BANKS TOWNSHIP
Ordinance No. 3 of 2024

AN ORDINANCE EXTENDING THE MORATORIUM ON SAND AND GRAVEL EXCAVATION AND RESOURCE MINING WITHIN THE TOWNSHIP

THE TOWNSHIP OF BANKS ORDAINS:

Section 1. Legislative Findings.

The Banks Township Board hereby makes the following findings:

1. On February 19, 2024, the Banks Township Board adopted Ordinance #1 of 2024 imposing a moratorium on the siting and construction of sand and gravel extraction within the township for a period of six (6) months, which will expire on August 29, 2024. The activities subject to the moratorium shall hereinafter be referred to as "sand and gravel excavation and resource mining."
2. The ordinance indicated that the Township wanted a proper geological survey completed to show where the sand and gravel are located throughout the township.
3. The Planning Commission has almost completed the process of its study and consideration concerning the reasonable regulation of sand and gravel excavation and resource mining within the township.
4. It is anticipated that the Township Board will be reviewing the new ordinance provisions shortly and that additional time is needed to ensure the proper passage of any zoning amendment adopted by the Township.
5. The Board, therefore, desires to extend the moratorium on sand and gravel excavation and resource mining for a period of three (3) months, until November 29, 2024, or the effective date of a zoning ordinance amendment providing reasonable regulation of sand and gravel excavation and resource mining within the township, whichever occurs first.

Section 2. Moratorium; Time Limit.

The Banks Township Board hereby extends the moratorium on sand and gravel excavation and resource mining within the township until November 29, 2024, or the effective date of a zoning ordinance amendment providing reasonable regulation of sand and gravel excavation and resource mining within the township, whichever occurs first.

Section 3. Planning Commission Directive.

The Banks Township Planning Commission is hereby directed to continue to completion its study and consideration concerning appropriate amendments to the current Banks Township Zoning Ordinance which would provide for the reasonable regulation of sand and gravel excavation and resource mining within the township as soon as possible.

Section 4. Severability.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

Section 5. Effective Date.

This Ordinance shall become effective the day following its publication in a newspaper of general circulation within the Township.

Ordinance No. 3 of 2024 was adopted on the 19th day of August, 2024, by the Banks Township Board as follows:

Motion by: Trustee David Rasmussen Seconded by: Trustee Julie Waterman

Yeas: Katy Postmus, Julie Waterman, David Rasmussen, Donna Heeres, Alex Busman

Nays: None Absent: None Effective date: August 30, 2024

S/Donna L. Heeres, Banks Township Clerk S/Alex Busman, Banks Township Supervisor