



CITY OF PONTIAC
OFFICE OF THE EMERGENCY MANAGER
LOUIS H. SCHIMMEL

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3133
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Dated: April 16, 2013

ORDER NO. S-261

RE: Adopt ordinance to amend zoning map for corner of E. Montcalm and N. Glenwood

TO: Sherikia Hawkins, City Clerk
Charles Smith, Project Manager, Wade Trim

The Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) in Section 10 empowers an Emergency Manager to issue orders to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local elected and appointed officials and employees, agents, and contractors of the local government to whom they are issued.

Section 12(1) of the Act provides that “[a]n emergency manager may take 1 or more of the following additional actions with respect to a local government that is in receivership, notwithstanding any charter provision to the contrary: (dd) [e]xercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances....”

WHEREAS, Emergency Manager Schimmel introduced the attached ordinance at a public meeting on April 9, 2013; and,

WHEREAS, the proposed ordinance was distributed to each member of the Council and the Mayor by the Clerk; and,

WHEREAS, a summary of the proposed ordinance and time and place of consideration by the Emergency Manager was published in the Detroit News on April 12, 2013; and,

WHEREAS, the Emergency Manager at a public meeting on April 16, 2013 announced that he is adopting the proposed ordinance.

It is hereby ordered:

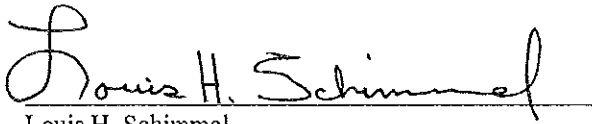
1. That the attached Ordinance No. 2278, an ordinance to amend Appendix B, of the Municipal Code of the City of Pontiac to amend Article 2, Zoning Districts and Permitted Uses, Section 2.103 Zoning Map, to change the zoning classifications for a specific parcel at the southeast corner of E. Montcalm Street and N. Glenwood Avenue to rezone for local business commercial use., is adopted.

2. That the City Clerk shall take all actions required under the law to reflect the attached ordinance changes on the City books and records, including publication of the adopted ordinance.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (Public Act 442 of 1976, MCL 15.231, et. seq.).

This order is effective as indicated and is necessary to carry out the duties and responsibilities required of the Emergency Manager as set forth in the Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager.



Louis H. Schimmel
City of Pontiac
Emergency Manager

cc: State of Michigan Department of Treasury
Mayor Leon B. Jukowski
Pontiac City Council

CITY OF PONTIAC
ORDINANCE No. 2278

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC TO AMEND ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103 ZONING MAP, TO CHANGE THE ZONING CLASSIFICATIONS FOR A SPECIFIC PARCEL AT THE SOUTHEAST CORNER OF E. MONTCALM STREET AND N. GLENWOOD AVENUE TO REZONE FOR LOCAL BUSINESS COMMERCIAL USE.

The City of Pontiac ordains:

Section 1. Amendments.

To change the zoning district classification for the following legal description to be changed from R-1 one-family dwelling district to C-1 local business district and allow those approved uses for the parcel described as:

BEGINNING AT THE NORTHWEST CORNER OF LOT 652, OF "MODERN HOUSING CORPORATION ADDITION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 20 OF PLATS, PAGE 22, OAKLAND COUNTY RECORDS; THENCE N. 83° 50' 54" E., ALONG THE SOUTH LINE OF MONTCALM STREET (60 FEET WIDE), 191.49 FEET; THENCE S. 01° 45' 53" W., 169.08 FEET; THENCE S. 79° 55' 36" W., 151.45 FEET TO A POINT ON THE EAST LINE OF GLENWOOD AVENUE (80 FEET WIDE); THENCE ALONG THE ARC OF A CURVE TO THE LEFT 178.67 FEET, SAID CURVE HAVING A RADIUS OF 3256.53 FEET, A CENTRAL ANGLE OF 3° 08' 37", LONG CHORD BEARS N. 11° 38' 43" W., 178.65 FEET TO THE POINT OF BEGINNING.

MORE COMMONLY KNOWN AS TAX ID NUMBERS 14-21-326-003.

Section 2. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 3. Repealer

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date

This Ordinance shall be effective ten days after adoption by the Emergency Manager and one day after publication of this Ordinance by the Clerk in a newspaper of general circulation.

