

Article I IN GENERAL

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Section 1.01. Title.

This Ordinance shall be known as the "Clayton Township Zoning Ordinance."

Section 1.02. Purpose.

The purpose of this Ordinance is to:

- (1) Improve the public health, safety, morals and general welfare.
- (2) Promote the use of lands and natural resources of the township in accordance with their character and adaptability.
- (3) Reduce hazards to life and property.
- (4) Lessen congestion on the public roads and streets.
- (5) Provide, in the interests of health and safety, the minimum standards under which certain buildings and structures may hereafter be erected and used.
- (6) Facilitate the development of an adequate system of transportation, education, recreation, sewage and refuse disposal, safe and adequate water supply and other public requirements.
- (7) Conserve life, property and natural resources, and the expenditure of funds for public improvements and services to conform to the most advantageous uses of land, resources and properties.

Section 1.03. Definitions.

Generally . For the purpose of this Ordinance, certain terms used are herewith defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular include the plural number and conversely.

Accessory building or structure. A supplementary building or structure on the same premises as the main building or structure occupied by or devoted exclusively to an accessory use, but such use shall not include use for dwelling or lodging purposes, or sleeping quarters for human beings.

Dwelling. Any building or structure or part thereof occupied as the home, residence or sleeping place of one (1) or more persons either permanently or temporarily.

Erected. Includes built, constructed, reconstructed, moved upon or any physical operations on the land required for a building or structure. Excavations, fill, drainage and the like shall be considered a part of an erection.

Farm. All of the unplatted, contiguous, neighboring or associated land operated as a single unit on which bona fide farming is carried on directly by the owner-operator, manager, or tenant-farmer by his own labor or with the assistance of members of his household or hired employees; provided, however, that land to be considered a farm hereunder shall include a contiguous, unplatted parcel of not less than three (3) acres in area; provided, further, that orchards, hatcheries and similar specialized agricultural enterprises may be considered as farms, but establishments keeping furbearing animals or game or operated as fish hatcheries, dog kennels, apiaries, stockyards, slaughterhouses, stone quarries, gravel or sand pits or the removal and sale

of top soil, fertilizer works, bone yards, piggeries, or establishments for the reduction of animal matter or for the disposal of garbage, sewer rubbish, junk or refuse shall not constitute a farm hereunder.

State law references: Michigan right to farm act, MCL 286.471 et seq.

Greenbelt. Any land lying within one hundred (100) feet from the ordinary high-water mark of a natural flowing waterway in each direction.

Highway. Any public thoroughfare including roads and streets, but not alleys.

Home occupation. Home occupations, including handicrafts such as dressmaking and millinery, and the sale of products produced on the premises by such handicrafts; and the office of a physician, surgeon, chiropractor, osteopath, dentist, teacher, architect, engineer, lawyer magistrate, artist or other professional occupations; provided, however, that such occupation shall be situated entirely within the dwelling and that there be no externally visible display of stock, goods, or facilities relating to the occupation on the premises, and that not more than one (1) nameplate not exceeding fifteen (15) square feet in area containing the name and occupation of the person be displayed.

State law references: Residence used to give instruction in craft or fine art deemed home occupation, MCL 125.271a.

Mobile home. A structure, transportable in one (1) or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

State law references: Similar definition, MCL 125.2302(g).

Recreational vehicle. A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle.

State law references: Similar definition, MCL 125.2302(l).

Yard. A space open to the sky between a building and the lot or property lines of the parcel of land on which located, unoccupied or unobstructed by any encroachment or structure.

(1) *Yard, front* . A yard across the full width of a lot or parcel of land extending from the front line of the building to the front line of the lot, or the highway right-of-way line, as the case may be.

(2) *Yard, side* . A yard extending from the front yard to the rear lot line, and from the side line of the building to the side lines of the lot or parcel of land on which the building is located, or from any accessory building attached to the main building.

(3) *Occupancy of yard space* . A side yard may be used for the parking of any motor vehicle in active service, but not for the parking, storage or dismantling of motor vehicles, machinery or other structures.

Section 1.04. Validity.

This Ordinance and the various parts, sections, subsections, sentences, paragraphs, phrases, and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, paragraph, phrase or clause is declared invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Clayton Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, sentence, paragraph, phrase and clause thereof irrespective of the fact that any one (1) or more parts, sections, subsections, sentences, paragraphs, phrases or clauses be declared invalid.

Section 1.05. Enactment and effective date.

A. Enacted by the Township Board, Clayton Township, Arenac County, on _____.

B. The provisions of this Ordinance are hereby declared to be necessary for the public welfare, health,

peace, safety and morals, and shall be in effect on and after _____.