

**LYON TOWNSHIP  
ROSCOMMON COUNTY**

**ORDINANCE NO. 55**

**AMENDMENT TO THE LYON TOWNSHIP ZONING ORDINANCE**

At a duly scheduled meeting of the Township Board of Lyon Township, Roscommon County, Michigan, held at the Lyon Township Hall on April 20, 2023 at 7:00 p.m., Township Board Member Grier moved to introduce the following Ordinance, which motion was seconded by Township Board Member Schnell.

*An ordinance to amend the Lyon Township Zoning Ordinance to regulate mobile vending facilities as temporary uses or structures requiring Zoning Administrator authorization in order to maintain the public health, safety, and welfare of the residents of and visitors to Lyon Township.*

THE TOWNSHIP OF LYON ORDAINS:

**SECTION 1. AMENDMENT TO ARTICLE II – DEFINITIONS:** The Lyon Township Zoning Ordinance, Article II, entitled “Definitions”, shall be amended to add the following definition in alphabetical order:

**MOBILE VENDING FACILITY**

Colloquially referred to as a “food truck.” A cart, structure, vehicle, or other physical establishment within which the primary vending operation takes place and which meets either a mobile food establishment, special transitory food unit, or temporary food establishment as defined under the Michigan Food Law, Public Act 92 of 2000.

**SECTION 2. AMENDMENT TO ARTICLE XIV – GENERAL PROVISIONS, SECTION 1420:** The Lyon Township Zoning Ordinance, Article XIV – General Provisions, Section 1420, entitled “Temporary Use of Recreation Vehicles, Tents, or Campers as Dwellings,” shall be amended to read be renamed as “Temporary Structures and Uses” and to read as follows:

**SECTION 1420                      Temporary Structures and Uses:**

- A. *Permits.* Permits for the utilization of temporary uses or structures shall be issued by the Township Zoning Administrator. The permit shall specify a date for the removal of the temporary structure, and the building official may require posting of a bond to insure removal.
  
- B. *Temporary use of recreational vehicles, tents or campers as dwellings.* One tent, one camper, one motor home, one travel trailer or one similar recreational vehicle with sleeping accommodation shall be permitted on a lot where a legal dwelling exists for a period not to exceed three (3) days for the purpose of accommodating guests or owner’s family members. For any such purpose which will exceed three (3) days, except under the

provisions of Section 1419 of this ordinance, a permit must be obtained from the Township Zoning Administrator. The Township Zoning Administrator may, at his discretion, extend the permit for seven (7) days and the fees for such extension shall be determined by the Lyon Township Board. Under no circumstance shall a permit be extended beyond seventeen (17) days. The property owner must at all times render and maintain sanitary facilities as prescribed the State of Michigan and Roscommon County Health Departments. Where the State of Michigan requires a vehicle described in this section to be licensed, a current license shall be exhibited in a manner required by law. At the end of the occupying period, the tent, camper, motor home, travel trailer or similar recreation vehicle must be removed from the property. This subsection does not apply for R-R Residential Districts.

C. *Temporary structures used for nonresidential purposes.* Temporary structures for nonresidential use shall be permitted only when the intended use is by a contractor or builder in conjunction with a construction project, and only after review and approval by the building official. Such temporary structures shall be removed immediately upon completion of the construction project and prior to a request for a certificate of occupancy for the project.

D. *Mobile Food Vendors.* Notwithstanding any other requirement of this section, mobile vending facilities operating pursuant to the Lyon Township Mobile Food Vendors Ordinance or operating pursuant to Section 5 of the Lyon Township Mobile Food Vendors Ordinance may operate as a temporary use or structure upon receiving a permit under Ordinance Number 55. Mobile vending facilities shall only operate on "Event Eligible Property," except with respect to mobile vending facilities operating at a private function pursuant to Ordinance Number 55. Event Eligible Property includes any lot with a permitted principal use or building located in districts zoned C-1 or M-1 , or any Township owned property.

**SECTION 3. SEVERABILITY.** The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect seven days after publication of a notice of adaption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

On a roll call vote:

YEAS: Maduri, Schnell, Grier, Carlson, Tomak

NAYS: None

ABSENT/ABSTAIN: none

ORDINANCE DECLARED ADOPTED:



Larry Maduri, Supervisor  
Lyon Township

**CERTIFICATION**

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Lyon Township Board at a duly scheduled and noticed meeting of that Township Board held on April 20, 2023, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the Houghton Lake Resorter newspaper, a newspaper that circulates within Lyon Township, on April 27, 2023.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Roscommon County Clerk on April 28, 2023.

ATTESTED:



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Doug Schnell, Lyon Township Clerk

**LYON TOWNSHIP  
NOTICE OF ADOPTION  
ZONING ORDINANCE AMENDMENT**

**ORDINANCE NO. 55**

On April 20, 2023, the Lyon Township Board adopted Ordinance No.63, which amends the Lyon Township Zoning Ordinance to regulate mobile vending facilities as temporary uses or structures requiring Zoning Administrator authorization in order to maintain the public health, safety, and welfare of the residents of and visitors to Lyon Township. Copies of the complete text of the Ordinance were posted at the Lyon Township Hall at 7851 W. Higgins Lake Dr., Higgins Lake.

The Ordinance has the following sections and catch lines: Section 1: Amendment to Article II – Definitions; Section 2: Amendment to Article XIV – General Provisions, Section 1420; Section 3: Severability; and Section 4: Effective Date, which is 7 days after this publication, unless referendum procedures are initiated under MCL 125.3402.

Published by Order of the Township Board  
Doug Schnell  
Lyon Township Clerk  
(989) 821-9694

Publication Date: April 27, 2023