

## Article 2 GENERAL ADMINISTRATION, ENFORCEMENT, and PENALTIES

### **Section 2.1 Purpose**

It is the purpose of this Article to provide for the administration and enforcement of this Ordinance, including the creation of a review and permit process. The primary permit process shall require the issuance of a Zoning Permit, which shall indicate that the uses and plans for which the permit is requested comply with this Ordinance. Upon the issuance of a Zoning Permit, and subsequent issuance of a Zoning Post-Construction Compliance Certificate demonstrating all completed site modifications comply with the Zoning Permit, the applicant may establish the use for which the Zoning Permit has been issued, including the erection of a building or structure, provided a building permit has been obtained from the Building Inspector demonstrating conformance to the requirements of the Building Code.

### **Section 2.2 Zoning Permit Required**

**A. When a Zoning Permit is Required:** Except as provided in subsection (C) below, none of the following shall occur until the Zoning Administrator has issued a zoning permit that shall signify the proposed activity conforms to the requirements of this Ordinance and, where required by state law, the Building Inspector certifies proposed structures and buildings comply with the Building Code through the issuance of a building permit:

1. Grading and excavation.
2. The erection, enlargement, alteration, movement or demolition of any wall, structure or building.
3. The use of any land or building or change in the use of any land or building, as delineated in the Permitted Uses tables of Article 3, including the conversion of an abandoned building to an active use.

**B. Zoning Permit Form / Approval:** A zoning permit shall be on a form established for such purpose and the completed form shall identify the specific use authorized, the drawings that graphically portray the proposed alterations and improvements to the property, and any conditions made part of such permit. No zoning permit shall be issued for any structure, building or use of land where the use, construction, addition, or alteration would be in violation of this Ordinance. See Section 2.4 regarding application review procedures.

**C. Zoning Permit Exemption:** A zoning permit shall not be required for the following or as provided elsewhere in this Ordinance, but the following shall be subject to the standards and other requirements of this Ordinance:

1. Buildings and other structures that occupy a ground area of less than two hundred (200) sq. ft.
2. The alteration of any wall of any building provided no change is made to the location of an exterior wall. A building permit may be necessary for such an alteration pursuant to the Building Code.
3. The repair and/or replacement of exterior building features such as siding, roofing, windows and similar features, provided such modifications comply with any previously issued permits where such permits were based on specific exterior materials such as in the case of the approval of a site plan and/or special land use application that was contingent on specific proposed exterior materials and architecture. A building permit may be necessary for such alterations pursuant to the Building Code.
4. Fences and walls located on a lot used for single-family or two-family dwelling purposes, or erected for the purpose of confining livestock part of an agricultural operation.
5. Grading and/or excavation in association with ground care, landscaping or agricultural field contouring.

### **Section 2.3 Responsibility for Administration**

**A. General Administration:** The administration and enforcement of this Ordinance shall be the responsibility of the Township Board, Planning Commission, Zoning Board of Appeals, and such personnel as designated by the Township Board in accordance with P.A. 110 of 2006, as amended, and this Ordinance. The Township Board shall appoint a Zoning Administrator who shall act as an officer in the administration and enforcement of this Ordinance. The Zoning Administrator may simultaneously serve as the Building Inspector.

**B. Duties of the Zoning Administrator:** Under no circumstances is the Zoning Administrator permitted to make changes in this Ordinance, nor to vary the terms of this Ordinance while carrying out the duties prescribed herein. The Zoning Administrator shall perform the duties specified in this Ordinance including, at a minimum:

1. Provision of Application Forms: The Zoning Administrator shall make available administration forms as necessary for the efficient and comprehensive administration of this Ordinance.
2. Review Applications: The Zoning Administrator shall undertake and/or assist in the review of zoning permit applications and other applications made under this Ordinance as may be requested, including applications for plot plans, site plans, special land use approvals, amendments and variances.

3. Issue Zoning Permits and Zoning Post-Construction Compliance Certificate: The Zoning Administrator shall issue zoning permits and other approvals when all provisions of this Ordinance have been met and the necessary approval has been granted by the designated body or official, including in association with plot plans, site plans, special land uses and variances. The Zoning Administrator shall issue Zoning Post-Construction Compliance Certificates upon determination that all site improvements are in compliance with the site modifications authorized by the Zoning Permit.
4. Issue Zoning Permit Denials: The Zoning Administrator shall issue zoning permit denial correspondences, notifying an applicant of such action and the basis for the denial.
5. File of Applications: The Zoning Administrator shall maintain files of all applications submitted under this Ordinance, actions on such applications, and any performance guarantees associated with permits.
6. Inspections and Violations: The Zoning Administrator shall investigate or assist in the investigation and resolution of violations of this Ordinance including inspections to investigate, monitor and ensure conformance with this Ordinance. The Zoning Administrator is authorized to issue notice of violations and municipal civil infraction citations pursuant to Section 2.12.
7. Record of Complaints: The Zoning Administrator shall maintain a record of any complaint of a violation of this Ordinance and of the action taken consequent to each complaint.
8. Maintain a Record of Official Ordinance Interpretations: The Zoning Administrator shall keep a record of any official interpretation of any aspect of this Ordinance rendered by the Zoning Board of Appeals according to Article 16.
9. Disburse Public Information: The Zoning Administrator shall make available to officials and the public copies of this Ordinance as the need may arise or as may be requested, and provide other Ordinance information as the need or requests may arise.
10. Reports/Meetings: The Zoning Administrator shall report to the Planning Commission, Zoning Board of Appeals, and Township Board, to report on activities pertaining to the issuance of permits, complaints of violation, actions taken on such complaints, and other Ordinance administrative and enforcement matters as may arise. The Zoning Administrator shall attend meetings of the Planning Commission, Zoning Board of Appeals, and Township Board, as may be requested.

## **Section 2.4 General Zoning Permit Application Procedures / Single and Two-Family Dwellings**

**A. General Application and Review Procedures:** An application for a zoning permit shall be available from the Zoning Administrator. Upon approval of the application, which is to include, at a minimum, the application form and all required supporting data and documents including a plot plan or site plan, a zoning permit shall be issued.

1. Agricultural Buildings, Single-Family Dwellings and Two-Family Dwellings: Whenever the Zoning Administrator determines an application for an agricultural building, single-family dwelling or two-family dwelling, and accessory uses and structures thereto, is in conformity with the provisions of this Ordinance, the Zoning Administrator shall issue the zoning permit. See Section 2.4(B).
2. Buildings and Structures Not Associated with Single-Family or Two-Family Dwellings: Zoning permit applications for uses, buildings and structures not associated with a single-family or two-family dwelling shall be issued by the Zoning Administrator upon completion of the approval process specific to the application in question.
3. Plot Plan / Site Plan: An application for a zoning permit shall include the submittal of a plot plan or site plan. An application for agricultural buildings, single family dwellings, and two-family dwellings, and accessory structures thereto, shall include the submittal of a plot plan according to subsection (B) below. A site plan shall be required for all other uses, structures and buildings and shall be prepared according to Article 14 (Site Plan Review) unless provided otherwise by this Ordinance.
4. Special Land Uses: In addition to meeting the site plan requirements of Article 14, a zoning permit application for a use classified as a "special land use" according to the Permitted Uses tables of Article 3, or elsewhere in this Ordinance, shall be processed according to the provisions of Article 15 (Special Land Uses), which requires Township Board action after receipt of a Planning Commission recommendation.
5. Variances: Where the approval of a variance by the Zoning Board of Appeals pursuant to Article 16 is necessary for the approval of a proposed plot plan or site plan, no such plot plan or site plan shall be acted upon by the Zoning Administrator, Planning Commission or Township Board, nor shall such project be issued a zoning permit, until action on the variance request has first been acted upon by the Zoning Board of Appeals.
6. Incomplete Applications: If zoning permit application materials are not administratively complete when received by the body that is to take action on the application, the body may deny such application or otherwise delay action on the application until it is made complete in a readily comprehensible manner.

7. Performance Guarantees: A performance guarantee may be required as a condition to the issuance of a permit in order to ensure conformance with the requirements of this Ordinance, according to Sec. 2.8.
8. Permit Refusal in Writing: In any case where a zoning permit or other approval requested under this Ordinance is refused, the reasons shall be provided to the applicant in writing by the Zoning Administrator. Such notification may include a copy of the meeting minutes and denial motion containing such reasons.

**B. Agricultural Buildings, Single-Family and Two-Family Dwellings, and Plot Plan Approval**

1. Application: Application for a zoning permit for agricultural buildings, single family dwellings and two-family dwellings, including alterations and accessory structures and buildings thereto, shall be submitted to the Zoning Administrator on a form for that purpose. See Section 2.2(C) for exceptions. Three (3) copies of all application materials shall be submitted and shall consist of:
  - a. The completed application form, and all permit applications, approvals and supporting documents associated with required county, state or federal permits including county health department wastewater disposal permits or percolation approvals and potable water system permits, county soil erosion control and storm water management permits, county road commission driveway location permits, and state wetland permits. Approvals by county, state or federal entities are not required as part of the initial application where such entities require Township action prior to action by such county, state or federal entities.
  - b. An accurate, readable, drawing of scale not less than 1" = 50', constituting a plot plan that presents:
    - 1) Name, address and telephone number of the applicant (and owner if different).
    - 2) A scaled property line survey prepared by a Michigan-licensed surveyor drawing showing lot lines, dimensions, bearings, lot area, legal description, and an arrow pointing north.
    - 3) A scaled property drawing delineating locations of existing and proposed buildings and other structures and the footprint of each, and proposed driveway location.
    - 4) The location and footprint of existing structures, and the location, height, footprint and scaled floor plans of proposed structures to be erected, altered, or moved on the lot.
    - 5) Distances of buildings and structures from lot lines.
    - 6) A description of proposed use(s) of the building(s), land and structures.
    - 7) Configuration of the driveway and parking areas.
    - 8) Existing public and private right-of-ways and easements.
    - 9) Existing and/or proposed location of septic drain field and potable water well.
    - 10) In the case of a corner lot, the designated side and rear yard.
    - 11) Any other information deemed necessary to determine Ordinance compliance and provide for the enforcement of the Ordinance, such as wetland permits, soil and erosion control permits, and health department permits including permits for the addition of habitable space to an existing dwelling. Approvals by county, state or federal entities are not required as part of the initial application where such entities require Township action prior to action by such county, state or federal entities.
2. Application Review: The Zoning Administrator shall review a zoning permit application and determine its conformity with the provisions of this Ordinance.
3. Action on Application: After conducting a review, the Zoning Administrator shall deny, approve, or conditionally approve the application as it pertains to requirements and standards contained in this Ordinance. The applicant shall be notified in writing of the Zoning Administrator's action on the application including any conditions associated with an approval. The decision by the Zoning Administrator shall be made within fifteen (15) days of the receipt of a complete application including copies of all required county, state and federal applications and permits. A plot plan shall be approved if it contains the information required by and is in compliance with this Ordinance.
4. Approved Plot Plans: At least two (2) copies of an approved application, with any conditions contained within, shall be maintained as part of the Township records. A third copy shall be returned to the applicant. Each copy of the approved plans shall be signed and dated with the date of approval by the Zoning Administrator. If any variances from this Ordinance have been obtained from the Zoning Board of Appeals, the minutes concerning the variances, duly signed, shall also be filed with the Township records as a part of the application and delivered to the applicant.
5. Plot Plan Changes: The Zoning Administrator shall review and act on proposed changes to an approved plot plan in the same manner as described by this subsection (B).

## **Section 2.5 Zoning Permit Withholding, Revocation and Expiration**

**A. Withholding Permit:** A designated approving body, including in the case of a variance approval by the Zoning Board of Appeals, may withhold approval of an application pending verification that an applicant has received required county, state or federal permits. Similarly, such body may condition its approval of the requested application on the receipt of such permits. Approvals by county, state or federal entities are not required as part of an initial permit application where such entities require Township action prior to action by such county, state or federal entities.

**B. Revocation:** A body that grants approval of a permit or application under this Ordinance may revoke or cancel such approval in the case of failure or neglect to comply with this Ordinance, or in the case of any false statement or misrepresentation in the application. The Zoning Administrator may issue a stop work order to halt all construction activities and/or use of the premises pending a revocation decision.

### **C. Expiration of Permit:**

1. **Permit Expiration Period:** A zoning permit, including the approved plot plan or site plan upon which the permit is based and including in the case of a Special Land Use, shall expire after one (1) year from the date of granting such permit unless the development proposed or activity authorized shall have passed its first building inspection by the Building Inspector.
  - a. Where a zoning permit does not provide for an immediate building or structure, such as in the case of a platted subdivision or site condominium, such permit shall become null and void after one (1) year from the date of granting such permit unless the clearing, preliminary grading, and survey staking of roads shall have been completed within such time. Such permit shall become null and void after two (2) years from the date of granting such permit unless the construction of utilities and roads have been substantially completed.
2. **Extension of Permit Expiration Period:** The body that approved a zoning permit may waive or extend the period of time in which the permit is to expire, for multiple periods with each period not to exceed one (1) year, if it is satisfied that the owner or developer is maintaining a good faith intention to proceed with construction and even though the permit and plot/site plan may not comply with the most current standards of this Ordinance due to amendments since the issuance of the permit. In the case of a multi-phased project, the expiration of a zoning permit for a specific phase shall similarly result in the expiration of all zoning permits previously granted for subsequent phases.
  - a. In the case where the original zoning permit is to expire more than three (3) years following the initial issuance of the permit, no extension shall be granted unless the body that approved the permit finds that surrounding conditions and land uses, and the most current standards of this Ordinance, continue to support the adequacy of the plot/site plan, and the owner or developer is maintaining a good faith intention to proceed with construction.
3. **Reapplication:** Should a zoning permit expire, such use, building and/or activity shall not be initiated or continued except upon reapplication, subject to the provisions of all ordinances in effect at the time of reapplication. Upon expiration of the zoning permit, failure to terminate the use for which the permit was issued is declared to be a nuisance per se and a violation of this Ordinance.

## **Section 2.6 Required Building Permit, Zoning Post-Construction Compliance Certificate, and Occupancy Permit**

**A. Building Permit:** No grading, excavation, or construction shall be initiated prior to the issuance of a zoning permit and, where required by state law, the Building Inspector certifies proposed structures and buildings comply with the Building Code through the issuance of a Building Permit.

**B. Zoning Post-Construction Compliance Certification / Occupancy Permit:** No structure shall be occupied and no use shall be operated, in whole or in part, prior to the issuance of the following:

1. **Zoning Post-Construction Compliance Certificate:** A certificate from the Zoning Administrator certifying that the modifications to the lot including the erection of any structures are in compliance with the Zoning Ordinance and the Zoning Permit issued for such use and modifications. It shall be the responsibility of the applicant to contact the Zoning Administrator for such determination of compliance.
  - a. If the Zoning Administrator finds that all site modifications are in compliance with the Zoning Permit and this Ordinance, the Zoning Administrator shall issue to the applicant in writing a Zoning Post-Construction Compliance Certificate.
  - b. If the Zoning Administrator finds that compliance has not been established, the Zoning Administrator shall provide the applicant, in writing, any deficiencies and the manner in which such deficiencies are to be addressed.

2. Certificate of Occupancy: Approval for occupancy from the Building Inspector, pursuant to the Building Code, certifying the structure meets the requirements of the Building Code.

## **Section 2.7 Site Inspections**

**A. Inspections Authorized:** The Zoning Administrator shall have the authority to make inspections of premises, upon request at reasonable times, for the purposes of verifying information on an application, monitoring conformance with the regulations and standards of this Ordinance, and for any other purpose associated with responsibilities of the Zoning Administrator granted by this Ordinance. No person shall interfere with the Zoning Administrator in the discharge of his/her duties. The Zoning Administrator may seek an administrative search warrant in the event a property owner refuses access to a property in order to make an inspection. The Township may contract with other entities for assistance in inspections and determining the extent to which site modifications were completed in conformance with a Zoning Permit and this Ordinance, including road construction, grading and storm water systems. Such inspection fees shall be paid by the applicant prior to the issuance of a Zoning Post-Construction Compliance Certificate.

1. Rejection of an Application: If an applicant refuses access to the Zoning Administrator to property that is the subject of a current application, the Zoning Administrator may return the application as incomplete.

### **B. Required Inspections:**

1. Zoning Administrator / Building Foundation Staking: No construction shall be continued beyond the staking of proposed foundation walls until the Zoning Administrator has approved in writing such staking, upon finding that the staked foundation walls are in compliance with the approved plot plan or site plan.
2. Building Inspector / Construction Code: No construction shall be continued beyond any point where, prior to such construction, a site inspection is required by the Building Inspector according to the Michigan Construction Code including inspections required after footings and foundation forms are in place prior to the pouring of concrete, and inspections required prior to the covering of structural members.

## **Section 2.8 Performance Guarantee**

**A. Authority, Purpose, and Timing:** To ensure compliance with this Ordinance and any conditions imposed under this Ordinance, the designated approving body for an application may require that a cash deposit, certified check, irrevocable letter of credit, or surety bond acceptable to the Township and covering the estimated cost of improvements, be deposited with the Township Treasurer to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the zoning permit authorizing the activity or project. The Township may not require the deposit of the performance guarantee until it is prepared to issue the zoning permit. Except as provided by subsection (1), this section shall not be applicable to single family and two-family dwellings or improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited under the Land Division Act, Public Act 288 of 1967, as amended.

1. A performance guarantee shall be required for the demolition of any structure that exceeds four hundred (400) sq. ft. in floor area to ensure all public safety hazards associated with the demolition location are removed and the demolition area is returned to its pre-existing condition prior to the demolition, including the capping of all utilities and grading the area to meet the general surrounding ground elevation.

**B. Improvements Covered:** Improvements that shall be covered by the performance guarantee include those features of a project that are considered necessary by the body or official granting approval to protect natural resources or the health, safety and welfare of residents of the Township and future users or inhabitants of the proposed project area including roads, lighting, utilities, sidewalks, screening and drainage.

**C. Return of Performance Guarantee:** For the return of a performance guarantee or portion thereof, the applicant shall send written notice to the Zoning Administrator of completion of said improvements. The Zoning Administrator shall inspect the improvements and transmit a recommendation to the Township Board with a statement of the reasons for any recommended denial of the return of the performance guarantee or portion thereof. The Township Board shall approve, partially approve or deny the return of the performance guarantee request and shall notify the applicant in writing of the action of the Township Board within forty-five (45) days after receipt of the notice from the applicant of the completion of such improvements. Where approval or partial approval is granted, the Township Treasurer shall release the approved payment to the applicant. The portion of the performance guarantee to be returned shall be proportional to the work completed.

1. Lack of Full Completion: Should installation of improvements fail to meet full completion based on the approved permit application, the Township may complete the necessary improvements itself or by

contract to an independent contractor, and assess all costs of completing the improvements against the performance guarantee. Any balance remaining shall be returned to the applicant.

(Sec. 2.8 amended 1-21-21)

## **Section 2.9 Timely Action on Applications**

**A. General Intent:** All approvals applied for under this Ordinance shall be acted upon in a timely manner. However, in no case shall the matter of a timely decision undermine the intent of this Ordinance that all requested approvals undergo the necessary and adequate review to ensure all requirements and standards have been met and the public health, safety and welfare is preserved.

**B. Specific Guidelines:** The following time provisions shall apply unless provided otherwise by this Ordinance or special circumstances arise such as delays associated with the acquisition of county, state or federal permits or the submittal of an incomplete application. The prescribed review periods under (2) and (4) below require that an application must be received by the Zoning Administrator at least thirty (30) days prior to the meeting when the reviewing body would normally begin deliberation on such application and, if submitted within a lesser time, the reviewing body may delay initiating deliberations until its next regularly scheduled meeting or special meeting called for the purpose of deliberating said application.

1. Applications Requiring Zoning Administrator Action: A complete application for a zoning permit for an agricultural building, single-family dwelling or two-family dwelling, or an accessory structure or use thereto, shall be acted upon by the Zoning Administrator within fifteen (15) days of the submittal of a complete application.
2. Applications Requiring Planning Commission Action: Action on an application by the Planning Commission, as in the case of making a recommendation to the Township Board regarding a special land use application or amendment petition, shall occur within ninety (90) days of the applicant's submittal of a complete application. Where a public hearing is required to be held, this time frame shall be extended by thirty (30) days.
3. Applications Requiring Township Board Action: Where this Ordinance requires the Township Board to act on an application, as in the case of a site plan application or rezoning petition, the Township Board shall take action on the application within ninety (90) days of the applicant's submittal of a complete application. Where the Township Board must delay action until receipt of a recommendation from the Planning Commission, the Township Board shall take action on the application within ninety (90) days of such recommendation.
4. Applications Requiring Zoning Board of Appeals Action: Where the Zoning Board of Appeals is required by this Ordinance to act upon a request for a variance, ordinance interpretation, administrative appeal, or other request as provided by this Ordinance, the Zoning Board of Appeals shall take action on the request within sixty (60) days of the applicant's submittal of a complete application.
5. Time Provisions for Public Hearing Notices: See Section 2.11.

## **Section 2.10 Application Fees**

**A. Application Fees Required:** Fees for the administration and review of development proposals, rezoning requests, actions before the Zoning Board of Appeals, inspections and the issuance of permits required under this Ordinance shall be deposited with the Zoning Administrator in advance of processing any application. The amount of such fees shall be established by the Township Board and may be revised from time to time. Such fees shall be limited to covering actual costs incurred by the Township including costs associated with conducting meetings and inspections, public notices, postage, photocopying, staff time, mileage, and professional assistance.

**B. Professional Review and Fee:** For any application for a zoning permit, variance, or other approval under this Ordinance, the Township Board or other reviewing body may also require the payment of a professional review fee when professional assistance is desired before a decision is made, due to the character or complexity of the proposal or concern over the potential impacts of the project. The applicant is entitled to a refund of any unused professional review fee and if actual professional review costs exceed the amount of the fee, the applicant shall pay the balance due prior to final action on such application. The applicant shall receive a copy of any professional review report.

**Section 2.11 Public Hearing Notices**

**A. Hearing Notice Content:** Unless otherwise required by the Michigan Zoning Enabling Act or this Ordinance where applicable, all mail, personal and newspaper notices for public hearings shall do the following:

1. Describe the nature of the request including whether the request is for a text amendment, zoning map amendment (rezoning), special land use, variance, appeal, ordinance interpretation or other purpose.
2. Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number. No street addresses must be listed when eleven (11) or more adjacent properties are proposed for rezoning, or when the request is for an ordinance interpretation not involving a specific property.
3. Indicate the date, time and place of the hearing(s).
4. Indicate when and where written comments will be received concerning the request.

**B. Recipients and Means of Notice:** Unless otherwise required by the Michigan Zoning Enabling Act or this Ordinance where applicable, the following shall receive notice of the hearing, which notice shall include the information specified in (A) above.

1. To the general public, by publication of the hearing notice in a newspaper of general circulation in the Township.
2. To the owners of property for which approval is being considered, and the applicant if the applicant is different than the property owner, by mail or personal delivery.
3. To all persons to whom real property is assessed within 300 feet of the boundary of the project subject to the request, and to the occupants of all structures within 300 feet of the property, regardless of whether the property or occupant is located in Iosco Township, by mail or personal delivery. If the name of the occupant is not known, the term "occupant" may be used in making notification.
  - a. Subsection (3) above shall not apply in the case of rezoning requests involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property.
  - b. If a single structure contains more than four (4) dwelling units or other distinct spatial areas owned or leased by different persons, a single notice may be given to the manager or owner of the structure and such person shall be requested to post the notice at the primary entrance to the structure.
4. To each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the Township Clerk for the purpose of receiving the notice of public hearing, by mail. Such notifications need only be provided in the case of text amendments or zoning map amendments to this Ordinance.
5. To any neighborhood organization that registers its name and mailing address with the Township Clerk for the purpose of receiving all or specific notices of public hearings, by mail. Such requests must be renewed every two (2) years to maintain hearing notifications. Fees may be assessed by the Township Board for the provision of these notifications.

**C. Timing of Notice and Determination of Notice Given:** Unless otherwise required by the Michigan Zoning Enabling Act or this Ordinance where applicable, all mail, personal and newspaper notices for public hearings shall be made not less than fifteen (15) days before the date the request will be considered, including applications for zoning map amendments (rezonings), text amendments, special land uses, variances, administrative appeals and ordinance interpretations. The notice under subsection (B) shall be considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States postal service or other public or private delivery service.

**Section 2.12 Violations, Penalties and Remedies**

**A. Violations are a Nuisance Per Se:**

1. **Activity/Use:** Any activity or use of land which is commenced or conducted, or any building or structure which is erected, moved, placed, reconstructed, razed, extended, enlarged, altered, maintained, or changed, in violation of any provision of this Ordinance is hereby declared to be a nuisance per se subject to abatement pursuant to MCL 125.3407 and as otherwise provided by law.
2. **Persons:** Any person who disobeys, omits, neglects or refuses to comply with any provision of this Ordinance or any permit or other approval granted hereunder, or any lawful order or determination of the Township Board, Planning Commission, Zoning Board of Appeals, Building Inspector, Zoning Administrator, Zoning Enforcement Officer or any authorized deputy sheriff, issued pursuant to this Ordinance, shall be in violation of this Ordinance and is hereby declared to be a nuisance per se subject to abatement pursuant to MCL 125.3407 and as otherwise provided by law.

**B. Violations Are Municipal Civil Infractions / Penalties**

1. A violation of this Ordinance is a municipal civil infraction as defined by Michigan Statute and shall be punishable by a civil fine in accordance with the Iosco Township Municipal Civil Infractions Ordinance, Ordinance #29, as may be amended from time to time.

**C. Procedures:** The issuance of a civil infraction citation for a municipal civil infraction shall be in accordance with the Iosco Township Municipal Civil Infractions Ordinance, Ordinance #29, as may be amended from time to time

**D. Other Remedies:** In addition to issuance of a municipal civil infraction citation, the Township may also commence and enforce an action in a court of competent jurisdiction seeking injunctive, declaratory or other equitable relief to enforce or interpret any provision of this Ordinance, to require abatement of a violation and to seek such other relief as may be provided by law.

**End of Article 2**

*(Sec. 2.8 amended 1-21-21)*