

Chapter 17 - Administration and Enforcement

17.1. Zoning Administrator.

- 17.1.1. The provisions of this Ordinance shall be administered and enforced by the Zoning Administrator.
- 17.1.2. The Zoning Administrator shall be appointed by the Township Board for such term and subject to such conditions and at such rate of compensation as the Township Board shall determine.

17.2. Zoning Permits.

- 17.2.1. No building or structure shall be erected, moved, placed, reconstructed, extended, enlarged or altered, and no land shall be used, unless an application for a zoning permit has been made in writing and upon printed forms furnished by the Township. A zoning 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 parcel may be required by the Zoning Administrator and shall be furnished upon request.
- 17.2.2. Prior to receiving a zoning permit, the applicant shall present to the Zoning Administrator written documentation from the Hillsdale County Health Department that the proposed onsite waste treatment facility is approved or that onsite waste treatment is not required.
- 17.2.3. If the application is approved, the Zoning Administrator shall approve and sign both copies and file one copy with the Township Clerk and return the other copy to the applicant.
- 17.2.4. If the application is for agricultural use, the \$25.00 fee will be waived by the Zoning Administrator. The applicant will fill out a zoning application and sign an affidavit that the proposed structure is intended for agricultural use and will meet all zoning requirements for setbacks and road frontage.

17.3. Contents Of Application.

- 17.3.1. Each application for a zoning permit shall be signed by the owner or the owner's agent and 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.
- 17.3.2. The Zoning Administrator may waive the inclusion of any of the foregoing information in an application if it is determined that such information is not reasonably necessary to determine

17.4. 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 parcel and when shown on the application for the zoning permit for the principal building, shall not require the issuance of a separate zoning permit. A separate zoning 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 parcel if it is 201 square feet or larger.

17.5. Permit Process.

- 17.5.1. When the terms and provisions of this Ordinance require authorization compliance with the terms and provisions of this Ordinance. by the Planning Commission by special land use permit and such authorization is given, then both copies of the zoning permit shall be marked approved by the secretary of the Planning Commission in addition to being marked as provided above by the Zoning Administrator.
- 17.5.2. Within 10 days after the receipt of any application, the Zoning Administrator shall (i) issue a permit if the proposed work is in conformance with the terms and provisions of this Ordinance; (ii) deny issuance of a permit and state the reasons for such denial in writing or (iii) refer the matter to the Planning Commission or Board of Appeals, as appropriate. In each case, the permit or the written reasons for denial or the referral shall be transmitted to the owner or the owner's agent.

- 17.5.3. A permit for any building or structure for which all construction work has not been completed within 2 years from the date of issuance shall expire automatically. A permit expiring automatically pursuant to this subsection shall, upon reapplication, be renewable for additional terms of 1 year on payment of an additional fee equal to one-half of the original permit fee.
- 17.5.4. 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 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.
- 17.6. **Fees.** The Township Board shall establish a schedule of fees for administering this Ordinance. The schedule of fees shall be posted on public display in the Township office and the office of the Township Clerk and Zoning Administrator, and may be changed only by Township Board. No permit or certificate shall be issued unless such fees have been paid in full.
- 17.7. **Penalties.**
- 17.7.1. Any building or structure which is erected, moved, placed, reconstructed, razed, extended, enlarged, altered, maintained or used, or any use of any parcel that is begun, maintained or changed in violation of any term or provision of this Ordinance, is declared to be a nuisance per se.
- 17.7.2. Any person who violates, disobeys, omits, neglects, or refuses to comply with, or resists the enforcement of any term or provision of this Ordinance or any amendment thereof, shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$500 or shall be imprisoned in the Hillsdale County Jail for not more than ninety (90) days, or both such fine and imprisonment in the discretion of the court. Each and every day during which any violation continues shall be deemed a separate offense. The duly authorized attorney for the Township is empowered to prosecute such violations.
- 17.8. **Procedure.** The Township Board, Planning Commission, Board of Appeals, Zoning Administrator, the duly authorized attorney for the Township, the prosecuting attorney for Hillsdale County, or any owners or occupants of any real estate within the Township may institute appearance tickets, injunction, mandamus, abatement, or any other appropriate action or proceedings to prevent, enjoin, abate, or remove any violation of this Ordinance. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.
- 17.9. **Administrative Liability.** No officer, agent, employee or member of the Township (including the Zoning Administrator, Township Clerk, Township Supervisor and members of the Township Board), Planning Commission or the Board of Appeals shall be held personally liable for any damage that may be suffered by or accrue to any person as a result of any act, decision or other consequence or occurrence arising out of the discharge of any duties and responsibilities pursuant to this Ordinance.