

TOWNSHIP OF PENTWATER
COUNTY OF OCEANA, MICHIGAN

At a regular meeting of the Township Board of the Township of Pentwater, held at the Pentwater Township Hall, 500 Hancock Street, Pentwater, MI within the Township, on the **11th** day of **June 2025**, at **6:00 p.m.**

PRESENT: Members: **Cavazos, Douglas, Flynn, Holub & Murphy**

ABSENT: Members: **None**

The following ordinance was offered by Member **HOLUB** and seconded by Member **FLYNN**:

ORDINANCE NO. 2025 - 05

**AN ORDINANCE TO AMEND THE PENTWATER TOWNSHIP ZONING
ORDINANCE**

THE TOWNSHIP OF PENTWATER ORDAINS:

Section 1. Amendment to the Pentwater Township Zoning Ordinance. Section 2.18 of the Pentwater Township Zoning Ordinance, titled “Definitions – R,” is hereby amended to add the following definition in alphabetical order:

RETAINING WALL

A structure that is designed to withstand lateral pressure from soil or earth and hold such soil or earth in place when there is a desired change in ground elevation that exceeds the angle of repose of the soil or earth being held.

Section 2. Addition to the Pentwater Township Zoning Ordinance. A new Section, titled “Retaining Walls,” is hereby added to the Pentwater Township Zoning Ordinance as Section 3.38 and reads in its entirety as follows:

SECTION 3.38 RETAINING WALLS

A. All retaining walls must be set back from adjacent property lines by the distances required in their respective District setback, height, area, and lot dimension requirements, as set forth in each District's Site Development Requirements section.

B. All retaining walls employed or constructed to create a change in elevation of thirty inches (30") or more from the lower final grade to the higher final grade and which are located in the following places upon the same property shall be affixed with a fence or railing that extends at least thirty-six inches (36") in height from the higher final grade and otherwise complies with Section 3.11 of the Zoning Ordinance:

1. Within ten (10) feet of a dwelling;
2. Within ten (10) feet of a deck, patio, porch, sidewalk, or walking path;
3. When a dwelling, deck, patio, porch, sidewalk or walking path is within ten (10) feet of a body of water;
4. Within six (6) feet of an accessory building.

C. No retaining wall may be constructed in the Township without a zoning permit issued by the Township Zoning Administrator subject to the requirements of Section 19.07. The retaining wall shall comply with all applicable building, electrical, plumbing, fire, energy and other similar codes which are or may be adopted by the Township, and which applicable federal or state standards or regulations for construction. Appropriate evidence of compliance with such standards or regulations shall be provided to the Zoning Administrator. The Zoning Administrator shall issue a zoning permit for construction of a retaining wall if it meets all requirements.

Section 3. Publication. A true copy of a summary of this Ordinance shall be published in a newspaper of general circulation within the boundaries of the Township qualified under state

law to publish legal notices within thirty (30) days after the adoption of the Ordinance by the Township. This Ordinance shall be recorded in the minutes of the Township Board of the meeting at which this Ordinance was adopted and, in addition, shall be recorded in the Ordinance Book of the Township.

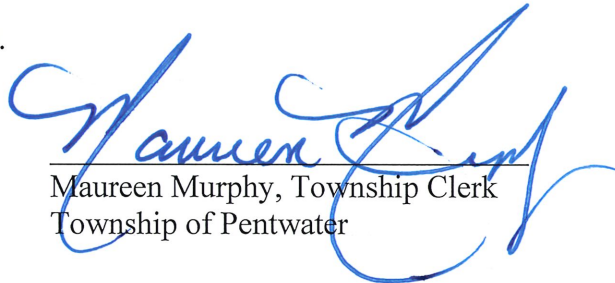
Section 4. Effective Date and Repealer. This Ordinance shall become effective seven (7) days after its publication or seven (7) days after the publication of a summary of its provisions in a newspaper of general circulation. All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

AYES: Members: Holub, Flynn, Douglas, Murphy & Cavazos

NAYS: Members: None

ABSTAIN: Members: None

ORDINANCE DECLARED ADOPTED.

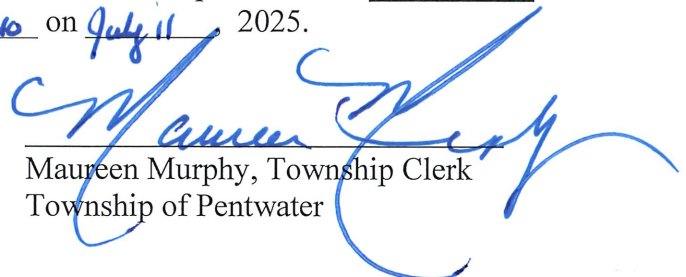

Maureen Murphy, Township Clerk
Township of Pentwater

STATE OF MICHIGAN)
) ss.
COUNTY OF OCEANA)

I hereby certify that the foregoing is a true and complete copy of the Ordinance adopted by the Township Board of the Township of Pentwater at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

I hereby certify pursuant to MCL 41.184 that Township Ordinance No. 2025-05 or a summary thereof was published in the OCEANA ECHO on July 11, 2025.

Dated: July 8, 2025


Maureen Murphy, Township Clerk
Township of Pentwater