

Whitewater TWP Board,

I tried to including all Board members but, their .gov wasn't listed (sorry), please forward.

Ordinance 2025-51/Civil Infraction Overreach - Unbelievable. I was shocked to see the Board decided to go against the Whitewater TWP residents will, and try to force feed an ordinance that is obviously *very poorly* written. There is a way of handling complex issues other than force feeding.

The entire Board knows they're out of step, when the supervisor and the board decided they need a couple cops at a meeting? Present at the meeting were approximately 100 residents to express their disbelief.

Having served with a couple of you board members, I was surprised the board would operate in this fashion. This Board is certainly aware of the TWP's resident's willingness to support the TWP as indicated by their support during the MP process.

While serving on the planning commission we had two citizen outreach session at Millbrook, conducted surveys gleaning thoughts and ideas that were invaluable to us developing our new Master Plan. My suggestion; get citizen involvement such as a subcommittee (3 or 5 individuals) then, have a workshop exploring the problem, explaining why we have to develop a plan, discuss solution, and develop as workable document.

While serving on the planning commission, Rod Rebrant and I spent 5 hours handing out pamphlets and discussion MP topics with the residents during the June junk day at Millcreek School, my point; citizen involvement.

Apparently, we didn't make the best decision on November 5<sup>th</sup>. The only recourse if this Unconstitutional overreach gets shoved down our ordinance is to elect a new board, *immediately* repeal this and, develop a workable ordinance (it is needed) but that's a few years away.

### **Fact: Challenging Zoning Ordinance**

“Often the bane of homeowners, builders and land developers, zoning ordinances are typically the quintessential expression of local governance. Ordinances and zoning amendments are statutes approved by local bodies of elected officials placing standards on the use and development of private property.

While enacted by locally elected officials, did you know the state Constitution provides that citizens of municipalities in Michigan have the legal right to submit petitions challenging new zoning laws? Even before new zoning laws are enacted, **state law requires** that certain processes are followed and notices are given to ensure due process is followed. (Two related statutes are the Michigan Zoning Enabling Act and the Michigan Open Meetings Act.” MCL Act 246 of 1045 41.183 (there are others) did the board follow due process? Provide proof.

For those who may not be aware, Peninsula TWP just lost a case in the U.S. District Court; damaged residents due to ridiculous ordinances (my opinion) were awarded over \$50,000,000.00 which the TWP must pay. I read thru the entire case and it's my opinion the cause was TWP Govt. overreach perpetrated on the TWP by their Board, ZA, and PC; the courts put order back. This ordinance seems to have been developed in a similar pattern. Whitewater TWP's officials are aware of the Peninsula case (I sent to everyone I could) and after reading the Peninsula case why their following the same path?

The MCL's (legislators) have already set out ground rules covering these things but, you have to look.

Thank you,

Al Keaton