

CHAPTER 34
ADMINISTRATION AND ENFORCEMENT

SECTION 34.01 ADMINISTRATIVE OFFICIALS The Township Board shall designate such administrative officials as necessary to administer and enforce this Ordinance including the receiving of applications, the inspection of premises, the issuing of building permits, and the institution of proceedings for enforcement of the provisions of this Zoning Ordinance.

SECTION 34.02 BUILDING PERMIT REQUIRED It shall be unlawful for any person to commence excavation for, or construction of any building, structure or parking area, or to make structural changes in any existing building or structure, without first obtaining a building permit from the Township Building Inspector. No permit shall be issued for the construction, alteration or remodeling of any building or structure until an application has been submitted showing that the construction proposed is in compliance with the provisions of this Ordinance and with the Building Code. No plumbing, mechanical or electrical permit shall be issued until the Building Inspector has determined that the plans and designated use indicate that the structure and premises, if constructed as planned and proposed, will conform with the provisions of this Ordinance.

Fees for building permits shall be in accordance with a schedule established by the Township Board. Such schedule may be changed by ordinance of the Township Board at any regular meeting, said change shall be effective 30 days from the date of publication of such change.

SECTION 34.03 BUILDING PERMIT APPLICATION Every application for a building permit shall be made as required by the Building Code and shall designate the existing or intended use of the structure or premises, or part thereof which it is proposed to alter, erect, or extend, and the number of dwelling units, if any, to occupy it. The application shall be accompanied by two ink, blueprint, or photostat copies of drawings, drawn to scale, showing the actual lines, angles and dimensions of the lot to be built upon or used, and the exact size and location on the lot of all existing and proposed structures and uses, together with specifications. The application shall contain other information with respect to the lot and adjoining property as may be required by the Building Inspector. One copy of both plans and specifications shall be filed in and retained by the Office of the Building Inspector, and the other shall be delivered to the applicant when the Building Inspector has approved the application and issued the permit. In cases of minor alterations, the Building Inspector may waive portions of the foregoing and the requirements which he deems are not necessary for determination of compliance with this Ordinance. Any permit required by this Zoning Ordinance or the Building Code of this Township shall be displayed face out, within 24 hours of its issuance by placing the same in a conspicuous place on the premises facing the nearest highway, and shall be continuously so displayed until all work, or the term for which issued, or purpose for which issued is completed. Failure to obtain and display any such permit shall constitute a violation of the Zoning Ordinance and Building Code and shall subject each person or persons or corporations for whose benefit the permit is required, and the owner or owners of the premises involved to prosecution for such violation. Issuance of a building permit shall in no case be construed as waiving any provision of this Ordinance, and the Building Inspector is without authority to alter or vary the terms of this Ordinance.

SECTION 34.04 OCCUPANCY It shall be unlawful to use or permit the use of any structure or premises hereafter altered, extended, or erected, until the Building Inspector shall have made an inspection of the premises and shall have approved the same for occupancy in writing. The Building Inspector shall not issue a certificate of occupancy until he has ascertained that there has been compliance with all of the requirements of this Ordinance, the Building Code, and the approved plans of the building.

SECTION 34.05 REMEDIES AND ENFORCEMENT The Community Development Director, Building Inspector, Township Supervisor, Township Manager, or any other officer of the Township designated by the Township Board to enforce the provision of this ordinance or any person or

persons aggrieved by any violation thereof may institute a suit in a court of competent jurisdiction to restrain a person or a governmental unit from violating the provisions of this Ordinance or take any other legal action permissible for the enforcement thereof. Any building erected, moved, altered, razed, or converted, or any land or premises and used in violation of any provision of this Ordinance or the requirements thereof, is hereby declared to be a nuisance. Any person, firm, trust, partnership, or other legal entity, which violated, disobeys, omits, neglects, or refuses to comply with any of the provisions of this Ordinance shall be responsible for a municipal civil infraction and subject to a fine plus any costs, damages, expenses, and other sanctions as authorized under Chapter 87 of the Act No. 236 of the Public Acts of 1961, as amended and other applicable laws. Each day such violation occurs or continues shall be deemed a separate offense and shall make the violator liable for the imposition of a fine for each day. The rights and remedies provided for in this section are cumulative and in addition to any other remedies provided by law. An admission or determination of responsibility shall not exempt the offender from compliance with the requirements of this ordinance.

SECTION 34.06 AMENDMENTS Amendments or supplements to this Zoning Ordinance may be made from time to time in the manner provided by law.

- A. Initiation
 - 1. The Planning Commission may propose amendments on it's own initiative.
 - 2. Any interested person may bring before the Planning Commission a proposed amendment or change by filing a petition signed by all persons having a legal interest in such premises to be acted upon requesting the adoption of any specified amendment or change or regulation under the Zoning Ordinance.
- B. Contents of Petition. The petition requesting a proposed amendment or change shall contain the following:
 - 1. The legal description of the premises involved.
 - 2. The zone in which such premises are presently situated.
 - 3. The zone into the petitioner desires such premises to be situated.
 - 4. The use to be made of such premises if rezoned.
 - 5. The signatures of all persons having an interest in such premises.
 - 6. A conceptual development plan which shall include the following:
 - a. A topographic map showing existing and proposed contour lines at five-foot intervals.
 - b. A plot plan showing the location of all proposed buildings, and drawings showing the elevations and architectural style thereof.
 - c. All non-enclosed uses.
 - d. All drainage.
 - e. Parking.

- f. Loading and traffic handling facilities.
- g. Screening and other landscaping.
- h. All exterior lighting and signs.
- i. Sewage disposal systems.

Such portions of the development plan may be waived by the Planning Commission if the Planning Commission finds that because of the nature of the proposed use, the same would be unnecessary and serve no useful purpose.

- C. **Filing Fees.** Applications and petitions filed pursuant to the provisions of this Ordinance shall be accompanied by the filing fees as determined by resolution of the Township Board. Said fee shall be paid to the Township Treasurer before any action shall be taken on said petition. Said amount so received shall be retained whether the requested relief is granted or not and shall be used as provided by law. Fees may be changed by resolution of the Township Board.
- D. **Planning Commission Action.** Said petition shall be considered by the Planning Commission at its next meeting following the receipt of the petition by the Secretary of the Planning Commission, provided, however, that there is adequate time for the petition to be placed on the agenda of said meeting. Before submitting its recommendations of a tentative zoning ordinance to the Township Board, the Planning Commission shall hold not less than 1 public hearing, notice of which hearing shall be given by one (1) publication in a newspaper of general circulation in the Township, at least fifteen (15) days before the date of the hearing. An affidavit of mailing shall be maintained. The notices shall include the places and times at which the tentative text and any maps of the zoning ordinance may be examined. If an individual property or several adjacent properties are proposed for rezoning, the Planning Commission shall give a notice of the proposed rezoning to the owner of the property in question, to all persons to whom real property is assessed within 300 feet of the premises in question, and to the occupants of all structures within 300 feet of the premises. The notice shall be delivered personally or by mail to the respective owners and tenants at the address given in the last assessment roll. If the tenant's name is not known, the term "occupant" may be used. If the notice is delivered by mail, an affidavit of mailing shall be filed with the Planning Commission before the hearing. The notice shall be made not less than fifteen (15) days before the public hearing stating the time, place, date, and purpose of the hearing.

Following such hearing, unless the County Board of Commissioners by resolution has waived the County review, the Planning Commission shall submit the proposed amendment or supplement to the County Zoning Commission or such other body designated by the County to perform such duties and responsibilities. The approval of said body shall be conclusively presumed, unless, within 30 days after receipt, it notifies the Township Clerk of its disapproval. Thereafter the Township Board may adopt the proposed amendment with or without any modifications that have been previously considered by said Planning Commission, as provided by law. An amendment for the purpose of conforming a provision of the Zoning Ordinance to the decree of a court of competent jurisdiction as to any specific lands may be adopted by the Township Board and the notice of the adopted amendment published without referring the amendment to any other board or agency provided for in this Ordinance.

- F. Power of Revocation. The Township Board shall have the power to revoke or cancel any change of Zone effected for any failure or neglect to comply with any provisions of this Ordinance, or in case any false statement or misrepresentation is made in any petitions, application, specification, plan, or sketch or conditions or provisions on which such rezone of property was granted.