

Introduced/First Reading: June 1, 2020  
Adopted: June 1, 2020  
Publication: June 7, 2020  
Effective: June 1, 2020

CITY OF MASON  
ORDINANCE NO. 229

AN ORDINANCE TO ESTABLISH AN OMNIBUS MORATORIUM IN ORDER TO SUSPEND THE REQUIREMENT FOR SPECIAL USE PERMITS RELATED TO TEMPORARY OUTDOOR USES, TO ALLOW THE CITY MANAGER TO APPROVE TEMPORARY OUTDOOR USE OF CITY PROPERTY, AND TO SUSPEND MINIMUM PARKING REQUIREMENTS FOR BUSINESSES SEEKING TEMPORARY OUTDOOR USES.

THE CITY OF MASON ORDAINS:

WHEREAS, the Governor of the State of Michigan, pursuant to the provisions of the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-33, issued an Executive Order, No. 2020-99, which put in place statewide temporary requirements to allow safely re-opening businesses including retail and restaurants; and,

WHEREAS, the members of the public have been, in many cases, unable to continue their normal daily activities, which has resulted in the closure of a number of businesses that prevents employees from traveling to, and performing their work, and in many instances, have caused many citizens to be laid off by their employers; and,

WHEREAS, the City Council of the City of Mason is empowered to protect the health, safety, and welfare of all of its citizens and to take measures to ameliorate the adverse impacts caused by the necessary declaration of Executive Order No. 2020-99; and

WHEREAS, Section 7.4 of the Charter of the City of Mason provides for the adoption of an ordinance which is declared therein to be immediately necessary for the preservation of the public peace, health or safety of its citizens so that it may be introduced and adopted, and be effective on the same date;

NOW, THEREFORE, the City Council hereby resolves and declares as follows:

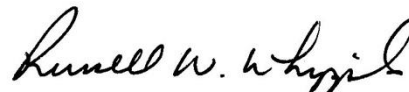
1. Given the substantial interference in the lives of its citizens and the operation of many public and private institutions, it is hereby declared that this ordinance is immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Mason.
2. The requirement for a Special Use Permit from the Planning Commission for a Temporary Outdoor Use as required in section 94-192(6) shall be suspended and requests for such may be processed through Administrative Site Plan Review.
3. To amend sections 94-141 (c) and 94-142 (d) to allow for Temporary Outdoor Use to be authorized under a Special Use Permit.

4. The requirement for prior approval of City Council for the use of public streets or public property as required in section 94-192(6)a shall be suspended and authority for approval delegated to the City Manager.
5. Calculations for parking minimums will be suspended for Temporary Outdoor Uses due to the decrease in occupancy load associated with Executive Order No. 2020-99, and to allow for private parking areas to be converted to serve Temporary Outdoor Uses.
6. Unless rescinded earlier by the City Council, the provisions of this ordinance shall expire upon December 31, 2020
7. The City Council may amend or repeal this Ordinance at any time, subject to the Order of the Governor, or other State Agencies, and if applicable, the directives of the Ingham County Emergency Management Coordinator.
8. This ordinance shall take effect immediately pursuant to the provisions of Section 7.4 of the City Charter, and in lieu of the requirements for publication thereof, this ordinance shall be posted in conspicuous locations in 10 public places in the City, and upon the clerk entering in the ordinance book under the record of ordinance a certificate under the clerk's hand stating the time and place of such publication by posting of the ordinance.

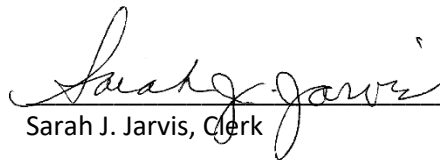
The foregoing Ordinance was moved for adoption by Council Member Brown and supported by Council Member Madden, with a vote thereon being:

YES ( 7 ) Brown, Droscha, Ferris, Madden, Schaffer, Vogel, Whipple  
NO ( 0 )

at a regular meeting of the City Council held pursuant to public notice in compliance with the Michigan Open Meetings Act, on the 5th day of April, 2020. Ordinance No. 229 declared adopted this 1st day of June, 2020, and is immediately effective as set forth therein.



Russell W. Whipple, Mayor



Sarah J. Jarvis, Clerk