

**ORONOKO CHARTER TOWNSHIP
ORDINANCE No. 85**

AN ORDINANCE TO AMEND THE ORONOKO CHARTER TOWNSHIP ZONING ORDINANCE; TO AMEND SECTION 2.03 TO AMEND THE DEFINITION ‘WINERY’ AND ‘TASTING ROOM’; TO AMEND SECTION 5.06 TO AMEND THE TABLE OF USES AS IT PERTAINS TO A WINERY; TO AMEND SECTION 6.02 AS IT PERTAINS TO A WINERY; AND TO AMEND SECTION 7.02 AS IT PERTAINS TO A WINERY.

ORONOKO CHARTER TOWNSHIP, BERRIEN COUNTY, MICHIGAN, ORDAINS:

Section 1. Amendment of Section 2.03. The definition of “tasting room” in Section 2.03 is amended to read as follows:

Tasting Room. An establishment associated with a winery/brewery that allows patrons to sample the winery or brewery’s products and a limited amount of prepared food products for on-site consumption. A tasting room may be located on the same parcel as the winery/brewery with which it is associated as an accessory use. For the purposes of this Ordinance, a tasting room shall not be considered an eating and drinking establishment.

Section 2. Amendment of Section 2.03. The definition of “winery” in Section 2.03 is amended to read as follows:

Winery/Brewery. A state-licensed facility where production of agricultural products used in the production of beer and/or wine is maintained and where the site and buildings are used principally for the production of wine or beer. A winery/brewery shall include buildings involved in the production of wine or beer. A winery/brewery may include tasting rooms conducted in association with and on the same property as the winery/brewery.

Section 3. Amendment of Section 5.06. The table of uses in Section 5.06 is amended such that the row containing “winery” is amended to read as follows:

Use	AR	E-1	R-1	R-2	R-3	B	U-C	M
Winery/Brewery	R	R						

Section 4. Amendment of Section 6.02. Section 6.02 is amended such that the permitted land use “winery” now reads as follows:

- Winery/Brewery

Section 5. Amendment of Section 7.02. Section 7.02 is amended such that the permitted land use “winery” now reads as follows:

- Winery/Brewery

Section 6. Severability and Captions. This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

Section 7. Repeal. Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

Section 8. Effective Date. This Ordinance is ordered to take effect seven (7) days following publication of adoption in the Journal Era, a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

MOTION made by Trustee Kerlikowske, Second by Trustee Robert Palmer

ROLL CALL VOTE:

YES: Trustee Don Damron, Trustee Richard Albers, Clerk Suzanne Renton, Trustee Marc Kerlikowske, Trustee Robert Palmer, Supervisor, Mike Hildebrand.

NO: None.

ABSENT: Treasurer Lawrence Schalk

ABSTAIN: None

Declared adopted on: October 13, 2015

Mike Hildebrand, Township Supervisor

Suzanne Renton, Township Clerk

First Publication Date in the Journal Era: October 7, 2015

Adoption Publication Date in the Journal Era: October 21, 2015

Effective Date: October 28, 2015

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Charter Township of Oronoko, County of Berrien, State of Michigan, at a Regular meeting held on October 13, 2015, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.

Suzanne Renton, Township Clerk