

TOWNSHIP OF BIRCH RUN
SAGINAW COUNTY, MICHIGAN
ORDINANCE NO. 2022-04

ZONING ORDINANCE AMENDMENT – EVENT BARNES

ADOPTION: February 8, 2022
PUBLISHED: February 16, 2022
EFFECTIVE: February 23, 2022

An ordinance to amend the Birch Run Township Zoning Ordinance by amending Articles 9, 14 and 21 to permit Event Barns in the A-1 Zoning District by Special Land Use.

THE TOWNSHIP OF BIRCH RUN, SAGINAW COUNTY, MICHIGAN, ORDAINS:

ARTICLE I. Article 9 of the Birch Run Township Zoning Ordinance is hereby amended by adding the following to Table 9.2 as shown:

**Table 9-2
PERMITTED PRINCIPAL USES
in CONSERVATION and RESIDENTIAL DISTRICTS**

	Principal Uses	Zoning Districts & Permitted Principal Uses “BR” = Uses Permitted by Right “S” = Special Land Use “--” = Prohibited Use “A” = Specific Accessory Uses Permitted					
		A-1	R-1	R-2	R-3	R-MF	R-MHC
	Other Uses Not Listed Above						
7	Event Barns	S	--	--	--	--	--

ARTICLE II. Article 14 of the Birch Run Township Zoning Ordinance is hereby amended by adding the following as shown:

Article 14 Standards and Regulations for Specific Land Uses

Section 14.24 Event Barns.

- A. Additional Materials to be Submitted for Special Use Review: In addition to the information required by this ordinance for submission of site plans and special land use permits, each application shall be accompanied by plans, drawings, and/or written information addressing at a minimum:
1. A description of the range of activities proposed, number of events a year, hours of operation, and days of the week the activities are proposed to be undertaken;
 2. Emergency services necessary based on the anticipated number of participants;
 3. Water supply and facilities;
 4. Toilet facilities;
 5. Noise control and abatement;
 6. Facilities for cleanup and waste disposal;
 7. Insurance and bonding arrangements;
 8. A security plan to address the issues outlined in Section 14.24.B.6; and
 9. Reviews of the proposed plans by the Township Fire Chief and Police Department.

B. Special Performance Standards:

1. Use of Dwelling. No dwelling on the property shall be used for events. All such dwellings shall continue to be used for single family occupancy purposes.
2. Attendance. No event shall involve the presence of more persons than the maximum capacity of the Event Barn under the State Building Code.
3. Number of Events. During each calendar year, not more than thirty-five (35) events shall be conducted. Every day in which any part of an event occurs at an Event Barn shall be considered a separate event, except for weddings held over a weekend only where the wedding shall consist of (i) a pre-wedding rehearsal dinner on Friday, (ii) a wedding and wedding reception on Saturday, and (iii) wedding cleanup on Sunday. In those circumstances, the three activities shall count as one event.
4. Hours of Operation. Every event shall conclude by no later than 10:00 p.m. on Sunday through Thursday evenings, and by no later than 11:00 p.m. each Friday and Saturday evening; and no event shall commence or continue at an Event Barn earlier than 8:00 a.m. each day
5. Food Service. There shall be no food preparation inside an Event Barn, but food may be prepared at another on-site location outside of the Event Barn. Any food served, provided, or consumed at the venue must be legally prepared in accordance with the Saginaw County Health Department rules. Dishwashing associated with any event at the venue must be accomplished off site.
6. Security. At all times when an event is taking place at an Event Barn, a sufficient number of security personnel and support staff shall be present to provide security, to direct traffic and parking, to prevent any intentional or inadvertent trespassing onto any properties outside the boundaries of the property, and to assure that all events begin and end at the times specified in this Ordinance.
7. Alcoholic Beverages. Where the Event Barn Sponsor intends to sell or provide alcohol or alcoholic beverages, the Event Barn Sponsor must provide an event insurance policy, naming the Township as an additional insured, and shall comply with all applicable liquor licensing and regulatory requirements. The Event Barn permit holder shall not sell or provide alcohol or alcoholic beverages.
8. Use of Outdoor Areas. All events shall take place principally in barns and other outbuildings on the property. Events shall not include outdoor activities, except accessory activities in area proposed and approved in the Site Plan for such activities.
9. Lighting. There shall be no outdoor perimeter lighting at an Event Barn, and no lines or light poles shall be installed or maintained for such purpose on the property. All lighting fixtures, including pathway lighting, shall be down-lit and directed in a manner as to not impact neighboring properties. Lighting in dormers must be extinguished at or before the same time as conclusion of the event. All lighting proposed at an Event Barn shall be addressed and approved as part of the Site Plan.
10. Trash. The Event Barn permit holder shall require that Event Barn Sponsors of every event remove all trash associated with the event immediately after the conclusion of the event. There shall be no dumpster maintained or used on the property.
11. Parking. There shall be no parking on any properties outside the boundaries of the property on which the Event Barn is located, without the express written permission of the property owner. Parking shall be provided on the property on which the Event Barn is located where such is designated as the "parking lot" on the Site Plan. The parking lot shown on the approved Site Plan shall be gravel, or gravel-type material or through the use of pervious brick pavers. The parking area shall not be paved with blacktop or concrete or any other impervious substance, in keeping with the rural character of the area except as necessary to provide the minimum number of barrier free spaces

- required. The number of parking spaces shall be in accordance with Township Ordinances and the Americans with Disabilities Act.
12. Temporary Structures; Bathroom Facilities. No temporary structures or tents shall be permitted in connection with any event unless the same is erected by the Event Barn Sponsor and is removed within 24 hours after the conclusion of the event. Adequate bathroom facilities shall be used at an Event Barn.
 13. Retail Sales. Retail sales facilities shall be prohibited at Event Barns, unless conducted exclusively by the Event Barn Sponsor. Any such sales must terminate immediately after the conclusion of the event.
 14. Insurance. Event Barn permit holders shall maintain general liability for personal injury and property damage in the amounts of \$1,000,000 per occurrence and \$2,000,000 general aggregate limit. The Township shall be named as an additional insured on the policies and the venue shall provide evidence of insurance to the Township's Zoning Administrator annually or more frequently on request.
 15. Permits from Review Authorities. It shall be the responsibility of the Event Barn permit holders to obtain all building permits and other approvals from agencies that have jurisdiction applicable to the Event Barn or the holding of the events on the property.
 16. Location. Event Barns may only be located on parcels with direct access to paved roads.
 17. The Planning Commission may impose limits on a proposed operation necessary to ensure compatibility with the surrounding land uses and to mitigate off-site impacts. Conditions may include the limit on the frequency of a particular activity and the operations hours of operation

ARTICLE III. Article 21 of the Birch Run Township Zoning Ordinance is hereby amended by adding the following definitions as shown:

Article 21 Definitions

EVENT BARN. A use of accessory agricultural structures, including barns, for organized meeting space for uses including weddings, birthday parties, corporate picnics, and other such events.

EVENT BARN SPONSOR. The renter of an Event Barn, or the person(s) or entity responsible for hosting, operating, facilitating, organizing, or supervising an event taking place primarily within an Event Barn.

ARTICLE IV. This ordinance and its various articles, paragraphs and clauses thereof are hereby declared to be severable. If any article, paragraph or clause is adjudged unconstitutional or invalid, the remainder of this amendatory ordinance shall not be affected thereby.

ARTICLE V. All ordinances and provisions of ordinances of the Birch Run Township in conflict herewith are hereby repealed.

ARTICLE VI. This amendatory ordinance shall be published as required by law and shall take effect 7 days after publication.

ARTICLE VII. The Township Clerk is hereby ordered and directed to cause this Ordinance to be published, either in full or in the form of a legally-permitted summary, in a newspaper of general circulation within Birch Run Township.

This Ordinance was offered by Board member C. Trinklein, supported by Board member D. Trinklein Jr. and is hereby declared to have been adopted by the Birch Run Township Board of Trustees, County of Saginaw, State of Michigan, at a regular meeting held on the 8th day of February 2022 and ordered to be given publication in the manner prescribed by law.

YEAS: Sheridan, D. Trinklein Jr, C. Trinklein, Kiessling, Letterman, Parlberg

NAYS: None

ABSTAIN: Watts

ABSENT: None

TOWNSHIP OF BIRCH RUN:

By:

RAY LETTERMAN, Township Supervisor

By:

COREY TRINKLEIN, Township Clerk

Date of Publication: February 16, 2022
Newspaper: Birch Run/Bridgeport Herald

CERTIFICATION

STATE OF MICHIGAN)
) SS
COUNTY OF SAGINAW)

I, the undersigned, the fully qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of an ordinance adopted at a regular meeting of the Township Board of the Township of Birch Run, Michigan, held on the 8th day of February, 2022, was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date, notice of said meeting was given and said meeting was held in compliance with Act 267, Public Acts of Michigan, 1976. The Ordinance was signed by the Supervisor and Clerk of the Township.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 9th day of February, 2022.

Corey Trinklein, Clerk
Birch Run Township