

TOWNSHIP OF WELLS
ZONING ORDINANCE AMENDMENT
EXCAVATING, MINING, AND FILLING/SIGNS
ORDINANCE AMENDMENT NO. 100-01

An ordinance to amend the Wells Township Zoning Ordinance No. 100, to regulate the excavation, mining or removal of sand, gravel and other earth materials and the regulation of signs.

THE TOWNSHIP OF WELLS ORDAINS:

The Wells Township Zoning Ordinance is hereby amended to revise the following subsections:

Section 5.02.D.1. and 3 **QUARRYING OR REMOVAL OF SOIL, SAND, CLAY,
GRAVEL OR SIMILAR MATERIALS.**

- D.1. No permits will be required for operations specified in subsections 1(a), (b), and (c) below. However, the operational requirements specified in subsections 3(e), (f) and (g) below shall apply to these operations:
- (a) Excavations for construction purposes, pursuant to duly issued zoning and building permits.
 - (b) Minor or incidental grading or leveling of earth materials during construction, provided no soil erosion conditions result.
 - (c) Quarrying or removal of less than five thousand (5,000) cubic yards per year on a single parcel of land.
- D.3. Operational Requirements.
- (a) Operations shall only be conducted on parcels of land containing a minimum of forty (40) acres.
 - (b) The operator shall acquire a haul permit from the Road Commission.
 - (c) The use of explosives is prohibited.
 - (d) In operations involving excavations over five (5) feet in depth, the operator shall provide adequate safeguards to protect the public safety. The Planning Commission may require fencing, locked gates, warning signs and greenbelts where appropriate.
 - (e) The Planning Commission may require that any gravel or dirt roads used for the purpose of ingress and egress to said excavation site be kept dust free by hardtopping or chemical treatment. In all cases, the property owner and the excavation operator shall be

responsible to clean up any debris which is deposited on any public roads and shall be responsible to pay for any damage caused to public roads.


- (f) The completed slopes of the banks of any excavation shall in no event exceed a minimum of three (3) feet to one (1) foot (three foot horizontal to one foot vertical).
- (g) No cut, excavation or stockpiling of material shall be allowed closer than two hundred (200) feet from the centerline of the nearest road right-of-way nor closer than one hundred and fifty (150) feet to the nearest property line. The Planning Commission may prescribe more strict requirements in order to give sublateral support to surrounding property where soil or geologic conditions warrant it.
- (h) The Planning Commission shall, to ensure strict compliance with Ordinance provisions and required conditions of a permit for quarrying and reclamation, require the permittee to furnish a bond, letter of credit, or cash deposit in an amount determined by the Planning Commission.

Section 12.06.G. SIGNS.

All signs shall be set back from all side property lines no less than the minimum distance required by the Zoning Ordinance for buildings and structures and shall not encroach on any road rights of way. Signs on state highways shall also comply with Michigan Department of Transportation regulations for setbacks and other requirements.

The undersigned Supervisor and Clerk of the Township of Wells hereby certify that this Ordinance Amendment was duly adopted by the Township Board at a meeting held on the 8 day of January, 2015 and was published in the Tuscola County Advertiser on the 17 day of January, 2015. This Ordinance Amendment becomes effective seven (7) days after said date of publication.


Melvin L. Witkovsky, Supervisor


Karen A. Varney, Clerk