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### **ARTICLE 2**

#### ***SECTION 2.01 PURPOSE***

IT IS THE PURPOSE OF THIS ARTICLE TO PROVIDE THE PROCEDURE 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 PLANNING COMMISSION ACT, ACT 168 OF THE PUBLIC ACTS OF 1959, AS AMENDED, AND THE STATE OF MICHIGAN TOWNSHIP RURAL ZONING ACT, ACT 184 OF PUBLIC ACTS OF 1943, AS AMENDED.

THE TOWNSHIP BOARD SHALL EMPLOY A BUILDING INSPECTOR TO ACT AS ITS OFFICER TO EFFECT 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 BUILDING INSPECTOR SHALL HAVE POWERS OF A POLICE OFFICER. IN THE ABSENCE OF THE BUILDING INSPECTOR, THE TOWNSHIP CLERK OR OTHER TOWNSHIP OFFICIAL AS DESIGNATED BY THE TOWNSHIP BOARD, SHALL ASSUME ALL THE POWERS AND DUTIES OF THE BUILDING INSPECTOR.

#### ***SECTION 2.03 DUTIES OF BUILDING INSPECTOR***

- A. REVIEW ALL APPLICATIONS FOR BUILDING PERMITS AND APPROVE OR DISAPPROVE SUCH APPLICATIONS BASED ON COMPLIANCE WITH THE PROVISIONS OF THIS ORDINANCE AND SHALL APPROVE ISSUANCE OF THE PERMIT 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 INVESTIGATION 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, SURVEY AND INVESTIGATION, PREPARE MAPS, CHARTS AND OTHER PICTORIAL MATERIALS WHEN NECESSARY OR DESIRABLE, AND OTHERWISE PROCESS APPLICATIONS SO AS TO FORMULATE RECOMMENDATION; REPORT TO THE PLANNING COMMISSION ALL SUCH APPLICATIONS TOGETHER WITH RECOMMENDATION.
- E. THE BUILDING INSPECTOR SHALL BE RESPONSIBLE TO UPDATE THE TOWNSHIP ZONING MAP AND KEEP IT CURRENT.

**SECTION 2.03 DUTIES OF BUILDING INSPECTOR (CONTINUED)**

- F. THE BUILDING INSPECTOR SHALL PREPARE AND SUBMIT TO THE TOWNSHIP BOARD AND PLANNING COMMISSION A WRITTEN RECORD OF ALL 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 BUILDING INSPECTOR 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 BUILDING INSPECTOR.
- H. BE RESPONSIBLE FOR PROVIDING FORMS NECESSARY FOR THE VARIOUS APPLICATIONS TO BUILDING INSPECTOR, PLANNING COMMISSION, TOWNSHIP BOARD OR ZONING BOARD OF APPEALS AS REQUIRED BY THIS ORDINANCE AND SHALL BE RESPONSIBLE FOR WHAT INFORMATION IS NECESSARY ON SUCH FORMS FOR THE EFFECTIVE ADMINISTRATION OF THIS ORDINANCE, SUBJECT TO GENERAL POLICIES OF THE TOWNSHIP BOARD, PLANNING COMMISSION AND ZONING BOARD OF APPEALS.

**SECTION 2.04 BUILDING PERMIT**

- A. **BUILDING PERMIT REQUIREMENTS:** A BUILDING PERMIT IS REQUIRED FOR AND SHALL BE OBTAINED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE FROM THE OFFICE OF THE BUILDING INSPECTOR OR HIS AGENT FOR THE FOLLOWING CONDITIONS:
  - 1. THE CONSTRUCTION, ENLARGEMENT, ALTERATION OR MOVING OF ANY DWELLING, BUILDING, 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. ACCESSORY BUILDINGS AND PORTABLE STRUCTURES NECESSARY TO AN AGRICULTURAL OPERATION, SHALL NOT REQUIRE A BUILDING PERMIT AS LONG AS THE PLACEMENT OF SEAD BUILDING CONFORM TO THE SETBACK AND HEIGHT REQUIREMENTS OF THE DISTRICT IN WHICH THEY ARE LOCATED.
  - 4. REPAIRS OF A MINOR NATURE OR MINOR ALTERATIONS WHICH DO NOT CHANGE THE USE, OCCUPANCY, STRUCTURAL STRENGTH, FIRE PROTECTION, EXITS, LIGHT, AND VENTILATION OF A BUILDING SHALL NOT REQUIRE A BUILDING PERMIT.
- B. **APPLICATION FOR A BUILDING PERMIT:** APPLICATION FOR A BUILDING PERMIT SHALL BE MADE IN WRITING UPON A BLANK FORM FURNISHED BY THE BUILDING INSPECTOR 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. THERE SHALL BE SUBMITTED WITH ALL APPLICATIONS FOR BUILDING PERMITS TWO COPIES OF 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.

**SECTION 2.04 BUILDING PERMIT** (continued)

4. THE NATURE OF THE PROPOSED CONSTRUCTION, ALTERATION, OR REPAIR AND THE INTENDED USE.
  5. THE PROPOSED NUMBER OF SLEEPING ROOMS, DWELLING UNITS, OCCUPANTS, EMPLOYEES, CUSTOMERS AND OTHER USES.
  6. THE PRESENT USE OF ANY STRUCTURE AFFECTED BY THE CONSTRUCTION OR ALTERATION.
  7. THE YARD 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. ANY INFORMATION DEEMED NECESSARY BY THE BUILDING INSPECTOR TO DETERMINE COMPLIANCE WITH AND PROVIDE FOR THE ENFORCEMENT OF THIS ORDINANCE. IF THE INFORMATION AND ALL OTHER PROVISIONS OF THIS ORDINANCE, THE BUILDING INSPECTOR SHALL ISSUE A BUILDING PERMIT UPON PAYMENT OF THE REQUIRED BUILDING PERMIT FEE.
  11. CERTIFIED PERMIT FROM THE COUNTY HEALTH DEPARTMENT STATING THAT THE PROPOSED ON-SITE WATER AND SEWER IS IN CONFORMANCE WITH THE COUNTY SANITARY CODE.
- C. **VOIDING OF PERMIT:** ANY BUILDING PERMIT GRANTED UNDER THIS SECTION SHALL BE NULL AND VOID UNLESS THE DEVELOPMENT PROPOSED SHALL HAVE ITS FIRST INSPECTION WITHIN NINETY (90) DAYS FROM THE DATE OF THE GRANTING OF THE PERMIT. THE BUILDING INSPECTOR SHALL MAKE EVERY EFFORT TO NOTIFY THE HOLDER OF A PERMIT THAT IS LIABLE FOR VOIDING BEFORE VOIDANCE IS ACTUALLY DECLARED. THE BUILDING INSPECTOR MAY VOID 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 THE ORDINANCE OR REGULATIONS OF THE TOWNSHIP.
- D. **INSPECTION:** THE CONSTRUCTION OR USAGE AFFECTED BY ANY BUILDING PERMIT SHALL BE SUBJECT TO THE FOLLOWING INSPECTIONS:
1. AT TIME OF STAKING OUT OF BUILDING FOUNDATION.
  2. UPON COMPLETION OF THE WORK AUTHORIZED BY THE PERMIT.
  3. ADDITIONAL INSPECTIONS AS REQUIRED IN THE TOWNSHIP BUILDING

IT SHALL BE THE DUTY OF THE HOLDER OF EVERY PERMIT TO NOTIFY THE BUILDING INSPECTOR WHEN CONSTRUCTION IS READY FOR INSPECTION. UPON RECEIPT OF SUCH NOTIFICATION FOR THE FIRST INSPECTION, THE BUILDING INSPECTOR 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 BUILDING INSPECTOR SHALL ISSUE HIS WRITTEN APPROVAL AT THE TIME OF INSPECTION, IF THE BUILDING OR PROPOSED CONSTRUCTION MEETS THE REQUIREMENTS OF THIS ORDINANCE. 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.

**SECTION 2.04 BUILDING PERMIT** (continued)

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 SUCH FAILURE TO THE TOWNSHIP CLERK. THE BUILDING INSPECTOR SHALL CAUSE NOTICE OF SUCH PERMIT CANCELLATION TO BE SECURELY AND CONSPICUOUSLY POSTED UPON OR AFFIXED TO THE CONSTRUCTION NOT CONFORMING TO THE ORDINANCE REQUIREMENTS AND SUCH POSTING SHALL BE CONSIDERED AS SERVICE UPON AND NOTICE TO THE PERMIT HOLDER, OF CANCELLATION THEREOF; AND NO FURTHER WORK UPON SAID CONSTRUCTION SHALL BE UNDERTAKEN OR PERMITTED UNTIL SUCH TIME AS 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, REQUIRING ISSUANCE OF A NEW PERMIT 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 FOR BUILDING PERMITS, APPEALS AND OTHER MATTERS PERTAINING TO THE ORDINANCE. THE SCHEDULE OF FEES SHALL BE POSTED IN THE OFFICE OF THE BUILDING INSPECTOR 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 SHALL 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, 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**

ANY PERSON OR THE AGENT IN CHARGE OF SUCH BUILDING OR LAND WHO VIOLATES, DISOBEYS, OMITTS, NEGLECTS OR REFUSES TO COMPLY WITH, OR RESISTS THE ENFORCEMENT OF ANY PROVISION OF THIS ORDINANCE MAY BE SUBJECT TO PENALTIES, FINES AND IMPRISONMENT AS DETERMINED BY ACTION OF THE COURT. EACH AND EVERY DAY DURING WHICH ANY ILLEGAL ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, MAINTENANCE OR USE CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE. THE TOWNSHIP BOARD, THE TOWNSHIP PLANNING COMMISSION, THE TOWNSHIP BUILDING INSPECTOR, THE BOARD OF APPEALS, THE ATTORNEY OF THE TOWNSHIP OR ANY OWNER OR OWNERS OF REAL ESTATE WITHIN THE DISTRICT IN WHICH SUCH BUILDING, STRUCTURE OR LAND IS SITUATED MAY INSTITUTE INJUNCTION, MANDAMUS, ABATEMENT OR ANY OTHER APPROPRIATE ACTION, ACTIONS OR PROCEEDINGS TO PREVENT, ABATE OR REMOVE ANY SAID UNLAWFUL ERECTION, CONSTRUCTION, MAINTENANCE OR USE.

UNDERLINED TEXT HAS BEEN ADDED OR AMENDED

ARTICLE 2, CONCLUDED