

Article 25 ENVIRONMENTAL PROTECTION

Section 25.01 Purpose

The purpose of this Article is to promote a healthy environment in Locke Township as it relates to the Township's natural resources; sensitive ecosystems; the integrity of the Township's land, water, and air; the quality of the Township's visual environment, including the management of outdoor lighting and its impact upon traffic safety, adjacent land uses and the night sky; and the provision of adequate sewage disposal and potable water. All provisions of this Article apply to all structures, buildings and uses unless otherwise noted.

Section 25.02 Natural Resources

A. Compliance with Local, County, State, and Federal Regulations: All land uses and construction activities shall conform with the provisions of this Ordinance and all county, state and federal regulations including, but not limited to, the following:

1. Applicable fire safety and emergency vehicle access requirements of the State Construction Code and State Fire Marshall.
2. Requirements of the Michigan Department of Consumer and Industry Services and the Ingham County Health Department.
3. Requirements of the Michigan Department of Environmental Quality including those applying to air and water quality protection, wetlands, stream crossings, fills in or near water bodies or in flood plains, and waste disposal.
4. All local, county, state and federal regulations related to loading/unloading, transport, storage, use and/or disposal of hazardous substances.
5. Applicable rules and regulations of the Federal Communications Commission.

B. Discharges and Flammable/Hazardous Materials

1. No dust, fumes, or noxious, odorous matter shall be discernible at or beyond the property line. Any atmospheric discharge requiring a permit from the Michigan Department of Environmental Quality or federal government shall have said permit(s) as a condition of approval for such use. This subsection shall not apply to farm operations in compliance with most current published Generally Accepted Agricultural Management Practices of the Michigan Commission of Agriculture.
2. It shall be unlawful to discharge any materials in such a way or of such nature or temperature as can contaminate any surface waters, land or aquifers, or otherwise cause the emission of dangerous or objectionable elements, except in accord with standards approved by the Michigan Department of Environmental Quality.
3. The storage of fuels or other flammable liquids, or toxic or hazardous substances, shall comply with local, county, state, and federal regulations.

C. Sensitive Lands:

1. Where a portion of a parcel is characterized by sensitive or fragile environmental features, including marshes, hydric soils, or flood plains, new development on the parcel shall only occur on those portions of the parcel void of such features where reasonably feasible.
2. Except where required to do so by state or federal law, the Township shall not approve any land use which requires a county, state, or federal permit until such permit has been obtained and satisfactory evidence has been submitted verifying the acquisition of the necessary permits, or satisfactory evidence has been submitted to the approving body verifying the acquisition of such permit is not necessary.
3. The Township may require mitigation measures be taken to replace those resources disturbed or destroyed by a land use, or to otherwise lessen the impact of a new land use upon natural resources and sensitive areas.

D. Clearing, Grading, and Drainage: In order to protect soil resources, adjacent properties, roads, and public watercourses, and to provide for adequate drainage of surface water, the following rules shall apply

to all construction activities requiring permits pursuant to this Ordinance.

1. **Removal of Topsoil:** Stripping and removal of topsoil from a site is prohibited prior to the completion of all approved site improvements and the seeding, sodding, and landscaping of all disturbed areas except where expressly authorized as part of an approved site plan. "Disturbed areas" shall be interpreted to mean any area of a lot which is altered by grading or other construction activities and which area is not proposed to be paved or otherwise built upon.
2. **Flow Restrictions:** The final grade surface of ground areas surrounding a building or structure shall be designed and landscaped such that surface waters flow away from the building or structure and are managed in a manner which avoids increased flow onto adjacent properties or public roads, the erosion or filling of a roadside ditch, the blockage of a public watercourse, or the creation of standing water over a private sewage disposal drainage field.
3. **Drainage:** All lots shall retain storm water runoff on-site, or detain it so as to allow discharge without any impact on adjacent lands, streams or water bodies above the existing pre-development runoff impact. No land use shall be permitted which will increase the rate of runoff discharge from a lot or parcel or otherwise cause erosion or direct sedimentation upon adjacent properties including an adjacent road.

Section 25.03 Potable Water and Sewage Disposal

Any building intended for human occupancy and used for dwelling, businesses, industrial, recreational, or institutional purposes shall not be erected, altered, used or moved upon any premises unless said building shall be provided with a potable water supply and waste water disposal system that ensures a safe and effective means of collection, treatment, and disposal of generated wastes. All on-site sewage disposal and potable water facilities shall be constructed and maintained in accordance with the requirements and standards of the Ingham County Health Department as well as those of other applicable local, county, state, or federal agencies.

Section 25.04 Lighting

- A. No lighting shall in any way impair the safe movement of traffic on any road.
- B. Lighting associated with a commercial, industrial, or other non-residential uses shall comply with the following:
 1. A wall, fence, or berm, at least five (5) feet in height shall be erected to prevent headlight glare from shining onto adjacent residential property. No wall/fence shall in any way impair safe vertical or horizontal sight distance for any moving vehicles.
 2. Lighting shall be designed and constructed to ensure that direct and reflected light is confined to the lot or parcel upon which the light source is located.
 3. Exterior lighting shall be so installed that the surface of the source of light shall be hooded or louvered to the greatest extent practical so that:
 - a. light sources shall not be visible from beyond the lot lines and shall be so arranged to reflect light away from adjacent properties.
 - b. no more than one foot candle power of light shall cross a lot line five (5) feet above the ground in a Residential District.
 4. No light source shall exceed the height of the tallest structure on the lot or parcel, and in no case shall a light source exceed a height of twenty-five feet, measured from the ground or pavement closest to the light source.
- C. Outdoor lighting which need not comply with the standards of (B) above shall be limited to:
 1. Outdoor recreation and amusement areas, and similar outdoor use of light, provided the lighting is designed with baffling and glare guards to ensure that no more than one foot candle power of light shall cross a lot line five (5) feet above the ground in a residential district, and such lighting is turned off during hours the facility is closed to the public.

Section 25.05 Vibration

Operating any devices that create vibrations that are typically discernible by human senses at or beyond the lot of the source shall be prohibited. For the purposes of this Section, "typically discernible by human

senses” means vibrational motion of such character to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or observation of moving objects.

Section 25.06 Glare and Heat

Any operation which produces glare or heat shall be conducted within an enclosed building or other enclosure so as to be completely imperceptible from any point beyond the lot lines of the lot upon which the source of glare or heat is located.

Section 25.07 Noise

A. The use of any lot shall not cause the emittance of sound from any source or combination of sources, which when measured in accordance with the procedure described herein, exceeds the sound level limits in Table 25-1 below.

1. Measurement of sound level shall be made using a microphone set at a height of approximately four and one half (4 1/2) feet along the lot line on which the sound source being measured is located.
2. A violation shall not be deemed to exist unless the sound level measured is at least six (6) decibels higher than the sound level measured with the sound source or sources not in operation. Duration of sound shall be measured by observing the sound level meter and recording the sound level measured at intervals of time not to exceed five (5) minutes.
3. All measurements shall be made using a sound level meter which meets the most current requirements of the American National Standard “Type 2 or Type 1 Sound Level Meters,” and which has been set for fast meter response and the A-weighting network.

Table 25.06-1
A-Weighted Sound Level Limits (Decibels)

Duration of sound, as a percentage of any one hour period.	Districts		Districts	
	Conservation and Residential		Business and Industrial	
	6:00 pm - 6:00 am	6:00 am - 6:00 pm	6:00 pm - 6:00 am	6:00 am - 6:00 pm
30 minutes or more:	45	50	55	65
More than 5 minutes but less than 30 minutes:	50	55	60	70
5 minutes or less:	55	65	70	75
Maximum, any duration:	65	75	80	80

B. This Section shall not apply to motor vehicles registered for use on public roads, agricultural operations, home landscape maintenance machines and snow blowers that meet their respective product requirements, the emission of sound for the purposes of alerting persons of an emergency or emergency vehicle, and the emission of sound in the performance of emergency work.

End of Article 25