I agree to enter into a **Professional Services Contract** with the Blackman Charter Township Department of Public Safety for the above-selected services.

Applicant's Signature Date

Insurance Requirements Waived Yes No

Township Supervisor Date

Applicant's Permit Compliance Agreement

Applicant Responsibilities

Applicant hereby agrees to be liable to Blackman Charter Township for any and all damage that may occur to township property(ies), or injury(ies) to township employees, officers, or agents caused by this event, or by any person attending or seeking to attend the event, whether or not such damage is the result of negligence, intentional acts, or accident.

Applicant acknowledges that s/he is responsible for contacting the Michigan Liquor Control Commission (MLCC), the Jackson County Department of Transportation, the Jackson County Health Department, and any other agency(ies), to secure any and all permits required from the State of Michigan, Jackson County, and/or Blackman Charter Township for this special event.

Applicant acknowledges that the filing of this Application authorizes Blackman Charter Township employees and/or officials to enter the property to determine the accuracy of the submitted information and conditions, before, during and after event activities.

Applicant agrees to be solely responsible for any and all activities associated with this event; and understands that s/he will be billed for any and all costs incurred by Blackman Charter Township for services rendered in connection with this event.

If Applicant is not an individual, the person(s) signing below affirms that s/he is authorized to bind Applicant to the terms of this Application/Agreement and is authorized to execute this document on behalf of Applicant.

Approval / Denial of Special Events Permit

This Special Events Permit may be revoked for good cause, including, but not limited to acts of vandalism, violence, or rowdiness, violations of law or local ordinances, or threats to the health, safety, and welfare of Blackman Charter Township residents or visitors. The Special Events Permit may be revoked by the Township Supervisor and/or his/her designee, including the senior on-duty members of the Department of Public Safety.

This Special Events Permit may be denied to any person, organization, or group that has, at any time prior to the proposed special event, held, sponsored or hosted a special event that resulted in acts of vandalism, violence, or rowdiness, was held in violation of law or local ordinances, or posed a threat to the health, safety, and welfare of Blackman Charter Township residents or visitors.

Issuance of this Special Events Permit does not allow Applicant to violate any state law or local ordinances.

Authorized Signature

Title / Position

Date

:: FOR OFFICE USE ONLY ::

TOWNSHIP APPROVALS (those required for this event)

Director of Department of Public Safety Date

Zoning/Building official Date

Township Supervisor Date

Director of Parks & Recreation Date

Clerk's Office Date

Date

Date

Date

Non-Refundable Application Fee:

Date Paid _____ Check No. _____ Cash _____

Permit Issued Yes No

Township Initials Date

Anticipated Cost to Township: \$ _____

Pre-Payment by Applicant:

Amount Paid Date

NOTES:

APPROVED DENIED Reason for Denial: _____

Township Supervisor

Date

Blackman Charter Township

1990 W. Parnall Rd.
 Jackson, MI 49201
 Phone: 517-788-4345 Fax: 517-788-4689
 Website: www.blackmantwp.com
 Email: buildingzoning@blackmantwp.com

**Large & Special
 Events Permit
 Application**

Fee _____

:: FOR OFFICIAL USE ONLY ::

\$100 application fee (must be paid by cash or check when application is submitted). *Fee is non-refundable. Application will not be processed until payment is received.*

Completed **Application Form** Date: _____

Obtained all **Township approvals** Date: _____

Copy of **Applicant's Driver's License** (or other identification)

Copies of **Certificate(s) of Liability Insurance** (if applicable)

Copy of **Misc. Use of ROW Permit** for road closure(s) (if applicable)

Copy of **Liquor License** (if applicable)

Copy of **Temporary Food Establishment Permit** (if applicable)

Copy of Map/Diagram of **Proposed Site Plan / Set-up / Parking**

Obtained **Security / Traffic Control / EMS / Fire Safety** services, as required. (Circle all that apply.)

Applicant Information

(Please Print)

Applicant Name

Street Address

City State Zip Code

Home Telephone No. Cell Phone

Work Telephone No. Email

Organization / Business Sponsoring Event

(Please Print)

Name of Organization / Business Contact Person

Street Address City State Zip Code

Email Office No. Fax No. Cell Phone

Contact Person(s) on Day(s) of Event

<p>(Please Print)</p> <p>_____</p> <p>Contact Person No. 1 (Primary Contact)</p> <p>_____</p> <p>Telephone No. Cell Phone</p> <p>_____</p> <p>Email</p>	<p>(Please Print)</p> <p>_____</p> <p>Contact Person No. 2 (Secondary Contact)</p> <p>_____</p> <p>Telephone No. Cell Phone</p> <p>_____</p> <p>Email</p>
---	---

Event Details

(Please Print)

Name of Event Start Date End Date Estimated Attendance (Include volunteers & participants)

Hours of Event (List hours of each day separately, if multi-day event) Estimated Time for Set-Up Estimated Time for Clean-Up

Location of Event Purpose of Event Property Zoning Classification

Brief Description of Event

Type of Event: _____

Map attached:

Yes (Include locations for parking, food/beverage, booths, tents, rest areas, stages, first aid, etc.)

No

:: FOR OFFICIAL USE ::	Time Stamp
Received By: _____	
(Initials)	

LOGISTICS SECTION

UTILITY NEEDS: (List items needed) _____

Will additional electrical supply be required? _____

SANITATION / RESTROOM FACILITIES: _____

BOOTHS / TENTS / AWNINGS: _____

PICNIC TABLES / REFUSE BARRELS: _____

BARRICADES / TRAFFIC CONES / SIGNS: _____

Are signs township approved? _____

Township Approval Date: _____

CLEAN-UP PROCEDURES: _____

HOSPITALITY SECTION

FOOD & BEVERAGES:

Will food and/or beverages be served? Yes No

Provide a copy of completed JCHD Application.
(See information below)

ALCOHOLIC BEVERAGES:

Will alcoholic beverages be served? Yes No

Provide a copy of completed MLCC Application.
(See information below)

:: FOR OFFICIAL USE ONLY ::

Date Stamp of JCHD Application: _____

Copy of Temporary Food Permit Application: _____
(A copy of the Temporary Food Application to be submitted upon approval of the Jackson County Health Department)

.....

If food is being prepared for this event, a **Temporary Food Establishment Permit** must be obtained from the Jackson County Health Department (JCHD).

:: FOR OFFICIAL USE ONLY ::

Date Approved by MLCC: _____

Special Liquor License No: _____
(A copy of the Special Liquor License to be submitted upon approval of MLCC, State Application Form LCC-3511 or Form LCC-146)

.....

If alcoholic beverages are being served at this event, a **Special Liquor License** must be obtained from the **Michigan Liquor Control Commission (MLCC)**, through the Department of Licensing and Regulatory Affairs (LARA).

Website: www.michigan.gov/lara/
MLCC Licensing Division: (866) 813-0011
Email: mlccinfo2@michigan.gov

Describe Proposed Event Plans (Briefly explain how the following items will be addressed at this event.)

Please provide details of proposed plans for the following items pertaining to your special event. If more room is needed for explanation, please attached additional sheets, as necessary.

NOTE: Any increase in township staffing (i.e., security, fire, utilities, etc.) requested and/or required for this event will be billed to the organization listed on this form. The Applicant shall be responsible for securing any permits or approvals required in connection with this event, such as parking permits, utility permits, temporary liquor license, road closure permits, etc.

PUBLIC SAFETY SECTION

NOTE: All proposed public safety plans are subject to review and modification by the Blackman Charter Township Department of Public Safety.

SECURITY: Will security be on-site for event? Yes
 No
 If so, for how long? _____
 Will security be armed? Yes
 No
 Will security be uniformed or non-uniformed? _____

 If private security, provide contact information: _____

PARKING: How many staff will handle parking? _____
 How many parking spaces will be available? _____
 Where are parking locations? _____

 If on adjacent properties, is approval obtained? _____
 List all property owners who have authorized parking: _____

 Are Parking Permits Required? _____ If yes, are copies attached? _____ No. of Permits _____

TRAFFIC CONTROL & TRAFFIC FLOW: Yes
 No
 Will off-site pedestrian and vehicular traffic be impacted?
 How will the event impact pedestrian and vehicular traffic flow in and around the area?

 Who will direct traffic? _____

CROWD CONTROL / FIRE SAFETY:
 How will crowd control be maintained? _____

 If indoor event, occupancy limit will be enforced? Yes
 No
 Will PS be required to remain on-site? Yes
 No
 If yes, indicate time frame PS is needed: _____

 Will a medical standby be required? Yes
 No
 Fire lanes and hydrants must be accessible? Yes
 No
 Will there be open flames or pyrotechnics? If yes, list items below:

 Will this event have a large amount of combustible material? If yes, what type and amount?

ROAD CLOSINGS: List road(s) to be closed: _____

:: FOR OFFICIAL USE ONLY ::
 Date JCDOT approved : _____
 Permit No./Resolution No: _____ / _____
 (Copy of Road Closure Permit to be submitted upon approval of JCDOT)

 If a public road(s) must be closed for this event, a "Miscellaneous Use of Right-of-Way Permit" must be obtained from the Jackson County Department of Transportation

BLACKMAN CHARTER TOWNSHIP
FIREWORKS ORDINANCE

An ordinance to protect the health, safety and general welfare of Blackman Charter Township through the regulation of use of fireworks, as provided in PA 256 of 2011 and to repeal all Ordinances or parts of Ordinances in conflict herewith.

**BLACKMAN CHARTER TOWNSHIP,
JACKSON COUNTY, MICHIGAN**

ORDAINS:

SECTION I
NAME

This Ordinance shall be known and cited as the Blackman Charter Township Fireworks Ordinance.

SECTION II
PURPOSE

In the interest of maintaining public health, safety and the general welfare and the comfort and repose of Blackman Charter Township residents, Blackman Charter Township hereby provides for the regulation and use of fireworks in Blackman Charter Township, as provided in PA 256 of 2011, as may be amended, (MCL 28.451, et seq) and repeals all Ordinances or parts of Ordinances in conflict herewith.

SECTION III
DEFINITIONS

For purposes of this Ordinance, the following definitions shall apply:

1. Articles pyrotechnic: pyrotechnic devices for professional use that are similar to consumer fireworks in the chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.
2. APA: American Pyrotechnics Association

3. **Consumer fireworks:** fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3 or 3.5. Consumer fireworks does not include low-impact fireworks.
4. **Department:** Department of Licensing and Regulatory Affairs (LARA), State of Michigan.
5. **Display fireworks:** large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effect by combustion, deflagration, or detonation as provided in 27 CFR 555.11, 49 CFR 162 and APA standard 87-1, 4.1.
6. **Firework or fireworks:** any composition or device, except for a starting pistol, a flare gun or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks and special effects.
7. **Low-impact fireworks** mean ground and handheld sparkling devices at that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8 and 3.5.
8. **Minor:** individual who is less than 18 years old.
9. **NFPA:** National Fire Protection Association.
10. **Novelties:** as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4 and 3.2.5. and all of the following:
 - a. Toy plastic or paper caps for toy pistols in sheets, strips, rolls or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cup.
 - b. Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in the above paragraph are use, that are constructed so that the nad cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
 - c. Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.
11. **Person:** individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.
12. **Special effects:** a combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical, or thermal effect as in integral part of a motion picture, radio, television, theatrical or opera production or live entertainment.

SECTION IV
NOVELTIES

This Ordinance does not apply to and does not regulate the use of Novelties in Blackman Charter Township.

SECTION V
CONSUMER
FIREWORKS

1. Consumer fireworks may be used in Blackman Charter Township as follows:
 - a. After 11:00 a.m. on December 31 until 1 a.m. on January 1.
 - b. After 11:00 a.m. on the Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
 - c. After 11:00 a.m. on June 29 to July 4 until 11:45 p.m. on each of those days.
 - d. After 11:00 a.m. on July 5, if that date is a Friday or Saturday, until 11:45 p.m.
 - e. After 11:00 a.m. on the Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.
 - f. Use of consumer fireworks must be in compliance with the Blackman Charter Township Noise Ordinance and/or Nuisance Abatement Ordinance.
 - g. Consumer fireworks shall not be used if a burn ban is in effect.
 - h. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person, without that person or organization's express permission to use the consumer fireworks on those premises.
 - i. A person shall not use consumer fireworks or low impact fireworks while under the influence of alcoholic liquor, a controlled substance or a combination of alcoholic liquor and a controlled substance.
 - j. A minor shall not possess or discharge consumer fireworks.
 - k. Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

SECTION VI
ARTICLES PYROTECHNIC AND DISPLAY FIREWORKS

1. The Township Board may permit articles pyrotechnic, display fireworks and special effect fireworks in Blackman Charter Township, pursuant to the provisions of MCL 28.451, *et seq* and this Ordinance.
2. Any person wishing to conduct an articles pyrotechnic, display fireworks or special effects display shall, at least 45 days prior to any display, apply on a form as provided by the State of Michigan, furnished by the Township, pay the required fee and shall secure permission from the Township Board prior to any such fireworks display. Such fee shall be set by the Township Board by resolution.
3. The site plan of the area where the articles pyrotechnic, display fireworks or special effects display is to be conducted shall be submitted with the application. The site plan shall set forth all structures in the area and within the discharge site fallout area. The site plan shall furthermore set forth the distance separating any fireworks and any spectator viewing areas. All site plans shall be forwarded to the Public Safety Department and/or his or her designated alternate for approval, including any recommended conditions, prior to coming before the Township Board for its approval.
4. A copy of any required state or federal permit for the fireworks display shall be submitted with the application.
5. Proof of insurance conforming to the requirements of this Ordinance and PA 256 of 211 shall be submitted with the application.
6. The application shall include information as to the competency and qualifications of the fireworks display operators, as required by NFPA 1123.
7. The Township Board shall approve an application for an articles pyrotechnic, display fireworks or special effects display if it finds that all of the following standards are satisfied:
 - a. The application and accompanying documentation are complete and conform to the requirements of this Ordinance.
 - b. The operator of the fireworks display is competent and qualified to conduct the fireworks display, per NFPA 1123.
 - c. The Public Safety Director or his/her designated alternate has approved the application and site plan.
 - d. The fireworks display will not have an adverse effect upon public safety.
 - e. The time, duration, location of the fireworks or special effects display will not, due to noise and other factors, unreasonably

disturb the peace of persons residing within the vicinity or otherwise violate the Township's Noise Ordinance and/or Nuisance Abatement Ordinance.

- f. The Township Board, in approving an application hereunder, shall have the authority to impose such conditions as it determines in its sole reasonable discretion are necessary to assure that the fireworks display will satisfy the above standards.

8. Requirements and Restrictions

- a. The person conducting the fireworks display shall follow NFPA 1123 for fireworks display and/or the Township requirements set forth herein, whichever are more restrictive.
- b. A minimum safe area of 250 feet radius, plus an additional 70 feet radius for each inch by which the fireworks shell exceeds 3 inches in diameter shall be required. The Township Board shall have the authority to grant a variance from this requirement where it determines in its sole reasonable discretion that, given 1) the nature of the subject site, 2) the nature of the surrounding area and/or 3) the nature of the proposed fireworks display, that a variance will not have a material adverse impact on public safety. In no event, however, shall the applicant fail to comply with the minimum requirements of NFPA 1123.
- c. The applicant shall maintain personal injury liability insurance/property damage liability insurance in the amount of \$1,000,000 for each event. The Township shall be named as an additional insured on the insurance policy.
- d. The Township Board shall not issue a permit to a nonresident person until the person has appointed in writing a member of the state bar or a resident agent to be the person's legal representative upon whom all process in an action or proceeding against the person may be served.
- e. The applicant shall be responsible for all shells being fired. In the event one or more of the shells does not explode, the applicant shall secure the area until the unexploded shell(s) is found and properly disposed of.
- f. The consumption of alcohol immediately prior to and during the fireworks display by any person involved in conducting the display is prohibited.
- g. Fireworks displays conducted hereunder shall conform with all specifications set forth in the approved application and site plan, as well as with any conditions imposed by the Township Board in granting such approval.
- h. The applicant shall cause the site of the fireworks display to be cleaned up within 24 hours after the fireworks display has ended.
- i. A permit is not transferable and shall not be granted to a minor.

SECTION VII SANCTIONS

Any person that violates any provision of this Ordinance shall be deemed responsible for a municipal civil infraction and fined no less than \$100 and not more than \$500.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Blackman Charter Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$100.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation of this Ordinance continues to exist shall constitute a separate violation of this Ordinance.

SECTION VIII SEVERABILITY

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

SECTION IX REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith, including but not limited to Article VII- Fireworks, are hereby repealed.

SECTION X EFFECTIVE DATE

This Ordinance shall take effect 30 days after publication following its adoption.

ARTICLE XI
**Disorderly Persons [Amended 12-18-
2017 by Ord. No. 129]**

§ 36-56. Purpose; offenses against persons or property.

The purpose of this article is to safeguard the health, well-being and welfare of the persons and property of the Charter Township of Blackman, to define offenses against persons and property, to provide penalties for committing offenses against persons or property in the Charter Township of Blackman and to repeal and replace Ordinance Numbers 39 and 71.

§ 36-57. Definitions.

For the purpose of this article, the following terms shall have the following meanings respectively designated for each:

ANIMAL — Includes birds, fish, mammals and reptiles.

LIVESTOCK — Horses, cattle, swine, sheep, goats and fur-bearing animals, of either gender, being raised in captivity.

OWNER — The term "owner" and persons owning premises shall mean both the owner of title of record and those occupying or in possession of any property or premises. The term "owner," when applied to the proprietorship of any animal, means every person having a right of property in the animal, an authorized agent of the animal, and every person who keeps or harbors the animal or has it in his or her care, custody or control, and every person who permits the animal to remain on or about the premises occupied by himself or herself.

PEACE OFFICER — Any person employed or elected by the people of the Charter Township of Blackman, or by the State of Michigan or the County of Jackson, whose duty is to preserve the peace or to make an arrest or to enforce the law, and includes game, fish or forest wardens, members of the State Police, Conservation Officers or firefighters.

PERSON — Includes state and local officers and employees, individuals, corporations, co-partnerships and associations.

POULTRY — All domestic fowl, ornamental birds and game birds possessed or being reared under the authority of a breeder's license pursuant to Act 191 of the Public Acts of 1929, as amended. (MCLA § 317.71 et seq.; MSA 13.1271 et seq.)¹

PROPERTY — Tangible or intangible real or personal property.

PUBLIC PLACE — Any street, alley, sidewalk, park, public building, any place of business open to or frequented by the public, and any other place which is visible or accessible to the public.

TOWNSHIP — The Charter Township of Blackman.

¹. Editor's Note: See now MCLA § 324.42701 et seq.

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§ 36-58. Unlawful act.

It shall be unlawful and punishable, as provided herein, for any person to be a disorderly person 36-58 within the Charter Township of Blackman.

§ 36-59. Disorderly person.

A. A person is a disorderly person if the person is any of the following, or the person aids or abets another to do such an act or engage in any practice so as to be:

- (1) A person who is intoxicated in a public place;
- (2) A person who disturbs the public peace and quiet by engaging in a disturbance, fight, quarrel or altercation in a public place;
- (3) A person who obstructs, resists, impedes, hinders or opposes a peace officer in the discharge of his or her official duties;
- (4) A person who shall break or escape from the lawful custody of a public safety officer of the Township;
- (5) A person who furnishes a peace officer with false, forged, fictitious or misleading verbal or written information identifying the person as another person, if the person is detained for investigating a violation of a statute or Township ordinance;
- (6) A person who summons, as a joke or prank or otherwise, without any good reason therefor, by telephone or otherwise, the Public Safety Department or any public or private ambulance to go to any address where the service called for is not needed;
- (7) A person who makes a false report, by telephone or otherwise, to any public official which may reasonably be expected to cause the evacuation or closing of a building or place open to the public, or who knowingly makes a false statement or report to a peace officer;
- (8) A minor, under 16 years of age, who is in a public place or on the public street between the hours of 10:00 p.m. and 6:00 a.m.;²
- (9) A person who commits an assault or an assault and battery against another;
- (10) A person who spits or expectorates on, at or toward another person, or who urinates or defecates in a public place;
- (11) A person who, without permission, peeps or peers into the windows of any inhabited place that he or she does not own or occupy;
- (12) A person who shall leave the outside of any building or dwelling in a place accessible to children any abandoned, unattended, available or discarded icebox, refrigerator or any other container of any kind which has an airtight door or lock which may not be easily

². Editor's Note: See also Part 3, Curfew, of this chapter.

released for opening from the inside of such icebox, refrigerator, container or compartment;

- (13) A person who knowingly attends, frequents, operates or loiters in or about a place where gambling, the illegal sale of intoxicating liquor, controlled substances, or any other illegal business or occupation is permitted or conducted;
- (14) A person who maintains a gaming room, gaming table, or any policy or pool tickets used for gaming; knowingly allows a gaming table, or any policy or pool tickets to be kept, maintained, played or sold on any premises occupied or controlled by him or her except as permitted by law; conducts or attends any cock fight or dog fight; or places, receives or transmits any bet on the outcome of any race, contest, or game of any kind whatsoever;
- (15) A person who loiters, wanders, stands or remains idle in a public place so as to:
 - (a) Obstruct a public street, highway, sidewalk, place or building by hindering, impeding or threatening to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians therein or thereon; or
 - (b) Obstruct or interfere with the free and uninterrupted use of property or business lawfully conducted by anyone in, upon, facing or fronting any such public street, highway, sidewalk, place or building so as to prevent the free and uninterrupted ingress or egress thereto or therefrom; and who refuses or fails to forthwith obey an order by a peace officer to cease such conduct and to move and disperse;
- (16) A person who willfully enters the lands or premises of another without lawful authority after having been forbidden to do so by the owner or occupant, agent or servant of the owner or occupant;
- (17) A person who willfully enters the lands or premises of another and who neglects or refuses to depart from the land or premises of another after being notified by the owner or occupant, agent or servant of the owner or occupant to depart therefrom;
- (18) A person who knowingly sells, gives or furnishes alcoholic beverages, beer, liquor or spirits to any person under the age of 21 years or to any drunken, intoxicated or disorderly person;³
- (19) A person who possesses any open intoxicant or consumes any alcoholic beverages, beer, liquor or spirits while in or upon a public street, sidewalk or nonlicensed public place;
- (20) A person who, without consent of the owner or occupant, shall dump, deposit, place, throw or leave litter on public or private property;⁴

³ . Editor's Note: See also Part 2, Alcohol, of this chapter.

⁴ . Editor's Note: See also Part 5, Littering, of this chapter.

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- (21) A person who makes or continues any loud noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Township, including, but not limited to:⁵
- (a) Sounding any horn or signal device on any automobile, motorcycle, bus, streetcar, or other vehicle for reason other than as a signal in response to an imminent danger and implemented as an immediate safety measure, for an unnecessary and unreasonable duration, or unreasonably loudly or harshly;
 - (b) Playing or amplifying any radio, phonograph, stereo, tape or disc player, or musical instrument in such a manner or with such volume so as to annoy or disturb the quiet, comfort or repose of persons in any place of business, or any dwelling, hotel or other type of residence, or of any persons in the immediate vicinity;
 - (c) Yelling, shouting or making any other noise on a public street or sidewalk at any time or place so as to annoy or disturb the quiet, comfort or repose of any persons in any place of business, or any dwelling, hotel or other type of residence, or of any persons in the immediate vicinity;
 - (d) Keeping any animal or bird which causes frequent or loud continued noise that disturbs the comfort or repose of any persons in the vicinity;
 - (e) Blowing any whistle or siren, except as a warning of danger or upon request and authority of proper Township authorities;
 - (f) Discharging the exhaust of any steam engine, stationary internal-combustion engine, motor boat or motor vehicle into the open air, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom;
 - (g) Intentionally squealing the tires of any motor vehicle;
 - (h) Erecting, excavating, demolishing, altering or repairing any building, or excavating streets and highways, other than between the hours of 7:00 a.m. and 10:00 p.m.;
 - (i) Creating loud and excessive noises in connection with the loading or unloading of any vehicle, or the opening and destruction of bales, boxes, crates and containers;
 - (j) Creating noise with any drum, loudspeaker or other instrument or device to attract attention to any performance, show or sale or display of merchandise.
- (22) A person who disables or attempts to disable, in whole or in part, any motor vehicle owned or operated by another person, by any means, including but not limited to deflating tires attached to said motor vehicle, or placing a foreign substance in the motor vehicle's fuel tank;
- (23) A person who throws or propels any snowball, rock, missile or object from any moving vehicle;
- (24) A person less than 21 years of age who possesses any alcoholic beverage, beer, liquor

⁵. Editor's Note: See also Part 6, Noise, of this chapter.

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or spirits;

- (25) A person who maliciously telephones any other person for the purpose of harassing, molesting, threatening, intimidating or annoying such other person or his or her family, whether or not conversation ensues;
- (26) Any person, 17 years of age or older, who shall accost, solicit or invite another in any public place, or in or from any building or vehicle, by word, gesture or any other means, to commit prostitution or to do any other lewd or immoral act;
- (27) A person who invites, entices, coaxes, persuades or induces by threat, promise or false statement, any minor child under the age of 17 years to enter any motor vehicle or conveyance, or private property or place, except where the parent or guardian of that child has given that person express consent; this section shall not prohibit school personnel, peace officers or public health or social worker personnel from carrying out the normal duties of their employment;
- (28) A person who carries a knife having a blade of three inches in length or more, whether in a sheath or not, in a public place or in a vehicle on a public roadway, right-of-way or place open to the public;
- (29) A person who carries any firearm, air rifle, bow and arrow, slingshot, crossbow or other dangerous weapon in any public place, subject to the following exceptions:
- (a) When it is in a case and is not loaded;
 - (b) When a bow or crossbow is unstrung or encased, or when it is being carried under the direct supervision of authorized public recreational personnel; or (c) Where and as otherwise permitted by state law.
- (30) Animals. A person who:
- (a) Owns any animal and who permits the animal to run at large, except, however, that a dog engaged in hunting need not be leashed when under the reasonable control of its owner;
 - (b) Owns any dog of any age, licensed or unlicensed, wearing a collar or not wearing a collar, except a leader dog for a handicapped person accompanied by its owner, and who permits the dog to be within the confines of any public park when such park, by appropriate designation at its entrance, prohibits dogs;
 - (c) Owns any dog at any time, licensed or unlicensed, which destroys property, real or personal, or trespasses in a damaging way on property of persons other than the owner;
 - (d) Owns any dog, cat, livestock, poultry, or other animal at any time, licensed or unlicensed, which attacks or bites a person;
 - (e) Owns any dog which shows vicious habits, including, but not limited to, charging, snarling, growling, etc., or which molests passersby when such persons are lawfully on a public highway, right-of-way or adjacent property;

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- (f) Owns, keeps, houses, tethers or otherwise possesses or maintains any animal in such a way or manner or in such location whereby noises emanating from said animal, including, but not limited to, loud and frequent barking, howling or yelping, shall cause a disturbance or otherwise disrupt the peace, quiet and tranquility of persons within the limits of the Township, is a nuisance in the neighborhood in which the animal is kept, possessed or harbored. This section does not apply to kennels lawfully operating within the Township, except upon evidence of mistreatment of animals situated therein;
- (g) Owns any livestock or poultry which is kept, possessed, or harbored within the boundaries of any nonagricultural area within the Township;
- (h) Owns any dog or other animal which is not confined upon the premises of the owner between sunset and sunrise of the following day, except when the dog or other animal is otherwise under the reasonable control of the owner;
- (i) Removes a collar or a tag from any dog or any other animal without the permission of its owner, or decoys or entices any dog or other animal out of an enclosure or off the property of its owner, or seizes, molests or teases any dog or other animal while held or led by any person or while on the property of its owner.
- (j) Leaves any dog or cat in a vehicle, when the temperature outside is 70° F. or higher, unless climate controlled.
- (k) Fails to provide any animal with sufficient food, water, shelter, sanitary conditions, exercise and/or veterinary medical attention.

"Shelter" means adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal, so as to maintain the animal in a state of good health. Shelter, for livestock, includes structures or natural features such as trees or topography. Shelter, for a dog, includes one or more of the following:

- [1] The residence of the dog's owner or other individual.
 - [2] A doghouse that is an enclosed structure with a roof and of appropriate dimensions for the breed and size of the dog. The doghouse shall have dry bedding when the outdoor temperature is or is predicted to drop below freezing.
 - [3] A structure, including a garage, barn, or shed, that is sufficiently insulated and ventilated to protect the dog from exposure to extreme temperatures or, if not sufficiently insulated and ventilated, contains a doghouse as provided under Subsection A(30(k)[1][b] that is accessible to the dog.
- (31) A person who intentionally and maliciously kills, injures or maims any animal, livestock or poultry owned by another person. However, any person may kill any dog or other animal which he or she sees in the act of or actually attacking or wounding any person, livestock, poultry or other animal, and there shall be no liability on such person in damages or otherwise for such killing. In no event shall the provisions of this subsection exonerate a person from compliance with the criminal laws of this state, including, by way of example, the safe discharge of firearms;

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(32) A person under 18 years of age that possesses or smokes cigarettes or cigars; or possesses or chews, sucks or inhales chewing tobacco or tobacco snuff; or possesses or uses tobacco in any form on a public highway, street, alley, park or other lands used for public purposes, or in a public place of business or amusement;

(33) A person who sells, gives to, or in any way furnishes cigarettes, cigars, chewing tobacco, tobacco snuff or tobacco in any form to a person under 18 years of age;

(34) A person who is engaged in indecent or obscene conduct or indecent exposure of their person in a public place.

(35) A person who provides false information to a police officer.

(a) Except as provided in this section, a person who is informed by a police officer that he or she is conducting a criminal investigation shall not do any of the following:

[1] By any trick, scheme, or device, knowingly and willfully conceal from the police officer any material fact relating to the criminal investigation;

[2] Knowingly and willfully make any statement to the police officer that the person knows is false or misleading regarding a material fact in that criminal investigation;

[3] Knowingly and willfully issue or otherwise provide any writing or document to the police officer that the person knows is false or misleading regarding a material fact in that criminal investigation;

(b) This section does not apply to either of the following:[a]

[1] Any statement made or action taken by an alleged victim of the crime being investigated by the police officer.

[2] A person who was acting under duress or out of a reasonable fear of physical harm to himself or herself or another person from a spouse or former spouse, a person with whom he or she has or has had a dating relationship, a person with whom he or she has had a child in common, or a resident or former resident of his or her household.

(c) This section does not prohibit a person from doing either of the following:[a]

[1] Invoking the person's rights under the Fifth Amendment of the constitution of the United States or Section 17 of Article I of the State Constitution of 1963.

[2] Declining to speak to or otherwise communicate with a police officer concerning the criminal investigation.

(d) As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between two persons in a business or social context.

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(36) A person who rakes, places, or mows fallen tree leaves or grass clippings onto the pavement or into the gutter of any public street or permits grass clippings from mower swaths to remain upon public sidewalks, street pavements, or gutters of any public street, or on an abutting property not owned or occupied by said person.

§ 36-60. Exceptions.

None of the terms or prohibitions hereof shall apply to or be enforced against:

- A. The operation of any vehicle of the Township while engaged upon necessary public business.
- B. Excavation or repairs of bridges, streets, highways or water mains by or on behalf of the

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Township or state during the night when the public welfare and convenience renders it impossible to perform such work during the day.

§ 36-61. Parental responsibility.

No parent, guardian, or other person having charge, guardianship, custody or control of any minor under the age of 17 years shall encourage, knowingly permit or by inefficient control allow the minor to violate a provision of this article. Proof that the minor was convicted of violating this article shall be prima facie evidence that the minor's parent or guardian allowed or encouraged the minor to violate such section.

§ 36-62. Violations and penalties; remedies for violations.

Any person violating any provision of this article shall be deemed guilty of a misdemeanor. Penalties may be imposed up to 90 days' incarceration in the Jackson County Jail and/or fines up to \$500 plus the costs of prosecution. In addition, any violation of this article shall be deemed a nuisance per se, permitting the Township Board, its officers, agents or any private citizen who lives in the Township to take such action in any court of competent jurisdiction to cause the abatement of such nuisance, including injunctive relief.



BLACKMAN CHARTER TOWNSHIP

1990 W. Parnall Road • Jackson, Michigan 49201-8612 • Phone (517) 788-4345 • Fax (517) 788-4689

BLACKMAN CHARTER TOWNSHIP MISSION STATEMENT

To create and maintain an outstanding community that supports the harmonious mix of residential, commercial, office, industrial, infrastructure, and transportation needed for the well-being of all community stakeholders. A Community that provides for the safety and welfare of all its citizens, protects and preserves our natural resources, that provides diverse opportunities for all residents with education, entertainment, employment and recreation.