

CITY OF MADISON HEIGHTS
OAKLAND COUNTY, MICHIGAN
ORDINANCE ADOPTED AT MEETING OF THE COUNCIL HELD ON THE
25th DAY OF November, 19 85
ORDINANCE No. 771

ORDINANCE NUMBER 771

AN ORDINANCE TO AMEND ORDINANCE NUMBER 571,
BEING AN ORDINANCE CODIFYING AND ADOPTING A
NEW CODE OF ORDINANCES FOR THE CITY OF MADISON
HEIGHTS BY AMENDING ORDINANCE NUMBER 659 TO
PROVIDE FOR THREE (3) ALTERNATE MEMBERS ON THE
ZONING BOARD OF APPEALS IN THE CITY OF MADISON
HEIGHTS.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. That Section 10.801 of the Zoning Ordinance of
the City of Madison Heights be amended, as follows:

SECTION 10.801 CREATION AND MEMBERSHIP

There shall be established and appointed by
the City Council of the City of Madison Heights
in accordance with Act 180 of the Public Acts of
1979, as amended, a Zoning Board of Appeals.
The Zoning Board of Appeals shall consist of
nine (9) members, who shall be appointed by the
Council for terms of three (3) years each.
Council may also appoint, in accordance with
the procedure specified in the Zoning Ordinance,
not more than three (3) alternate members for
the same term as regular members of the Board
of Appeals. The alternate members may be called
as specified in the Zoning Ordinance to sit as
regular members of the Board of Appeals in the
absence of a regular member if a regular member
is absent from or unable to attend two or more
consecutive meetings of the Board of Appeals
or for a period of more than thirty (30)
consecutive days. An alternate member may also
be called to serve in the place of a regular
member for the purpose of reaching a decision on
a case in which the regular member has abstained
for reasons of conflict of interest. The alternate
member having been appointed shall serve on the
case until a final decision has been made. The
alternate member shall have the same voting rights
as a regular member of the Board of Appeals. The
Board of Appeals shall hear and decide appeals from
and review any order, requirements, decision, or
determination made by an administrative official
or body charged with the enforcement of an Ordinance
adopted pursuant to this Ordinance. The Board of Appeals
shall also hear and decide matters referred to it
or upon which it is required to pass under an
Ordinance of the legislative body adopted pursuant
to this Ordinance. In the first instance, three (3)
of said members shall be appointed for a one (1) year
term, three (3) of said members shall be appointed
for a two (2) year term and three (3) of said members
shall be appointed for a three (3) year term, except
that the term of any elected officer who may be ap-
pointed to the Board shall expire upon the expiration
of his term in office, or the expiration of his term
upon the Board of Appeals, whichever event is first.
All members of the Board of Appeals appointed to
said Board prior to the enactment of this Ordinance

shall continue in office for the remaining portion of their term. All of the members of the Board shall be citizens of the United States and residents of the City of Madison Heights for a full two-year period prior to appointment. Members of the Board may be removed only as provided in Section 5.4 of the City Charter. Any vacancy in the Board shall be filled by the Council for the remainder of the unexpired term.

SECTION 2. All ordinances and parts of ordinances in conflict with the provisions herewith are hereby repealed to the extent of such conflict.

SECTION 3. Should any section, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be invalid.

SECTION 4. This Ordinance shall take effect ten (10) days after its adoption and upon publication as provided for by the Charter of the City of Madison Heights.

George W. Suarez
George W. Suarez
Mayor

Geraldine A. Case
Geraldine A. Case
City Clerk

CERTIFICATION:

I, the duly authorized Clerk of the City of Madison Heights do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Madison Heights City Council on November 25, 1985.

Geraldine A. Case
Geraldine A. Case
City Clerk

ADOPTED: November 25, 1985
PUBLISHED: November 29, 1985
EFFECTIVE: December 5, 1985