

STATE OF MICHIGAN, COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WEST BLOOMFIELD

ORDINANCE NO. C-661-A

**TEXT AMENDMENT TO ZONING ORDINANCE**  
(Exterior Appliances)

An Ordinance to amend the Zoning Ordinance, codified in Chapter 26 of the Charter Township of West Bloomfield Code of Ordinances, replace Section 26-27, Exterior Appliances, with the following, in order to provide regulations for exterior appliances.

THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:

**Section 1 of Ordinance**

Section 26-27, Exterior Appliances, in Article II of the Zoning Ordinance, codified in Chapter 26 of the Charter Township of West Bloomfield Code of Ordinances, is amended to read as follows:

**Sec. 26-27 Exterior Appliances**

It is the intent of this ordinance to burden the property served by the exterior appliance with the noise and other nuisances resulting from such outdoor units.

- a) A central air-conditioning condenser unit, heat pump, auxiliary power generators and any other noise-producing mechanical system components which are typically required to be located on the exterior of a house shall be located with a maximum three (3') foot clearance between the appliance and the main building in the rear yard and clear of all minimum yard setbacks.
- b) Such components and any required screening wall may be located in a side yard, clear of all minimum yard setbacks, if the following requirements are met:
  - (1) The sound generated by one or the cumulative sound generated by one or more exterior appliances shall not exceed sixty five (65) decibels when measured at a height of five (5') to seven (7') feet at any point on the property line, as determined by the Township at the cost of the property owner.
  - (2) Such units shall be provided with air discharge outlet directed vertically upwards, with the exception of auxiliary power generators that may discharge from the side.
  - (3) Units shall be screened by a solid-face wood or masonry fence so that the unit is not visible at any property line.
  - (4) Following installation, no operation shall be permitted until a noise test is administered by the Township, with the exterior appliances under load for the purpose of ensuring that the noise requirement of this section is met, at the cost of the property owner.

- (c) Roof appliances, in all zoning districts, shall be screened on all side by an opaque screen which shall be at least the height of the appliance and shall be compatible with the architectural design of the building. Roof appliances shall include, but not be limited to, air conditioners, heating units, duct works, filters, compressors and transformers. Not included in this category are chimneys, flagpoles and antennas. This screening shall be part of the site plan review by the planning commission.
- (d) Auxiliary power generators shall use natural gas as their fuel and shall be enclosed within a cabinet that is sufficiently insulated so that such devices comply with the noise standards of section 26-33(6). Periodic cycling, e.g., testing or maintenance, shall be permitted only between 9:00 a.m. to 5:00 p.m., Monday through Friday.

### **Section 2 of Ordinance**

Should any section, subdivision, sentence, clause or phrase of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any other parts not invalidated.

### **Section 3 of Ordinance**

Except as expressly set forth above, the Zoning Ordinance shall remain in full force and effect.

### **Section 4 of Ordinance**

This Ordinance shall take effect upon the expiration of seven (7) days after publication, unless otherwise provided by law.

### **CERTIFICATION**

I hereby certify that the foregoing ordinance was adopted by Board of Trustees of the Charter Township of West Bloomfield at a meeting of the Board duly called and held on September 14, 2009.

### **CHARTER TOWNSHIP OF WEST BLOOMFIELD**

By:   
**CATHERINE SHAUGHNESSY, Township Clerk**

INTRODUCED: August 31, 2009  
ADOPTED: September 14, 2009  
PUBLISHED: September 23, 2009