VILLAGE OF VANDERBILT
Ordinance No. 5 of 2011

AN ORDINANCE TO AMEND THE VILLAGE OF VANDERBILT ZONING ORDINANCE TO RECOGNIZE THE VILLAGE'S LEGAL DUTY TO MAKE REASONABLE ACCOMMODATIONS UNDER THE FEDERAL AMERICAN'S WITH DISABILITIES ACT

THE VILLAGE OF VANDERBILT ORDAINS:

Section 1. Amendment of Article VI.

Article VI of the Village of Vanderbilt Zoning Ordinance is hereby amended to add a new Section 6.6, which new section shall read in its entirety as follows:

Section 6.6. Reasonable Accommodations under the American's with Disabilities Act.

The Village hereby recognizes its legal obligation under the federal Americans with Disabilities Act (ADA), 42 USC 12101, *et seq*, to reasonably accommodate a qualified individual with a disability recognized under the ADA by making changes in rules, policies, and practices in the administration of this Ordinance, including the issuance of variances, as are reasonable and necessary to provide that person with the use of land that is equal to that of individuals who are not disabled.

Section 2. Severability.

If any clause, sentence, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, sub-sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Village.

VILLAGE OF VANDERBILT

By. Edward D. Posgate
Edward D. Posgate, President

By: Shirley A. Hawn
Shirley A. Hawn, Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Vanderbilt Village Council, Otsego County, held in the Vanderbilt Village Hall, located in Vanderbilt, Michigan, on October 3, 2011, at 7 p.m.

PRESENT: Boone, Bush, Hawley, Heintz, Kenny, Musall, Posgate
ABSENT: None

It as moved by Bush and supported by Boone that the following Ordinance be adopted.

ORDINANCE 5 of 2011

(See attached VILLAGE OF VANDERBILT ORDINANCE)

YES: Bush, Boone, Hawley, Heintz, Kenny, Musall, Posgate
NO: None

ORDINANCE DECLARED ADOPTED.

VILLAGE OF VANDERBILT

By: Edward D. Posgate
Edward D. Posgate, President

I, the undersigned, the Clerk of the Village of Vanderbilt, Otsego County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Vanderbilt Village Council of said County at its regular meeting held on October 3, 2011 2010, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the Our Home Town on October 26, 2011

Dated: 10/5/11

Shirley Hawn
Shirley Hawn, Clerk

Note: The Ordinance and this Ordinance Certification should be placed in the Village Ordinance Book.