

**CITY OF LUNA PIER
MONROE COUNTY, MICHIGAN**

ORDINANCE NO. 247

An Ordinance to impose a limited moratorium on the development of junk yards, scrap yards, shredder operations, drop pit operations, torching operations to cut large metal items into smaller pieces, and transloading of metal, iron, scrap material and similar materials in the City of Luna Pier, to provide an effective date and to repeal all ordinances or parts of ordinances in conflict herewith.

**CITY OF LUNA PIER
MONROE COUNTY, MICHIGAN
ORDAINS:**

SECTION 1
FINDINGS

A. The City Council of the City of Luna Pier determines that approval and/or development of junk yards, scrap yards, shredder operations, drop pit operations, torching operations to cut large metal items into smaller pieces, and transloading of metal, iron, scrap material and similar materials in the City may result in or produce negative impacts on permitted land uses and development and may harm the public health, safety and general welfare of property owners and residents of the City of Luna Pier.

B. The City Council of the City of Luna Pier finds that it is in the best interest of the City that the Planning Commission and City Council have sufficient time to study zoning and other regulations regarding and applicable to junk yards, scrap yards, shredder operations, drop pit operations, torching operations to cut large metal items into smaller pieces, and transloading of metal, iron, scrap material and similar materials, and to review, amend or adopt ordinances and/or regulations to adequately protect the public health, safety and general welfare of the City.

C. The City Council of the City of Luna Pier accordingly determines that it is desirable and in the public interest for the reasons set forth above that there be an immediate moratorium on the acceptance and/or processing of any applications (including existing applications) for junk yards, scrap yards, shredder operations, drop pit operations, torching operations to cut large metal items into smaller pieces, and transloading of metal, iron, scrap material and similar materials, and that such moratorium run (1) a period of six months from the effective date of this Ordinance or (2) until the effective date of new City ordinance(s) and/or ordinance amendments addressing this matter, whichever date occurs first.

SECTION 2
MORATORIUM

There is hereby imposed a moratorium upon the City's acceptance and/or processing of any applications, special land use or conditional land use applications (including existing applications) for approval of and/or development of junk yards, scrap yards, shredder operations, drop pit operations, torching operations to cut large metal items into smaller pieces, and transloading of metal, iron, scrap material and similar materials, issuance of any/all City permits, licenses and approvals including for junk yards, scrap yards, shredder operations, drop pit operations, torching operations to cut large metal items into smaller pieces, and transloading of metal, iron, scrap material and similar materials, including, but not limited to building permits, land use permits, special land use permits, conditional land use permits, site plan approval, certificates of occupancy and zoning permits for junk yards, scrap yards, shredder operations, drop pit operations, torching operations to cut large metal items into smaller pieces, and transloading of metal, iron, scrap material and similar materials.

SECTION 3
SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason, by any court of competent jurisdiction, it shall not affect any portion of the ordinance other than said part or portion thereof.

SECTION 4
TERM OF MORATORIUM AND PROHIBITION

This moratorium imposed hereunder shall expire upon (1) six months from the effective date of this Ordinance or (2) the effective date of new City ordinance(s) and/or ordinance amendments addressing this matter, whichever date occurs first.

SECTION 5
EFFECTIVE DATE

This Ordinance shall become effective following adoption ten (10) days after a summary has been published as provided by law. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

ADOPTED: April 13, 2023

PUBLISHED: April 19, 2023

EFFECTIVE: April 29, 2023

Jolene Upchurch, CMC, Deputy Clerk,
City of Luna Pier

I, Jolene Upchurch, Deputy Clerk, City of Luna Pier, do hereby certify that the foregoing ordinance was duly adopted at a regular meeting of the Luna Pier City Council held on 13th day of April, 2023.

ATTEST:

James Gardner, Mayor

Dated: April 14, 2023

Jolene Upchurch, CMC, Deputy Clerk,
City of Luna Pier

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