

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. 2073

**AN ORDINANCE TO REPEAL CHAPTER 3 “OVERLAY ZONING DISTRICTS; REPEAL SECTIONS 6.1, 6.2, 6.3, and 6.4 OF CHAPTER 6 “GENERAL DEVELOPMENT STANDARDS”; RENUMBER SECTION 6.5 OF CHAPTER 6 “GENERAL DEVELOPMENT STANDARDS”; REPEAL CHAPTER 7 “SIGNS”; AND REPEAL CHAPTER 9 “NONCONFORMITIES” OF APPENDIX A “ZONING” OF THE KALAMAZOO CITY CODE OF ORDINANCES**

**THE CITY OF KALAMAZOO ORDAINS:**

**Section 1.** Chapter 3 “Overlay Zoning Districts”, Sections 6.1, 6.2, 6.3, and 6.4 of Chapter 6 “General Development Standards”, Chapter 7 “Signs” and Chapter 9 “Nonconformities” of Appendix A of the Kalamazoo City Code of Ordinances are repealed in their entirety.

**Section 2.** Section 6.5 of Chapter 6 of Appendix A of the Kalamazoo City Code of Ordinances shall be renumbered Section 6.1.

**Section 3. Severability.** If any section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity and enforceability of the remaining portions of this ordinance.

**Section 4. Saving Clause.** The amendment or repeal by this ordinance of any ordinance or ordinance provision shall have no effect upon prosecutions commenced prior to the effective date of this ordinance or prosecutions based upon actions taken by any person prior to the effective date of this ordinance. Those prosecutions shall be conducted under the ordinance provisions in effect prior to the effective date of this ordinance.

**Section 5. Conflict.** Except as otherwise expressly provided, the provisions of this Chapter shall control in the event of any inconsistency or conflict between this Chapter and any other provision of any other Ordinance of the City.

**Section 6. Other Ordinances.** This ordinance shall be of no effect unless and until an ordinance amending Chapter 50 “Zoning” of the Kalamazoo City Code of Ordinances addressing the same matters as the Chapters and Sections repealed by this ordinance is adopted by the City Commission on or before November 30, 2023.

**Section 7. Effective Date.** Subject to Section 6, above, this ordinance shall take effect from and after 10 days from the date of its passage pursuant to Section 13(a) of the City Charter.

**CERTIFICATE**

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on October 16, 2023. Public notice was given, and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted, and authenticated by the Mayor and City Clerk as required by the Charter of said City.

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David F. Anderson, Mayor

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Scott A. Borling, City Clerk