

DIVISION 1. GENERALLY

Section 2.01. Zoning Administrator.

The provisions of this Ordinance shall be administered and enforced by the Township Zoning Administrator, appointed by the Clayton Township Board for such term and subject to such conditions and at such rate of compensation as said Board shall determine as reasonable. For the purpose of this Ordinance, he/she shall have the power of a police officer.

Section 2.02. Land Use Permit.

A. No building or structure subject to the provisions of this Ordinance shall hereafter be erected, reconstructed or moved on any premises until application for a Land Use Permit has been filed with the Township Zoning Administrator on duplicate forms provided by the Township, and the Zoning Administrator has issued such Permit.

B. The application shall be signed by the owner of the premises or his agent, and shall certify that all provisions of this Ordinance and other applicable laws are to be complied with. The application shall be filed not less than ten (10) days prior to the intended initiation of any work on the premises, and shall be accompanied by a blueprint or pen and ink sketch to scale in duplicate showing the location and dimensions of the premises, the kind and location on the premises of the building or structure, including accessory buildings or structures under consideration, and the kind and location of the sewage disposal and water supply facilities.

C. Whenever the buildings, structures and uses as set forth in the application are in conformity with the provisions of this Ordinance, the Zoning Administrator shall issue the owner a Land Use Permit within ten (10) days of the filing thereof. Where action of the Board of Appeals is required in any case, the Zoning Administrator shall issue such Permit within ten (10) days of such action. In any case where a Permit is refused the cause shall be stated in writing to the applicant.

D. Any Land Use Permit under which no work is done within six (6) months from date of issuance shall expire by limitation, but shall be renewable upon reapplication and on payment of the original fee, subject, however, to the provisions of all ordinances in effect at the time of renewal.

E. The Zoning Administrator shall have the power to revoke or cancel any Land Use Permit in case of failure or neglect to comply with the provisions of this Ordinance, or in the case of false statements or misrepresentation made in the application. The owner shall be notified of such revocation in writing.

F. Within five (5) days after receiving written notification of compliance with the provisions of this Ordinance after a Land Use Permit has been revoked, the Zoning Administrator shall inspect the premises and issue the owner a Land Use Permit if the building, structure and use are in conformity with this Ordinance.

G. For each Land Use Permit the fee shall be paid to the Zoning Administrator, who shall place the same in the general fund of the Township, or separate zoning fund. No Permit shall be valid until the required fees have been paid. No separate fee shall be required for accessory buildings or structures when application therefor is made at the same time as the principal building or structure. The fees shall be as follows:

(1) For each Land Use Permit issued for site-built homes, additions to existing homes (mobile homes included), and storage sheds of less than two hundred (200) square feet, a fee of twenty-five dollars (\$25.00) will be charged. Two (2) inspections will be made.

(2) For each Land Use Permit issued for mobile homes, a fee of twenty-five dollars (\$25.00) will be charged. Two (2) inspections will be made.

(3) For each Land Use Permit for garages, pole barns, and miscellaneous buildings, a fee of

twenty-five dollars (\$25.00) will be charged. Two (2) inspections will be made.

(4) For each inspection of a mobile home before it is brought into the Township, a fee of fifty dollars (\$50.00) plus mileage will be charged if the mobile home is in Arenac County. If the mobile home is outside of Arenac County a fee of fifty dollars (\$50.00) plus mileage will be charged. If the mobile home is already in Clayton Township a fee of twenty-five dollars (\$25.00) plus mileage will be charged.

H. It shall be the duty of all architects, contractors and other persons having charge of erection, reconstruction or movement of a building or structure subject to the provisions of this Ordinance, before undertaking any such work, to determine that the Land Use Permit has been granted therefor; and all such persons performing any work in violation of the provisions of this Ordinance shall be deemed guilty of a violation to the same extent as the owner of the premises.

Section 2.03. Sanctions for violations.

A. Any person or other entity who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule:

TABLE INSET:

	Minimum	Maximum
First violation within a 3-year period*	\$50.00	\$500.00
Second violation within a 3-year period*	\$125.00	\$500.00
Third violation within a 3-year period*	\$250.00	\$500.00
Fourth or subsequent violation within a 3-year period	\$400.00	\$500.00

**determined on the basis of the date of the violation(s)*

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the Township has been put in connection with the violation. In no case, however, shall costs of less than nine dollars (\$9.00) or more than five hundred dollars (\$500.00) be ordered. A violator of this Ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

B. The Clayton Township Board, the Board of Appeals, the Prosecuting Attorney of Arenac County or any owner or owners of real estate within the zoning district in which such building, structure or premises is situated may institute injunction, mandamus, abatement or any other appropriate action, or proceedings to prevent, enjoin, abate, or remove any said unlawful erection, alteration, maintenance or use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

C. If a permit is not obtained in accordance with any provision of this Ordinance, but is applied for after notification of violation, an additional fee of one hundred dollars (\$100.00) will be added to the land use permit fee that applies.

Section 2.04. Procedure for initiating and processing an amendment.

Each petition by one (1) or more persons for an amendment shall be submitted to the Clayton Township Zoning Board through the Zoning Administrator in writing or on a standard form provided and shall be accompanied by a fee of twenty-five dollars (\$25.00) to cover administrative and publication costs. No part of such fee shall be returnable to a petitioner if a public hearing is held or a special meeting of the Zoning Board is held.

State law references: Zoning amendment procedure, MCL 125.272.