

ARTICLE 2

ADMINISTRATION AND ENFORCEMENT

SECTION 2.01 PURPOSE

It is the purpose of this article to provide the procedures for the administration of the ordinance, issuance of permits, inspection of properties, collection of fees, handling of violators and enforcement of the provisions of this ordinance and amendments thereto.

SECTION 2.02 ADMINISTRATION

The provisions of this ordinance shall be administered by the Township Planning Commission and the Township Board in accordance with the State of Michigan Enabling Act, P.A. 33 of 2008, as amended, and the Michigan Zoning Enabling Act, Act 110 of 2006, as may be amended.

The Township Board shall employ a zoning administrator to act as its officer to effect proper administration of this ordinance. The individual selected, the terms of employment, and the rate of compensation shall be established by the Township Board. For the purpose of this ordinance, the zoning administrator shall have the powers of a police officer.

In the absence of the zoning administrator, the township clerk or other township official as designated by the Township Board, shall assume the powers and duties of the zoning administrator.

SECTION 2.03 DUTIES OF THE ZONING ADMINISTRATOR

- A. Receive all applications for zoning and building permits and approve or disapprove such applications based on compliance with the provisions of this ordinance and shall approve issuance of the permit by the building inspector if the use and the requirements of this ordinance are met.
- B. Receive all applications for conditional use permits; conduct field inspections, surveys and investigations, prepare maps, charts and other pictorial materials when necessary or desirable, and otherwise process applications so as to formulate recommendations; and notify the applicant, in writing, of any decision of the planning commission.
- C. Receive all applications for appeals, variances, or other matters which the zoning board of appeals is required to decide under this ordinance; conduct field inspections, surveys, and investigations, prepare maps, charts and other pictorial materials when necessary or desirable, and

otherwise process applications so as to formulate recommendations to the zoning board of appeals for determination.

- D. Receive all applications for amendments to this ordinance, conduct field inspections, surveys, and investigations, prepare maps, charts and other pictorial materials when necessary or desirable, and otherwise process applications so as to formulate recommendations to the board of appeals or planning commission for determination.
- E. The zoning administrator shall be responsible to update the township zoning map and keep it current.
- F. The zoning administrator shall prepare and submit to the Township Board a written record of all zoning and building permits issued during each month. The record shall state the owner's name, location of property, intended use and estimated cost of construction for each permit. The zoning administrator shall maintain and post monthly a list in the township hall of all building permits issued.
- G. Maintain written records of all actions taken by the zoning administrator.
- H. Be responsible for providing forms necessary for the various applications to the building inspector, Planning Commission, Township Board or Zoning Board of Appeals as required by this ordinance and for the effective administration of this ordinance, subject to the general policies of the Township Board, Planning Commission and Zoning Board of Appeals.

SECTION 2.04 ZONING AND BUILDING PERMIT

- A. Zoning and building permit requirements: a zoning and building permit is required for and shall be obtained after the effective date of this ordinance from the office of the zoning administrator or other person appointed by the Township Board for the following conditions:
 - 1. The construction, enlargement, alteration, demolition, or moving of any dwelling, building, or structure or any part thereof, being used or to be used for agricultural, residential, commercial or industrial purposes.
 - 2. Agricultural buildings and structures to insure proper placement on a lot or parcel of land.
 - 3. A small accessory building of prefabricated or modular construction that is not designed to be and is not permanently affixed to a foundation and a portable structure necessary to an agricultural

operation shall not require a building permit but the placement of such a building must conform to the setback, lot coverage and height requirements of the district in which it is located, except as otherwise provided in this ordinance.

4. Repairs of a minor nature or minor alterations which do not change the use, occupancy, area, structural strength, fire hazard, fire protection, exits, light, and ventilation of a building shall not require a building permit.
 5. An approved building permit pertains only to the original application, not to include additional construction.
- B. Application for a zoning and/or building permit: application for a building permit shall be made in writing upon a form furnished by the zoning administrator and shall state the name and address of the owner of the building and the owner of the land upon which it is to be erected, enlarged, altered or moved. All applications for zoning and/or building permits shall include a site layout or plot plan, showing:
1. The location, shape, area and dimensions of the lot, lots or acreage.
 2. The location of the proposed construction, upon the lot, lots or acreage affected.
 3. The dimensions, height and bulk of structures.
 4. The nature of the proposed construction, alterations, or repair and the intended use.
 5. The proposed number of sleeping rooms and dwelling units.
 6. The present and proposed use of any structure affected by the construction or alteration.
 7. The yard open area and parking space dimensions, if applicable.
 8. The proposed design and construction standards of parking spaces, if applicable.
 9. The number of loading and unloading spaces provided, if applicable.

10. Certified permit from the county health department stating that the proposed on-site water and sewer system is in conformance with the county sanitary code.
 11. Any information deemed necessary by the zoning administrator to determine compliance with and provide for the enforcement of this ordinance. If the information shown on the site layout is in compliance with the above requirements and all other provisions of this ordinance, the building inspector shall issue a building permit upon payment of the required building permit fee.
- C. Voiding of building permit: The permit shall become null and void if consistent work has not begun within six (6) months from the date the permit is issued. The building inspector shall make reasonable efforts to notify the holder of a building permit that it is liable for voiding action before voidance is actually declared. The building inspector may suspend or revoke a permit issued in error or on a basis of incorrect information supplied by the applicant or his agent or in violation of any of the ordinances or regulations of the township.
- D. Inspection:
1. The construction or use affected by any building permit shall be subject to the following inspections:
 - a. At time of staking out of building foundation.
 - b. Upon completion of the work authorized by the permit.
 - c. Additional inspections as required by the township building code.
 2. The zoning administrator shall determine whether the location of the proposed building, as indicated by corner stakes, is in accordance with yard setback and other requirements of the ordinance. The zoning administrator shall issue his written approval at the time of inspection if the proposed building construction meets the requirements of this ordinance. It shall be the duty of the holder of every building permit to notify the building inspector when construction is ready for inspection. Should the building inspector determine that the building or structure is not located according to the site and construction plans filed, or is in violation of any provision of this ordinance, or any other applicable law, he shall so notify in writing, the holder of the permit or his agent. Further construction shall be stayed until correction of the defects set forth has been accomplished and approved by the building inspector upon notice and request for re-inspection duly made.

3. Should a building permit holder fail to comply with the requirements of the building inspector at any inspection stage, the building inspector shall make a report in writing of the failure to the township clerk. The building inspector may order that work stop and, if non-compliance continues, cancel the building permit. The building inspector shall cause notice to stop work or of permit cancellation to be securely and conspicuously posted upon or affixed to the construction not conforming to the ordinance requirements. Posting shall be considered service upon and notice to the permit holder of the order to stop work or cancellation of the permit and no further work upon said construction shall be undertaken or permitted until the requirements of this ordinance have been met. Failure of the permit holder to make proper notification of the time for inspection shall automatically cancel the permit, and a new permit shall be required before construction may proceed.

SECTION 2.05 FEES, CHARGES AND EXPENSES

The Township board shall establish a schedule of fees, charges and expenses, and a collection procedure for zoning and building permits, appeals and other matters pertaining to this ordinance. The schedule of fees shall be posted in the township hall and may be altered or amended only by the Township Board. No permit, certificate, conditional use on approval, or variance shall be issued until such costs, charges, fees or expenses have been paid in full, nor should any action be taken on proceedings before the board of appeals until preliminary charges and fees have been paid in full.

SECTION 2.06 VIOLATIONS

Any building or structure including tents and mobile homes, which are erected, constructed, or reconstructed, altered, converted, maintained, or used, or any use of land or premise which is begun, maintained or changed in violation of any provision of this ordinance are hereby declared to be a nuisance per se.

SECTION 2.07 PENALTIES

A violation of this Zoning Ordinance is hereby designated a municipal civil infraction punishable by a civil fine established within Section 7 of the Township's Municipal Civil Infraction Ordinance. Each and every day during which any illegal erection, construction, re-construction, alteration, maintenance or use continues shall be deemed a separate offense. In addition to, or in lieu of, a civil infraction, the Township Board, the Township Planning Commission, the Township building inspector, the Zoning Board of Appeals, the attorney of the Township or any owner or owners of real estate within the district to which such building, structure

or land is situated may institute injunction, mandamus, abatement or any other appropriate action, actions or proceedings to prevent, enjoin, abate or remove any said unlawful erection, construction, maintenance or use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.