

CHAPTER 17

ADMINISTRATION AND ENFORCEMENT

SECTION 17.01 ZONING ADMINISTRATION. The provisions of this Ordinance shall be administered and enforced by the Zoning Administrator.

SECTION 17.02 ZONING ADMINISTRATOR / ADMINISTRATIVE OFFICIAL. The Zoning Administrator shall be appointed by the Township Board for such term and be subject to such conditions and at such rate of compensation as the Township Board shall determine. The Building Inspector may also serve as the Zoning Administrator or may serve as the Deputy Zoning Administrator at the discretion of the Township Board. The Zoning Administrator/Building Inspector shall have no interest whatsoever, directly or indirectly, in the sale or manufacture of any material, process, facility or device entering into or used in connection with building construction within the Township. The Zoning Administrator and his or her designated deputy shall have the authority to receive applications, inspect premises for violations, issue building permits and institute proceedings for enforcement of this Zoning Ordinance. The Zoning Administrator shall be empowered to appoint a substitute Zoning Administrator who shall have the same powers as the Zoning Administrator possesses and who shall exercise these powers whenever appointed by the Zoning Administrator to serve in his absence. The Township Board is hereby empowered to remove said Zoning Administrator, his deputy, or substitute at any time for good cause. (*Amended 10/96*)

SECTION 17.03 PERMITS.

- (a) Permit Required - No building or structure shall be erected, moved, placed, reconstructed, extended, enlarged or altered, except wholly interior alterations or repairs at a cost of five hundred dollars (\$500.00) or less, unless a permit there for has been issued by the Zoning Administrator. An application for a permit shall be in writing and upon duplicate printed forms furnished by the Township. A permit issued by the Zoning Administrator is nontransferable and must be obtained before any work, excavations, erection, alteration or movement is commenced. Satisfactory evidence of ownership of the lot or premises may be required by the Zoning Administrator and shall be furnished upon request. If the application is approved, the Zoning Administrator shall so mark both copies of the application over his signature and file one copy with the Township Clerk and return the other copy to the applicant. The Zoning Administrator shall also provide the applicant with a construction card signed by the Zoning Administrator stating the extent of the work authorized. This card shall be attached to and remain on the lot or premises during the progress of the work authorized.
- (b) Contents of Application - Each application shall include such reasonable information as may be requested by the Zoning Administrator in order to determine compliance with the terms and provisions of this Ordinance and shall include, as a minimum, the following information: (1) the location and actual dimensions of the lot or premises to which the permit is to apply; (2) the kind of buildings or structures to which the permit is to apply; (3) the width of all abutting streets; (4) the area, size and location of all buildings or structures to which the permit is to apply; (5) the type of use to be made of the building or structure to which the permit is to apply; (6) the use of buildings or structures on

adjoining lands; and (7) the estimated cost of the building or structure. The Zoning Administrator, in his direction, may waive the inclusion of any of the foregoing information in an application if he shall determine that such information is not reasonably necessary for him to determine compliance with the terms and provisions of this Ordinance.

- (c) Accessory Buildings or Structures - Accessory buildings or structures, when erected, moved, placed, reconstructed, extended, enlarged or altered, at the same time as the principal building on the same lot or premises and when shown on the application for the permit for the principal building, shall not require the issuance of a separate permit. A separate permit shall be required if any accessory building or structure is erected, moved, placed, reconstructed, extended enlarged or altered separately or at a different time than the principal building on the same lot or premises.
- (d) Planning Commission Approval - When the terms and provisions of this Ordinance require authorization by the Planning Commission as a special use and such authorization is given, then both copies of the application shall be marked approved by the Secretary of the Planning Commission in addition to being so marked as provided above by the Zoning Administrator. (Amended 7/28/93)
- (e) Issuance of Permit - Within ten (10) days after the receipt of any application, the Zoning Administrator shall either (1) issue a permit if the proposed work is in conformance with the terms and provisions of this Ordinance; or (2) deny issuance of a permit and state the reason(s) or cause(s) for such denial in writing. In each case the permit or the written reason(s) or cause(s) for denial shall be transmitted to the owner or his agent.
- (f) Expiration of Permits - A permit for a single family dwelling for which all construction work has not been completed within one (1) year from the date of its issuance shall expire automatically; a permit for any other building or structure for which all construction work has not been completed within two (2) years from the date of issuance shall expire automatically. A permit expiring automatically pursuant to this subsection shall, upon reapplication, be renewable once for additional terms of one (1) and two (2) years, respectively (one (1) year for single family dwelling, two (2) years for any other building or structure), on payment of an additional fee equal to one half (1/2) of the original permit fee.
- (g) Cancellation of Permits - The Zoning Administrator shall have the power to revoke and cancel any permit in the event of failure or neglect to comply with all of the terms and provisions of this Ordinance or in the event of any false statements or misrepresentations in the application for the permit. Notice of such cancellation and revocation shall be securely posted on the construction, such posting to be considered as service upon and notice to the permit holder of the cancellation and revocation of the permit.
- (h) Fees - For each permit issued, a fee shall be paid to the Zoning Administrator who shall remit the same to the Township Treasurer. A schedule of fees shall be set by the Township Board.

The amount of such fees shall be determined from the estimated cost of the building or structure as set forth in the application for the permit. If upon completion of the building or structure the Zoning Administrator shall determine that the estimated cost does not represent a fair valuation of the cost of the building or structure, he shall notify the

applicant in writing of the permit fee deficiency and the building or structure shall not be used until such deficiency has been paid to the Zoning Administrator.

SECTION 17.04 INSPECTION OF BUILDINGS AND STRUCTURES.

- (a) As work progresses under a permit, the holder thereof or his authorized agent shall cause the Zoning Administrator to be notified at the following stages of construction:
 - (1) Upon completion of the footing and foundation walls.
 - (2) Upon completion of the rough frame of the building or structure and the electrical wiring.
 - (3) Upon total completion of the work authorized by the permit and before occupancy or use.
- (b) Should the permit holder fail to comply with all of the terms and provisions of this Ordinance at any stage of construction, the Zoning Administrator is authorized to revoke and cancel the permit and cause notice of such posting to be considered as service upon and notice to the permit holder of the cancellation and revocation of the permit. No further work shall be undertaken or permitted upon such construction until a new permit is issued for such work.

SECTION 17.05 CERTIFICATION OF COMPLIANCE. No building or structure which is erected, moved, placed, reconstructed, extended, enlarged, or altered shall be used in whole or in part until the owner thereof shall have been issued a certificate by the Zoning Administrator affirming that such building or structure conforms in all respects to the provisions of this Ordinance. Such certificate shall be issued after the work is complete and final inspection has been made.

SECTION 17.06 PUBLICATION AND DELIVERY OF NOTICE OF PUBLIC HEARING. *(Amended 05-08)* Except where expressly stated otherwise in this Ordinance, whenever a public hearing on a zoning application is required by this Ordinance or by the Michigan Zoning Enabling Act, notice of the public hearing shall be published and delivered according to the requirements of this Section.

- (a) The notice shall be published once, at least fifteen (15) days prior to the date of the public hearing, in a newspaper of general circulation in the Township. (b) For applications involving the rezoning of ten or fewer adjacent properties; for applications to the Zoning Board of Appeals involving a specific parcel; and for all planned unit development and special land use, special controlled uses and site condominium projects applications a notice of public hearing shall be mailed by way of U.S. first class mail or personally delivered to the following persons, at least fifteen (15) days prior to the date of the public hearing:
 - (1) The applicant;
 - (2) All persons to whom real property is assessed within 300 feet of the property that is the subject to the application; and
 - (3) The occupants of all structures within 300 feet of the property that is the subject of the application.

- (c) If the above-described 300-foot radius extends outside of the Township's boundaries, then notice must be provided outside of the Township boundaries, within the 300-foot radius, to all persons in the above-stated categories.
- (d) The notice of public hearing shall include the following information:
 - (1) A description of the nature of the application or request.
 - (2) An identification of the property that is the subject of the application or request. The notice shall include a listing of all existing street addresses within the property; provided, however, that street addresses do not need to be created and listed if no such addresses currently exist within the property; and provided further that street addresses do not need to be listed if eleven or more adjacent properties are being proposed for rezoning.
 - (3) A statement of when and where the application or request will be considered.
 - (4) Identify when and where written comments will be received concerning the application or request. (*Amended 05-08*)