



**NOTICE OF ADOPTION
CHARTER TOWNSHIP OF PLYMOUTH
ORDINANCE NO. 99.011**

TEXT AMENDMENT 005

AN ORDINANCE TO AMEND THE TEXT OF PLYMOUTH CHARTER TOWNSHIP ZONING ORDINANCE NO. 99 BY AMENDING ARTICLE XXXVI, SECTION 36.2.78, DEFINITIONS; GASOLINE SERVICE STATION WITH OR WITHOUT THE SALE OF CONVENIENCE GOODS.

THE TOWNSHIP OF PLYMOUTH ORDAINS:

Part 1. The Zoning Ordinance No. 99 of the Charter Township of Plymouth is hereby amended as follows:

Section 36.2.78. Definitions.

78. GASOLINE SERVICE STATION WITH OR WITHOUT THE SALE OF CONVENIENCE GOODS: An establishment that includes buildings and premises for the primary purpose of retail gasoline sales. An automobile convenience/gasoline service station may also include an area devoted to sales of automotive items and convenience goods primarily sold to patrons purchasing gasoline. A service station is not an automobile repair or body shop. The retail sale of foods, drinks and other convenience goods may be included in addition to the sale of fuel, however, the sale of packaged alcoholic beverages is prohibited.

Part II. VIOLATION AND PENALTY. Unless otherwise provided, any person, corporation, partnership or any other legal entity who violates the provisions of this Ordinance shall be guilty of a misdemeanor and may be fined not more than Five Hundred (\$500.00) Dollars or imprisoned for not more than ninety (90) days, or both, at the discretion of the Court.

Part III. SEVERABILITY. If any clause, sentence, section, paragraph or part of this Ordinance, or the application thereof to any person, firm, corporation, legal entity or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this Ordinance. It is hereby declared to be the legislative intent of this body that the Ordinance is severable, and that the Ordinance would have been adopted had such invalid or unconstitutional provision not have been included in this Ordinance.

Part IV. REPEAL OF CONFLICTING ORDINANCES. All Ordinance or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Part V. SAVINGS CLAUSE. All rights and duties which have matured, penalties which have been incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this Ordinance are not affected or abated by this Ordinance.

Part VI. PUBLICATION. The Clerk for the Charter Township of Plymouth shall cause a Notice of Adoption of this Ordinance to be published in the manner required by law.

Part VII. EFFECTIVE DATE. This Zoning Ordinance text amendment shall be effective seven days after publication.

Part VIII. ADOPTION. The Ordinance was adopted by the Township Board of the Charter Township of Plymouth by authority of Act 110 of Public Acts of Michigan, 2006, as amended, at a meeting duly called and held on May 12, 2009 and ordered to be given publication in the manner prescribed by law. The Ordinance may be purchased or inspected at the office of the Charter Township of Plymouth, 9955 N. Haggerty Road, Plymouth, Michigan 48170, during regular business hours.

Adopted by the Board of Trustees on May 12, 2009.

Effective Date May 24, 2009.

Publish May 17, 2009.