

ARTICLE I

TITLE, PURPOSES, AND LEGAL CLAUSES

SECTION 1.01 Title

This Ordinance shall be known and may be cited as:

"The Zoning Ordinance of Wheatland Township"

SECTION 1.02 Repeal of Ordinance

This Zoning Ordinance of Wheatland Township is the first zoning ordinance ever adopted. Thus, no prior zoning ordinance was repealed with the adoption of this new ordinance in 1999.

SECTION 1.03 Purposes

- A. Promoting and protecting the public health, safety and general welfare.
- B. Protecting the character and the stability of the agricultural, recreational, residential, commercial and other areas within the Township and promoting the orderly and beneficial development of such areas.
- C. Regulating the intensity of use of land and lot areas and determining the area of open spaces surrounding buildings and structures necessary to provide adequate light and air to protect the public health and convenience of access to property.
- D. Lessening and avoiding congestion on the public highways and streets.
- E. Providing for the needs of agriculture, recreation, residence, commerce and other land uses in future growth.
- F. Fixing reasonable standards to which buildings and structures shall conform.
- G. Prohibiting uses, buildings or structures which are incompatible with the character of development or the uses, buildings or structures permitted within specified zoning districts.
- H. Preventing such additions to or alterations or remodeling of existing buildings or structures in such a way as to avoid the regulations and limitations imposed hereunder.
- I. Protecting against fire, explosion, noxious fumes and odors, dust, smoke, glare,

noise and other nuisances and hazards in the interest of the public health, safety and general welfare.

J. Preventing the overcrowding of land and undue concentration of buildings and structures so far as is possible and appropriate in each zoning district by regulating the use and bulk of buildings in relation to the land surrounding them.

K. Conserving the taxable value of land, buildings and structure throughout the Township.

L. Providing for the completion, extension, substitution or elimination of nonconforming uses.

M. Creating a Board of Appeals and defining the powers and duties thereof.

N. Designating and defining the powers and duties of the official or officials in charge of the administration and enforcement of this Ordinance.

O. Providing for the payment of fees for building permits.

P. Providing penalties or the violation of this Ordinance.

SECTION 1.04 Validity and Severalty Clause

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not effect any other provisions of this Ordinance not specifically included in said ruling.

If any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular land, parcel, lot, district, use, building or structure, such ruling shall not effect the application of said provision to any other land, parcel, lot, district, use, building or structure not specifically included in said ruling.

SECTION 1.05 Conflict With Other Laws

A. Where any condition imposed by any provision of this Ordinance upon the use of any lot, building or structure is either more restrictive or less restrictive than any comparable condition imposed by any other provision of this Ordinance or by the provision of any Ordinance adopted under any other law, the provision which is more restrictive or which imposes a higher standard or requirement shall govern.

B. This Ordinance is not intended to abrogate or annul any easement, covenant or other private agreement provided that where any provision of this Ordinance is more restrictive, or imposes a higher standard or requirement, that such easement, covenant

or other private agreement, the provision of this Ordinance shall govern.

SECTION 1.06 Period of Effectiveness

This Ordinance shall remain in full force and affect henceforth unless repealed.

SECTION 1.07 Effective Date

This Ordinance was adopted by the Township Board of the Township of Wheatland, Hillsdale County, Michigan at a meeting held on the _____ day of January, 2000. The action of adoption of this ordinance and subsequent amendments has been created pursuant to the requirements of the Township Rural Zoning Act, being Act 1984 of 1943 as amended.

Dawn Johnson

Wheatland Township Clerk