

ARTICLE XXI
ADMINISTRATION AND ENFORCEMENT

SECTION 21.1 ENFORCEMENT

The provisions of this Ordinance shall be administered and enforced by the Building Inspector who shall be appointed by the Township Board of Dundee Township, or any other employees, inspectors, and officials as the Building Inspector may delegate to enforce the provisions of this Ordinance.

SECTION 21.2 DUTIES OF BUILDING INSPECTOR

The Building Inspector shall have the power to grant building, zoning compliance and occupancy permits, to make inspections of buildings or lots necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Building Inspector to approve any plans or issue a building or occupancy permit for any excavation or construction until he has inspected such plans in detail and found them in conformity with this Ordinance. To this end, the Building Inspector shall require that every application for a building or occupancy permit for excavation, construction, moving or alteration or change in type of use or the type of occupancy, be accompanied by written statement and a plot plan or plats drawn to scale, in duplicate, and showing the following, in sufficient detail to enable the Building Inspector to ascertain whether the proposed work or uses is in conformance with this Ordinance. (Eff. 4/03)

1. The actual shape, location and dimensions of the lot, and the lines of the lots or parcels under separate ownership contained herein.
2. The shape, size and location of all buildings or other structures to be erected, altered or moved, and of any buildings or other structures already on the lot.
3. The existing and intended use of the lot and of all such structures upon it, including, in residential areas, the number of dwelling units the building is intended to accommodate.
4. The width and alignment of all abutting streets, alleys, easements of access and public open spaces.
5. In the case of an application for other than a residence, the applicant shall also furnish a sworn statement stating all uses to which he proposes to put the property or any proposed building on the property.
6. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being observed.

If the proposed excavation, construction, moving, alteration or use of land as set forth in the application are in conformity with the provisions of this Ordinance, the Building Inspector shall issue a building permit within ten (10) days after the receipt of such application. If any application for such permit is not approved, the Building Inspector shall state in writing on the application, the cause for such disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this Ordinance. A record of all such applications shall be kept on file by the Building Inspector.

Whenever an application for a building permit indicated the necessity for constructing an on-site sewage disposal system and/or water well system on the premises, the Building Inspector shall not issue such permit unless the Monroe County Health Department shall have approved the site for the construction of such facilities.

The Building Inspector is under no circumstance permitted to grant _exceptions to the meaning of any clause, order, or regulation contained in this Ordinance to any person making application to excavate, construct, move, alter or use buildings, structures or land within the Township.

All building permits shall be conspicuously posted on the premises.

SECTION 21.3 BUILDING PERMITS

The following shall apply in the issuance of any permit:

1. *Permits Required:* It shall be unlawful for any person to commence excavation for, or construction of, any building or structure, structural changes, or repairs in any existing building or structure, or moving of an existing building, without first obtaining a Building Permit from the Building Inspector. No permit shall be issued for construction, alteration, or remodeling of any building or structure until an application has been submitted in accordance with the provisions of this Ordinance showing that the construction proposed is in compliance with the provisions of this Ordinance, with the Building Code, and with other applicable ordinances.

"Alteration" or "repair" of an existing building or structure, shall include any changes in structural members, stairways, basic construction type, kind or class of occupancy, light or ventilation means of egress or ingress, or any other changes affecting or regulated by the Building Code, the Housing Law of the State of Michigan, or this Ordinance, except for minor repairs or changes not involving any of the aforesaid provisions.

2. *Permits for New Use of Land:* A Building Permit shall also be obtained for the new use of land, whether land is presently vacant or a change in land use is proposed.
3. *Permits for New Use of Buildings or Structures:* A Building Permit shall also be obtained for any change in use of an existing building or structure to a different class or type.
4. *Accessory Buildings:* Accessory buildings when erected at the same time as the principal building on a lot and shown on the application thereof, shall not require a separate building permit.
5. All building permits, when issued, shall be valid for a period of one (1) year only but may be extended for a further period of not to exceed one (1) year, if said Building Inspector shall find good cause shown for failure to complete work for which said permit was issued; provided that the exterior of any such structure must be completed within one (1) year from the date of the original issuance of a building permit.

Should the holder of a Building Permit fail to complete the work for which said permit was issued within the time limit as set forth above, any unfinished structure is hereby declared a nuisance, per se and the same may be abated by appropriate action before the Circuit Court of the County. The Board of Zoning Appeals, the Township Board, any person designated by the Township Board or any aggrieved person may institute a suit to have the nuisance abated.

SECTION 21.4 CERTIFICATES OF OCCUPANCY

It shall be unlawful to use or permit the use of any land, building, or structure for which a Building Permit is required, and to use or permit to be used any building or structure hereafter altered, extended, erected, repaired, or moved, until the Building Inspector shall have issued a Certificate of Occupancy stating that the provisions of this Ordinance have been complied with. The following provisions shall apply:

1. *Records of Certificates:* A record of all Certificates of Occupancy shall be kept in the office of the Building Inspector, and copies of such Certificates shall be furnished upon request to a person or persons having proprietary or tenancy interests in the property involved.
2. *Certificates for Accessory Buildings to Dwellings:* Accessory buildings or structures to dwellings shall not require a separate Certificate of Occupancy, but rather may be included in the Certificate of Occupancy for the principal dwelling, building or structure on the same lot when such accessory building or structures are completed at the same time as the principal use.
3. *Temporary Certificates:* Certificates of Temporary Occupancy may be issued for a part of a building or structure prior to the occupation of the entire building or structure, provided that such Certificate of Temporary Occupation shall not remain in force more than six (6) months, nor more than five (5) days after the building or structure is fully completed and ready for occupancy, and provided further that such portions of the building or structure are in conformity with the provisions of this Ordinance.
4. *Application for Certificates of Occupancy:* Any person applying for a Building Permit shall at the same time apply to the Building Inspector in writing for a Certificate of Occupancy. It shall be the duty of such person to notify the Building Inspector upon completion of the building or structure. The Building Inspector shall, within five (5) business days after actual receipt of such notification, inspect such building or structure, or part thereof, or if the proposed use of the premises is in conformity with this and other applicable ordinances and laws, the Building Inspector shall forthwith issue a Certificate of Occupancy therefore. If the Building Inspector shall determine that a violation exists, he shall not issue a Certificate of Occupancy and shall forthwith notify the applicant of such refusal and the cause therefore.

SECTION 21.5 FEES

Fees for inspection and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance shall be collected by the Building Inspector in advance of the issuance of such permits or certificates. The amount of such fees shall be established by the Township Board and shall cover the cost of inspection and supervision from the enforcement of this Ordinance.

SECTION 21.6 ZONING COMPLIANCE PERMITS (Ord. 4-03)

A zoning compliance permit must be obtained for certain buildings or structures, listed below, where a building permit is not required by the Building Code. The permit shall be approved before the building or structure is erected, altered or moved. Such buildings and structures include:

1. agricultural buildings,
2. fences that are less than 6 feet in height,

3. one-story detached accessory buildings that have a floor area less than 120 square feet, and
4. sidewalks and driveways.

The Building Inspector shall require that every application for a zoning compliance permit be accompanied by a written statement and a plot plan drawn to scale that shows the following in sufficient detail to enable the Building Inspector to ascertain whether the proposed building or structure is in conformity with this Ordinance.

1. The actual shape, location and dimensions of the lot.
2. The shape, size and location of existing buildings and structures already on the lot.
3. Utility or other easements on the lot.
4. The shape, size and location of the proposed buildings and/or structures.
5. In the case of a proposed building, the intended use of such building.
6. Such other information concerning the lot or the proposed buildings and structures as may be essential for determining whether the provisions of this Ordinance are being observed.

SECTION 21.7 PUBLIC HEARINGS

In instances where a public hearing is required under this ordinance with the Planning Commission or the Zoning Board of Appeals, written notice of the public hearing shall be made as follows:

1. **Notice Content:** The notice shall do all of the following:
 - a. Describe the nature of the request.
 - b. Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the 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. If there are no street addresses, other means of identification may be used.
 - c. State when and where the request will be considered.
 - d. Indicate when and where written comments will be received concerning the request.
2. **Notice Publication and Delivery:** Notice shall be published and delivered no less than

fifteen (15) days prior to the public hearing as follows:

- a. Notice of the request shall be published in a newspaper of general circulation in the Township.
 - b. Notice shall be sent by mail or personal delivery to the owners of property for which approval is being considered.
 - c. Notice shall also be sent to all persons to whom real property is assessed within three hundred (300) feet of the property and to the occupants of all structures within three hundred (300) feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.
3. **Ordinance Amendments and Rezoning of More Than 10 Properties:** Public hearings for an amendment to the zoning ordinance, or the zoning map that affects eleven (11) or more properties shall only require notice in a newspaper, which shall not be required to indicate the property subject to the request under 21.07.1.b above, and notice shall not be required to be mailed to individual properties under 21.07.2.b and c. above.
 4. **ZBA Interpretations and Appeals:** Public hearings for ordinance interpretations and appeals of administrative decisions by the Zoning Board of Appeals shall only require notice in a newspaper, as required in 21.07.2.a. above and if the interpretation or appeal of an administrative decision involves a specific property, notice shall also be given to the person bringing the appeal, as required in 21.07.2.b above. Variances shall require full notification under 21.07.2.a. through c. above.