

ARTICLE 22

ADMINISTRATION AND ENFORCEMENT

Sec. 22.01 ZONING ADMINISTRATION

The provisions of this Ordinance shall be administered by the Otsego Township Board in accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as may be amended).

The Township Board shall appoint a Township Zoning Administrator who shall be responsible for the administration and enforcement of this Zoning Ordinance. The Ordinance Enforcement Officer(s) appointed by the Township Board pursuant to Article I of Chapter 28 of the Code of Otsego Township shall also have authority to enforce this Zoning Ordinance, which authority shall be supplemental and in addition to the enforcement authority of the Zoning Administrator.

Sec. 22.02 ELIGIBILITY

The Zoning Administrator shall have no interest, directly or indirectly, in any matter pertaining to a building permit, application for a special use permit, appeal or other matter related to this Zoning Ordinance. In the event of a conflict of interest related to the administration or enforcement of this Ordinance, the Township Board shall appoint a substitute Zoning Administrator without interest in the matter under consideration

Sec. 22.03 DUTIES AND ENFORCEMENT POWERS

The Zoning Administrator shall have the powers of law enforcement official in enforcing this Ordinance. Typical duties of the Zoning Administrator shall include, but not be limited to:

- (a) Maintaining adequate records of applications, permits issues, inspections conducted, construction plans, and fees collected;
- (b) Publishing building permits monthly;
- (c) Assisting persons to bring zoning questions before the Planning Commission or Zoning Board of Appeals;
- (d) Conducting inspections related to zoning enforcement;

- (e) Advising the Township Board, Planning Commission and Zoning Board of Appeals in the applications and petitions that come before these bodies;
- (f) Serving as a liaison between members of the zoning bodies and the public;
- (g) Using all permits or notices of violation provided for in this Ordinance or under written order of the appropriate Board of Appeals, the Township Board or a court of jurisdiction.

Sec. 22.04 ZONING VERIFICATION PERMIT

- (a) No lot, parcel or tract of land shall hereafter be divided, sub-divided or otherwise created unless a zoning verification permit has been obtained from the Zoning Administrator. Such zoning verification permit shall certify that the proposed or requested land division is in compliance with the terms, provisions and restrictions of this Ordinance
- (b) No building or structure subject to the provisions or restrictions of this ordinance shall be commenced or constructed, altered to increase its size or roof line, enlarged, or moved, in any zoning district, until a zoning verification permit has been issued by the Zoning Administrator. Such zoning verification permit shall certify that the proposed or requested land use in compliance with the terms, provisions and restrictions of this Ordinance.
- (c) The zoning verification permits shall be on such forms as are approved by the Otsego Township Board. Compliance with the terms, provisions and restrictions of this Ordinance shall make issuance of a zoning verification permit mandatory except that any other violations of this Ordinance by the same property owner or application, within Otsego Township, which are unresolved on the date of such application shall be grounds for denial of a zoning verification permit.

Sec. 22.05 BUILDING PERMITS AND PLANS

No building or structure subject to the provisions or restrictions of this Ordinance shall be commenced or constructed, reconstructed, erected, altered, enlarged or

moved, in any zoning district, until a building permit and other construction code permits have been issued by the Otsego Township Building Official, in the event such permits are required by township or county ordinances or state statutes. Such construction, without the required permits, shall invalidate the zoning verification permit, and continued construction shall constitute a violation of the Otsego Township Zoning Ordinance

Sec. 22.06 ISSUANCE, CANCELLATION, AND EXPIRATION OF PERMITS

Timely Issuance of Permits – If a permit required by this Article is approved it shall be promptly issued, provided the Zoning Administrator shall have a reasonable period of time to review all applications, plans and specifications and to conduct inspections and investigations as necessary to determine compliance with this Ordinance.

Permit Conditions – If a permit required by this Article is issued with any conditions, such conditions shall be made a part of the permit and stated in writing and shall be noted on the endorsed building plans. If a permit required by this Article is denied the reasons for denial shall be transmitted to the applicant in writing.

Permits Non-transferable – All permits issued as a requirement of this Article are non-transferable unless permission to transfer is granted in writing by the Zoning Administrator. All copies of a permit authorized to be transferred must be duly endorsed.

Cancellation of a Permit – The Zoning Administrator is empowered to cancel or suspend any permit required by this Article for violation of any provision or requirement of this Ordinance or for fraud or misrepresentation in the procurement of such permit. The Zoning Administrator shall provide written notification of cancellation or suspension of a permit either in person or by certified mail to the address shown on the application. Such notice shall include reasons for cancellation or suspension.

Inspections – The Zoning Administrator may make inspections at such times as the Zoning Administrator reasonably believes are necessary to fulfill the Zoning Administrator's duties under the Otsego Township Zoning Ordinance.

Expiration of Permit – All permits required by this Article shall expire one (1) year from date of issue. The Zoning Administrator may, upon determination of meritorious reason, extend the permit as the Zoning Administrator may deem necessary for completion.

Sec. 22.07 EXEMPTION FROM PERMIT REQUIREMENTS

No zoning permits shall be required for incidental repairs and maintenance to structure not involving either: (a) enlargements or additions thereto, or (b) modifications of roof lines.

Sec. 22.08 BUILDING PERMIT NOT ISSUED - FEES

The Otsego Township Board shall adopt a schedule of fees for zoning permits and occupancy permits. These fees shall remain in effect until amended from time to time as the Board shall deem appropriate.