

SUGAR ISLAND TOWNSHIP

6401 E. 1 ½ MILE ROAD
SAULT SAINTE MARIE, MICHIGAN 49783



ZONING ORDINANCE

SUGAR ISLAND TOWNSHIP
PLANNING AND ZONING COMMISSION

1979

REVISED 1994

SUGAR ISLAND TOWNSHIP ZONING ORDINANCE

An ORDINANCE to establish zoning districts and regulations in SUGAR ISLAND TOWNSHIP, County of Chippewa, State of Michigan, in accordance with the provisions of Act 184 of the Public Acts of 1943, as amended; to provide for the administration, including penalties for the violation thereof; to provide for a Township Zoning Board and to provide for a Board of Appeals.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF SUGAR ISLAND, CHIPPEWA COUNTY, MICHIGAN, ORDAINS:

ARTICLE 1 PREAMBLE

Section 1.01 SHORT TITLE

This ordinance shall be known as the SUGAR ISLAND Zoning Ordinance.

Section 1.02 PURPOSES

The fundamental purpose of this ordinance is to promote the public health, safety, morals and general welfare. The provisions are intended to encourage the use of lands and natural resources in the township in accordance with their character and adaptability; to limit the improper use of land; to reduce hazards to life and property; to provide for the orderly development of the township; to avoid overcrowding the population, to provide for adequate light, air and health conditions in dwellings and buildings hereafter erected or altered; to lessen congestion on the public roads and streets; to protect and conserve natural recreational areas, agricultural areas, residential areas and other areas naturally suited to particular use to facilitate the establishment of an adequate and economic system of transportation, sewage disposal, safe water supply, education, recreation and other public requirements; to conserve the expenditure of funds for public improvements; and services to conform with the most advantageous use of land, resources and properties; to promote the best uses of land and resources of the township by both the community in general and the individual inhabitant.

Section 1.03 GENERAL PROCEDURE

To achieve the purpose of this ordinance, the township has been divided into zoning districts of varied shape, kind and area, and regulations adopted for each such district, but with due consideration for the character of each district, its peculiar suitability for particular purposes, the conservation of property values and natural resources, and the general trend and character of land, buildings and population development.

ARTICLE II DEFINITIONS

Section 2.01

For the purpose of this ordinance, certain terms are herewith defined. When no consistent with the context, words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number. The word "shall" is always mandatory and not merely directory.

Section 2.02 ACCESSORY BUILDING

A supplemental building or structure on the same lot, or part of the main building occupied by or devoted exclusively to an accessory use.

Section 2.03 ACCESSORY USE

A use naturally or normally incidental to, subordinate to, and devoted exclusively to the main use of the land or building.

Section 2.04 ALLEY

A public thoroughfare or way not less than thirty (30) feet wide and which affords only a secondary means of access to abutting property.

Section 2.05 ALTERED

Any change in the location or use of the building or structure and/or any change in the construction or the structural members of a building or structure such as bearing walls, columns, posts, beams, girders and similar components.

Section 2.06 BASEMENT AND CELLAR

(a) A basement is that portion of a building partly below the grade but so located that the vertical distance from the average grade to the floor is less than the vertical distance from the average grade to the ceiling.

(b) A cellar is that portion of a building partly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling.

Section 2.07 BOARDING HOUSE

Primarily a family dwelling where meals with or without lodging are furnished for compensation on a weekly or monthly basis to three or more persons who are not members of

the family occupying and operating the premises, but not necessarily to anyone who may apply.

Section 2.08 BUILDING

Any structure, wither temporary or permanent, having a roof and used or built for the shelter or enclosure of persons, animals, chattels or property of any kind. this shall include tents, awnings, vehicles whether mounted or not on wheels and situated on private property and used for the purpose of a building.

Section 2.09 BUILDING, HEIGHT OF

The vertical distance from the established grade at the center of the front of a building, to the highest point of the roof surface if a flat roof, to the deck line from mansard roofs, and the mean height level between eaves and ridge for gable, hip, and gambrel roofs.

Section 2.10 CABIN

Any building or structure which is maintained, offered or used for overnight sleeping quarters or for temporary occupancy by transients.

Section 2.11 CABIN CAMP

Any site, lot, tract or parcel of land on which two (2) or more cabins are located.

Section 2.12 DWELLING

Any building or structure, trailer home or mobile home, or part thereof, occupied as the home, residence or sleeping place of one or more persons either permanently or transiently except cabins and trailer coaches. Where only part of a building or structure is occupied for dwelling purposes, the part so occupied shall comply with all provisions applicable to dwellings in the district in which said building or structure is located except where specific exemption is provided by other sections of this ordinance.

One-Family Dwelling

A dwelling occupied by but one (1) family, and so designed and arranged as to provide living, cooking and kitchen accommodations for one (1) family only.

Two-Family Dwelling

A dwelling occupied by but two (2) families and so designed and arranged as to provide independent living, bath and kitchen accommodation for two (2) families only.

Section 2.13 ERECTED

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

Section 2.14 ESSENTIAL SERVICES

The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions, of underground or overhead, gas, electrical, steam or water transmission or distribution system, collection, communication, supply or disposal system, including poles, wires, mains, drains, sewers, pipes, conduits, cables, towers, fire alarms boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings, reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare.

Section 2.15 FAMILY

Any number of individuals living together and cooking together on the premises as a single non-profit housekeeping unit, as distinguished from a group occupying a hotel, club or similar structure, together with all necessary employees of the family.

Section 2.16 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 be considered a farm, hereunder shall include a contiguous unplatted parcel of no less than twenty (20) acres in area; provided, further that greenhouses, nurseries, orchards, apiaries, chicken hatcheries, poultry farms and similar specialized agricultural enterprises may be considered as farms; but establishments keeping or operating fur-bearing animals, game, fish hatcheries, dog kennels, stock yards, slaughter houses, stone quarries, or gravel or sand its shall not be considered farms hereunder unless combined with and constituting only a minor part of bona fide farm operations on the same continuous tract of land. Nor shall premises operated as fertilizer works, bone yards, or for the reduction of animal matter, or for the disposal of garbage, sewage, rubbish, offal or junk constitute a farm hereunder.

Section 2.17 FARM BUILDINGS

Any building or structure, other than a dwelling, moved upon, maintained, used or built on a farm which is essential and customarily used on farms in the pursuit of agricultural activities.

Section 2.18 FARM DWELLING

Any dwelling located on a farm as defined by this ordinance and occupied as the home, residence or sleeping place of the owner-operator, manager or tenant farmer of that farm.

Section 2.19 GARAGE, PRIVATE AND COMMERCIAL

(a) A private garage is any building, or part thereof, not over one story or twenty (20) feet in height for storage of motor vehicles or trailer coaches where no servicing for profit is conducted.

(b) A commercial garage is any garage other than a private garage.

Section 2.20 GRAVEL OR SAND PITS

A gravel or sand pit is a place where gravel and sand is removed, and must be an area of not less than twenty (20) acres in size, setback lines to be one hundred fifty (150) feet from property lines and two hundred (200) feet from road right of way.

Section 2.21 HIGHWAY

Any public thoroughfare in the township road system, including county, federal and state roads and highways where and whether of depressed surface, or elevated construction.

Section 2.22 HOME OCCUPATION

A gainful occupation conducted by members of the family only within its place of residence; provided, that the space used is incidental to residential use and that no article is sold or offered for sale except such as is produced by such home occupation, and provided further, that there is not external display of such articles. Clinics, hospitals, barber shops, tea rooms, tourist homes, animal hospitals, animal boarding establishments, or the production of any kind of livestock shall not be deemed home occupation.

Section 2.23 JUNK YARD

Any parcel of land maintained or operated for the purchase, sale, storage, dismantling, demolition, or use of junk including scrap metals, motor vehicles, machinery, and building construction materials, or parts thereof.

In consideration for those that have anything comparable to above 2.23 section that are back in the woods, out of sight, off the roads, above section shall not apply. The Township Clerk will issue a permit.

Parked or abandoned cars or vehicles on roads more than twenty-four (24) hours, shall

be towed away at owner's expense, plus a \$20 fine, as they create a safety hazard to general public and road crews.

Section 2.24 JUNK

Worn out and discarded material that may be returned to some use, and rubbish of any kind. In addition, person or persons shall purchase from Township Clerk a permit to operate any of above Section 2.23 and 2.24 costing \$300.00. Area must be enclosed by an eight foot (8') high fence of solid material. It must be set back four hundred feet (400') from any public thoroughfare.

Any parcel of land or residence having several unlicensed motorized vehicles, shall conform to above 2.24 (a) or be subject to \$100.00 fine or ninety (90) days in jail.

Littering along any public thoroughfare, beer cans, bottles, garbage, junk, etc., shall be subject to \$300.00 fine or ninety (90) days in jail on conviction.

Section 2.25 LOT

The parcel of land on which one (1) principal building and its accessories are located or intended to be located together with any open spaces required by this ordinance.

Section 2.26 LOT LINES

FRONT LOT LINES - The line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line and the shorter street shall be considered the front lot line. In the event of any lot, as defined by this ordinance, fronts upon right-of-way, then the right-of-way line crossing such lot shall be deemed the front lot line.

REAR LOT LINES - The line opposite the front lot line.

SIDE LOT LINES - Any lot lines other than the front lot line and the rear lot line.

Section 2.27 MOTEL

A building made up of two or more separate living or sleeping quarters used independently of each other and used principally for overnight accommodations.

Section 2.28 NON-CONFORMING STRUCTURE

A structure conflicting or land conflicting with the provisions of this ordinance.

Section 2.29 NON-CONFORMING USE

The use of a structure or land conflicting with the provisions of this ordinance.

Section 2.30 PUBLIC UTILITY

Any person, firm, corporation, municipal department or board duly authorized to furnish and furnishing under municipal regulation to the public, transportation, water, gas, electricity, telephone, steam, telegraph, or sewage disposal and other services.

Section 2.31 RESTAURANT

A business located in a building wherein in consideration of the payment of money, meals are habitually prepared, sold and served to persons for consumption on or off the premises, having suitable kitchen facilities connected therewith containing conveniences for cooking and assortment of foods which may be required for ordinary meals and deriving the major portion of its receipts from the sale of food.

Section 2.32 RETAIL COMMERCIAL ESTABLISHMENT

A store, market or shop in which commodities are sold or offered for sale in small or large quantities to the retail trade. Grocery and general stores, meat markets, public garages, automobile service stations are included in this classification.

Section 2.33 ROADSIDE STAND

A farm structure used or intended to be used solely by the owner or tenant of the farm on which it is located for the sale of only the seasonal farm products of the immediate locality in which the roadside stand is located.

Section 2.34 SETBACK LINES

Line established adjacent to highways for the purpose of defining limits within which no building or structure or any part thereof shall be erected or permanently maintained. "Within a setback line" means between the setback line and the highway right-of-way.

Section 2.35 STORY

That part of a building included between the surface of any floor and the surface of the next floor or of the roof next above. When the distance from the average established grade to the ceiling of a story partly below such grade exceeds five (5) feet then the basement or cellar constituting the story partially below grade shall be counted as a story.

Section 2.36 STORY, HALF

A story which is situated within a sloping roof, the area of which at a height of four (4) feet above the floor does not exceed two-thirds (2/3) of the floor area directly below it, wherein living quarters are used only as part of the dwelling situated in the story below.

Section 2.37 ROADS

A public thoroughfare which affords a principal means of access to abutting property.

Section 2.38 STRUCTURE

Any construction artificially build up or composed of parts joined together in some definite manner.

Section 2.39 TAVERN

Any place where malt, vinous or spirituous liquors are sold for consumption on the premises is defined as a tavern for the purpose of this ordinance.

Section 2.40 TENT

As employed by this ordinance, the term "tent" shall not include any tent used solely for children's recreational purposes.

Section 2.41 TOURIST HOME

Primarily a family dwelling where lodging with or without meals is furnished for compensation chiefly on an overnight basis and mainly to transients, but not necessarily to anyone who may apply.

Section 2.42 TRAILER COACH

Any vehicle used or so constructed as to permit its being used as a conveyance upon the public streets or highways and duly licensable as such, and shall include self-propelled vehicles so designed, constructed, reconstructed or added to by means of enclosed room or area in such manner as will permit the sleeping place for one or more persons, whether mounted on wheels or dismounted and located on a foundation or other support.

Section 2.43 TRAILER COACH PARK

Any site, lot, field, tract, or parcel of land which is utilized by three (3) or more occupied trailer coaches either free of charge, or for revenue purposes, and shall include any building, structure, tent, vehicle, or enclosure, used or intended for use as a part of the equipment of such trailer coach park.

Section 2.44 USE

The purpose for which land or a building thereon is designed, arranged, or intended to be occupied or used, or for which it is occupied or maintained.

Section 2.45 YARD

A space open to the sky and unoccupied or unobstructed, except by encroachments permitted by this ordinance, on the same lot with a building or structure. Yard measurements shall be the minimum horizontal distances.

YARD, FRONT - A yard extending across the full width of the lot between the front lot line and the nearest line of the main building.

YARD, REAR - A yard extending across the full width of the lot between the rear lot line and the nearest line of the main building.

YARD, SIDE - A yard extending from the front yard to the rear yard between the side lot line and the nearest line of the main building or of accessory building attached thereto.

ARTICLE III GENERAL PROVISIONS

Section 3.01 SCOPE

Beginning with the effective date of this ordinance, and except as otherwise provided in this ordinance, no new building, or structure, or part thereof, shall be erected, and no existing building or structure shall be enlarged, rebuilt, or altered, and no building, structure, land, premises, or part thereof shall be used for purposes other than in conformity with the provisions of this ordinance pertaining thereof.

Section 3.02 BOUNDARIES OF DISTRICTS

Unless otherwise specified in this ordinance, or otherwise shown on the Zoning Map, the boundary lines of zoning districts shall follow along the section lines indicated on the United States Land Office Survey Maps, or lines of customary subdivision of such section such as quarter and eighth lines; or the center line of highways, streets, alleys, or waterways; or the shore lines of water bodies; or the boundaries of incorporated areas; or the boundary lines of recorded plats or subdivisions; or the property lines of legal records on the date of enactment of this ordinance; or the extension of any said lines.

Section 3.03 CONFLICTING LAWS, ORDINANCES, REGULATIONS, AND RESTRICTIONS

It is not intended by this ordinance to repeal, abolish, annul or in any way impair or interfere with any existing provisions of the law, or ordinances, or any rules, regulations or permits previously adopted or issued pursuant to law relating to the erection or use of buildings or land; nor is it intended by this ordinance to interfere with or abrogate or annual any existing easements, covenants or other agreements between parties; provided, however, that where any provisions of this ordinance imposes more stringent requirements, regulations, restrictions or limitations upon the erection or use of land or buildings, or upon the height of buildings and structures, or upon safety and sanitary measures or requires larger yard or open spaces than are imposed or required by the provisions of any other law or ordinance or any said rules, regulations, permits or easements, then the provisions of this ordinance shall govern. The requirements of this ordinance are to be construed as minimum requirements, and shall in no way impair or affect any covenant or restriction running with the land, except where such covenant or restrictions imposes lesser requirements.

Section 3.04 USE OF NON-CONFORMING LAND, BUILDINGS AND STRUCTURES

(a) At the discretion of the owner, the lawful use of any building, structure, land or premises existing prior to the effective date of this ordinance, although the use does not conform to the provisions of this ordinance, may be continued, and such use of any building may be extended throughout said building, provided no structural changes be made therein, except those required for safety.

(b) Wherever the non-conforming use of any building, structure, land or premises is changed in whole or in part to a conforming use, such use shall not thereafter be reverted to any non-conforming use.

(c) If the non-conforming use of any building, structure, land or premises or part thereof is discontinued through vacancy, lack of operations or otherwise for a continuous period of twelve (12) months, then any future use of said building, structure, land or premises shall conform, in its entirety, to the provisions of this ordinance; provided, however, that the Board of Appeals may, upon application within six (6) months of the termination of said period, permit the resumption of such non-conforming use.

Section 3.05 RECONSTRUCTION OF DAMAGED NON-CONFORMING BUILDINGS AND STRUCTURES

Nothing in this ordinance shall prevent the reconstruction, repair or restoration and the continued use of any non-conforming building or structure damaged by fire, collapse, explosion, acts of God, or acts of the public enemy, subsequent to the effective date of this ordinance, wherein the expense of such reconstruction, regardless of cost as long as the size of building does not exceed original, the fair valuation of the building or structure at the time such damage

occurred; provided that such valuation be approved by the Zoning Board of the property, and provided, further, that said use be identical with the non-conforming use permitted and in effect at the time of said damage.

Section 3.06 REPAIR, ALTERATION AND COMPLETION OF NON-CONFORMING BUILDINGS AND STRUCTURES

(a) Nothing in this ordinance shall prevent the repair, reinforcement, improvement, or rehabilitation of a non-conforming building, structure or part thereof existing at the effective date of this ordinance, that may be necessary to secure or insure the continued advantageous use of the building or structure during its natural life; provided, that such repairs, reinforcement, improvements or rehabilitation proposes no change in the use of said building or part thereof.

(b) Nor shall anything in this ordinance require any change in the plans, construction or intended use of a building for which plans have been prepared heretofore and the construction of which shall have been diligently prosecuted within one (1) month of the date of passage of this ordinance, and which the exterior has been completed within twelve (12) months after date of passage of this ordinance.

(c) No basement, cellar, garage or any incompletely constructed structure in use as a dwelling on the effective date of this ordinance shall be used as a dwelling for more than twenty-four (24) months (in case of hardship, Zoning Board may allow extension) following said date, unless such structure has been brought to a state of completion in conformity with the regulations of this ordinance relative to dwellings in the district in which such structure is located.

Section 3.07 YARD AND AREA REQUIREMENTS: GENERAL

(a) Where a lot abuts upon an alley, one-half (1/2) of the width of said alley may be considered a part of such lot for the purpose of computing the area of such lot and for the purpose of computing the depth of any rear yard required under this ordinance.

(b) Where shape of lot or other circumstances result in conditions to which the provisions of this ordinance governing yard requirements are inapplicable, the Boar of Appeals shall prescribe such yard requirements.

Section 3.08 LIMITATIONS OF DWELLINGS PER LOT

Only one dwelling shall be erected on a lot.

Section 3.09 VEHICULAR PARKING SPACE, ACCESS THERETO AND LIGHTING THEREOF

For each dwelling, commercial, industrial, manufacturing or other similar business or service establishments hereafter erected or altered, and located on a public highway, road or

street in the unincorporated portions of the township, and including buildings, or structures used principally as a place of public assembly, there shall be provided and maintained suitable space off the public right-of-way that is in general adequate for the parking or loading of vehicles in proportions shown on the following table and such space shall be provided with safe exit to and safe entrance from the public thoroughfare, but not to exceed one (1) such exit and entrance. Said exit and entrance may be combined or provided separately. Approval for the location of such exit and entrance shall be obtained from the State Highway Department for all trunk line highways and from the County Road Commission for all other roads and construction thereof in the interests of safety, adequate drainage and other public requirements. A minimum of two hundred (200) square feet, exclusive of drives, entrances and exits shall comprise one (1) automobile space. All parking space as required in this section, except that required for dwelling, shall be provided with adequate artificial lighting between any time extending from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise when the use of such space is open to the public.

<u>USE</u>	<u>MINIMUM NUMBER OF SPACES PER UNIT</u>
1. Banks, business offices, and professional offices of architects, engineers, lawyers, and similar professionals.	One for each four hundred (400) square feet of useable space
2. Barber shops and beauty shops.	Two for each beauty or barber shop chair
3. Bowling alleys.	Five for each bowling lane
4. Churches, theaters, auditoria	One for each three (3) seats.
5. Community clubs, dance hall, fraternal organizations, private clubs.	One of each one hundred (100) square feet of useable floor space
6. Dwellings.	Two for each family
7. Hospitals, clinics, and similar establishments.	One for each four (4) beds, and one for each two (2) employees and/or staff members
8. Laundromats.	One for each two wash machines
9. Professional offices: Doctors, dentists, and similar professions (Cf. Section 4.08)	One for each one hundred (100) square feet of useable floor area, and not less than four (4) spaces, whichever is greater

USE

MINIMUM NUMBER OF SPACES PER UNIT

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| 10. Restaurants and similar establishments for sale and service of food and drinks, except liquor and drive-ins. | One for each one hundred (100) square feet of useable floor space |
| 11. Retail stores. | One for each one hundred fifty (150) square feet of useable floor space |
| 12. Tourist, boarding, and lodging homes. | One for each guest room |
| 13. Loading and unloading space: Every building or structure engaged in loading and unloading goods shall provide space on the premises in addition to that required for parking, for the loading, unloading, and standing of all vehicles, in addition to that required for parking, as hereinbefore provided, to avoid undue interference with public use of the public the public highway. | |

Section 3.10 TEMPORARY DWELLING STRUCTURES

(a) No building, trailer coach, tent, garage, cellar, basement or other structure which does not conform to the provisions of this ordinance relative to dwellings shall be erected, altered or moved upon any premises and used for dwelling purpose except under the following applicable limitations.

- (1) Such use of any such building, trailer coach, tent, garage, basement or other structure shall not be inimical to health, safety or public welfare.
- (2) The location of each such building, garage, cellar, basement, or other structure shall conform to the regulations governing the yard requirements, governing dwellings or similar conformable structures in the district in which it is situated.
- (3) Such use of any building, trailer coach, tent, garage, cellar, basement or other structure shall be for the sole purpose of providing dwelling facilities for the owner of premises during the period which a dwelling conforming to the provisions of this ordinance is in process of erection and completion, provided, however, that such a period shall not exceed twelve (12) months beginning with the date of issuance of the permit thereof.
- (4) Application for the erection, movement, alteration and use of such building, trailer coach, tent, garage, basement or other structure shall be made to the Township Clerk as provided by Section 10.04 of this ordinance. Upon the filing of such application with the clerk, he shall refer provisions of Section 9 of this ordinance for the granting of non-

conforming use permits. On approval and delivery of the permit, the applicant shall certify in a space allotted for that purpose on the copy of the permit retained for filing that he has knowledge of the limitations of the permit and the penalty pertaining thereto. No permit shall be transferable to any other person. The conditions of the section shall not apply to any trailer coach when in a trailer coach park, nor to any cabin located in a cabin camp as defined by this ordinance.

Appropriate application forms for such permits will be furnished by the clerk upon the payment of a fee as set by the Township Clerk with fee is not subject to refund.

Section 3.11 CABINS AND CABIN CAMPS

No parcel of land or premises shall be used for cabin camps, and no cabin shall be erected, altered or moved upon any land or premises without compliance with the following regulations.

(a) The location and operation of such camp shall not tend to produce noise or annoyance or prove otherwise injurious to the surrounding neighborhood, nor be inimical to the public health, safety or general welfare of the community, nor be contrary to the purposes of this ordinance.

(b) Each cabin shall provide no less than sixty (60) square feet of floor area for each occupant, but no cabin shall contain less than one hundred twenty (120) square feet of floor area for sleeping quarters exclusive of any space for indoor toilets or other facilities. Said area may be based upon over-all dimensions at the cabin floor level exclusive of porches or other attached structures.

(c) Each cabin shall abut or face on a driveway or unoccupied space of not less than twenty-five (25) feet in width, which space shall have unobstructed access to a public thoroughfare. There shall be a space of no less than ten (10) feet between every cabin and any other cabin and any property line of the parcel of land or premises in which the cabin is located.

(d) Cabins will conform to County Health Regulations.

(e) Applications for a permit to erect such a camp shall be made in writing to the Township Clerk as provided by Section 10.04 of this ordinance, who shall refer the same to the Zoning Board for approval under the procedures and provisions of Section 9 of this ordinance for the granting of non-conforming use permits. The application shall show the location and extent of the proposed camp, the size, location and yard space for each cabin and other building or structure to be erected on the land or premises, and such additional information as the Zoning Board may deem essential to take proper action on the application.

Section 3.12 TRAILER COACH PARKS

No parcel of land or premises shall be used for a trailer coach park without compliance with the following regulations:

(a) The location and operation of such a park shall not tend to produce noise or annoyance or prove otherwise injurious to the surrounding neighborhood, nor be inimical to the public health, safety, or general welfare of the community, nor be contrary to the purposes of this ordinance.

(b) Such park shall be provided with not more than one (1) safe entrance from and one (1) safe exit to the public highway or street.

(c) Application for a permit to erect such a park shall be made in writing to the Township Clerk as provided by Section 10.04 of this ordinance who shall refer the same to the Zoning Board for approval under the procedures and provisions of Section 9 of this ordinance for the granting or non-conforming use permits. The application shall show the location and extent of the proposed parks, and such additional information as Zoning Board may deem essential to take proper action on the application.

Will conform to County Health Department Regulations.

Section 3.13 COMBINATION BUSINESS AND DWELLING BUILDINGS AND STRUCTURES

No parcel of land or premises shall be used for a combination trailer coach and cabin camp without compliance with the applicable regulations of Sections 3.11 and 3.12 of this ordinance.

Section 3.14 COMBINATION BUSINESS AND DWELLING BUILDINGS AND STRUCTURES

Each building or structure used for combined dwelling and business purposes shall provide an area of not less than four hundred-eighty (480) square feet for that part used for dwelling purposes.

Section 3.14A WATER SUPPLY AND SEWAGE DISPOSAL

Every living unit shall have available a supply of water obtained from either:

(a) A public or municipal supply, if available

(b) A drilled, driven or dug well

Section 3.15 MOBILE HOME GENERAL PROVISIONS

(a) Mobile homes must be skirted with a non-flammable product up to the towing mechanism so the undercarriage is not exposed. This must be completed within 30 days from final inspection by the building inspector.

(b) Mobile homes must comply with the National Mobile Home construction and Safety Standards Act of 1974.

(c) Mobile homes not complying with the National Mobile Home Construction and Safety Standards Act of 1974, must be modified to meet minimum plumbing, electrical, mechanical and fire code standards established by the U.S. Department of Housing and Urban Development (HUD) for mobile homes.

Section 3.15A GENERAL STANDARD

(a) Every building or structure hereafter erected on any premise and used in whole or in part for human occupancy or frequency shall be provided with a safe and sanitary water supply, a septic tank system of sewage disposal or a system of waste disposal erected and maintained in accordance with the standards of material and installation recommended by the Michigan Department of Health, provided that an outside privy erected and maintained in accordance with the standard, recommended by the Michigan Department of Health may be permitted.

Section 3.15B INADEQUATE SOIL CONDITIONS

Where land conditions are inadequate for the erection and maintenance of a safe sewage disposal system, special means shall be provided to safeguard health conditions, which means shall be approved by the Chippewa County Health Department.

Section 3.16 INTERIOR PLUMBING

The installation of all interior plumbing work shall comply with Articles 1 to 11 inclusive of the Michigan State Plumbing Code.

Section 3.18 LOCATION OF HIGHWAY SETBACK LINES

Setback lines on highways not situated in subdivision or plats or record on the effective date of this ordinance shall be parallel with and seventy-five feet from the centerline of the highway, outside the limits of incorporated village and cities.

Setback lines for Michigan State Trunklines shall be parallel one hundred (100) feet from center line of highway, provided no construction be within less than twenty-five (25) feet from road right-of-way.

Section 3.19 BUILDINGS AND STRUCTURES RELATIVE TO SETBACK AREAS

(a) No building or structure of any kind, except necessary highway and traffic signs, and open fences through which there shall be clear vision, shall be hereafter constructed, erected or moved into the space within such setback lines. Except as herein provided, no building, or structure, except necessary highway and traffic signs, presently existing within such setback lines, shall be renewed or replaced hereafter in any way, except outside the setback lines.

(b) No building or structure within the established setback lines, except necessary highway and traffic signs and open fences hereinbefore mentioned shall be altered, enlarged or added to in any way which will increase or prolong the permanency of any portion with the established setback lines.

(c) When any highway or part thereof is officially adopted into the Chippewa County road or the Michigan Stat trunk line system, such highway shall automatically be subject to the provisions of this ordinance.

(d) Advertising signs allowed on approval of zoning board, Resort Section.

Section 3.20 GRAVEL AND SAND PITTS

(a) Set Backs
150 feet from property lines
200 feet from road right-of-way

(b) Blasting must be done by Licensed Blaster

Sugar Island Township recognizes the availability and economic value of its sand and gravel resources as well as the sensitive environmental and social complexities of retrieving these resources. With the intent of protecting township residents, visitors and environmental features from such activities, while at the same time allowing for the retrieval of these resources, the following provisions shall regulated sand and gravel pits.

(c) In addition to the approval required and specified in the ordinance, the building and zoning official shall be satisfied that permits for the particular development and/or Federal agencies having jurisdiction in such matters pursuant to State of Michigan or Federal agencies having jurisdiction over such matters pursuant to State of Michigan or federal law, including, but not necessarily limited to the following:

- (1) Sand Due Protection and Management Act as amended. Act 222 of 1976
- (2) Shoreline Protection and Management Act as amended. Act 245 of 1970
- (3) Goemaere-Anderson Wetland Protection Act as amended. Act 203 of 1979

- (4) Inland Lakes and Streams act as amended. Act 346 of 1972
- (5) Wilderness and Nature Area Acts as amended. Act 241 of 1972
- (6) Great Lakes Preservation Act as amended. Act 130 of 1985
- (7) Endangered Species Act as amended. Act 203 of 1974
- (8) National Historic Preservation Act. Public Law-89-665-1986

(d) Issuance of any permit is contingent upon the land use and structure meeting the requirements as set forth within such statutes, including any future amendments, and any additional statutes which currently or in the future, have jurisdiction on such issues.

ARTICLE IV DISTRICTS

Section 4.01 ZONING DISTRICTS

For the purpose of this ordinance, Sugar Island Township is hereby divided into four (4) kinds of zoning districts to be know as Resort Districts, Agricultural Districts, Forest Districts, and Commercial Districts, the location of which is shown upon the attache zoning map.

Section 4.02 DISTRICT MAPS

The area assigned to these districts, the designation of same and the boundaries of said districts shown upon the map hereto attached and made a part of this ordinance, are hereby established, said map being designated as the "Zoning Map of Sugar Island, Chippewa County, Michigan," and said map and the proper notations, references another information shown thereon, shall be as much a part of this ordinance as if the matters and information set forth by said map were fully described herein.

ARTICLE V RESORT, RESIDENTIAL AND WATER FRONT DISTRICTS

The following regulations shall apply to all Resort, Residential and Water Front Districts.

Section 5.01 USES PERMITTED

No building or structure, or any part thereof, shall be erected, altered or used, or land or premises used, in whole or in part, for other than one or more of the following specified uses:

1. Detached one-family dwellings.

2. Farms, farm dwellings and farm buildings, including roadside stands and signs not over four (4) square feet in area advertising the sale of farm and farm products of said farm and resort.

3. Home occupations; provided, however, that there be no external evidence of such occupation except a name plate not exceeding four (4) square feet in area and without illumination; and provided, further, that the occupation does not require or effect any change in the external character of the dwelling.

4. Churches; schools; publicly-owned buildings; public utility buildings; telephone exchanges and substations without service or storage yards; community clubs, country clubs, fraternal lodges and similar civic or social organizations when not operated for profit; land for privately-owned and operated parks, picnic groves, golf courses, or similar facility for outdoor exercise and recreation which may or may not be operated for profit; provided, however, that the use of any such structure or land does not tend to produce objectionable noise or annoyance or prove otherwise injurious to the surrounding neighborhood and is not contrary to the spirit of this ordinance. Application for the location, erection, alteration or use of such land, building or structure shall be made to the Township Clerk as provided in Section 10.04 who shall refer the application to the Zoning Board for its recommendation and approval by the Township Board under the provisions and procedures of Section 9 of this ordinance for the granting of non-conforming use permits.

5. Accessory uses, buildings, and structures customarily incidental to any of the above permitted uses including not more than one (1) private garage in which may be housed not more than one (1) commercial vehicle of not to exceed one and on-half (1 1/2) tons capacity for each lot, and including signs pertaining to the sale, lease, or use of a lot or building placed thereon, and not exceeding eight (8) square feet in area on any one lot. Dwellings for the use of domestic employees, hired farm labor, or tenant of the owner or lessee of the principal dwelling on a lot or farm shall be considered accessory buildings. Such accessory dwellings shall provide no less than four hundred-eighty (480) square feet of floor area at the first floor level, exclusive of any garage area, and shall conform to all height and yard requirements of this district. Trailer coaches, tents or similar movable structures shall not be considered as legal accessories hereunder when used for dwelling purposes.

Section 5.02 SIZE OF DWELLING LOTS

Every lot upon which a dwelling is hereafter erected or altered shall be not less than a minimum of 20,000 square feet, except in wetland areas (to be classified by DNR) which is to be 40,000 square feet, provided, however, that this requirement shall not apply to a parcel of land less in size than said area and platted and identified as a single unit on a plat officially approved and recorded prior to the effective date of this ordinance. However, if such parcel of land has not been improved upon in the five (5) years prior to the effective date of this

ordinance, all of the regulations of this ordinance shall then apply to all parcel of land.

Section 5.03 FRONT YARD - DWELLINGS AND NON-DWELLINGS

(a) To permit the eventual inclusion of service roads and to permit reconstruction, including widening, there shall be a front yard setback of not less than twenty-five (25) feet from the right-of-way line of all roads, state and federal highways.

(b) There shall be a front yard setback of not less than seventy-five (75) feet from the center line, or not less than twenty-five (25) feet from the right-of-way line, which ever is the less, of other public right-of-way.

(c) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory building shall project beyond the front yard of either road.

Section 5.04 SIDE YARD REGULATIONS

There shall be a side yard having width of not less than ten (10) feet, except where adjoining a highway in which case Front Yard Regulation shall prevail.

Section 5.05 FLOOR AREA OF DWELLINGS

(a) No dwellings, except accessory dwellings, shall be erected or altered which provides less than six hundred (600) square feet of floor area at the first floor level, exclusive of any garage areas or area in any accessory building or attached structure.

(b) No dwelling shall be less than 12 feet in width across any front, side or rear elevation and must comply in all respects with the building codes.

Section 5.06 HEIGHT REGULATIONS

(a) No height regulations shall be required for agricultural buildings.

(b) No other buildings hereafter erected or altered shall exceed two and one-half (2 1/2) or thirty (30) feet in height.

Section 5.07 WATER FRONT DISTRICTS

(a) No dwelling shall be erected at a minimum distance of less than seventy-five (75) feet from the high water mark. Where high water mark is not discernible, location of dwelling must be set back far enough to insure nonpollution of the lake or river. High water datum: 581.2, low water datum: 577.2.

(b) The district depth shall be not less than five hundred (500) feet of water edge.

(c) No dwelling shall be erected on a lot with less than one hundred (100) feet water frontage; in wetland areas (as determined by DNR) a minimum of two hundred (200) feet shall apply.

Section 5.08 SMOKE DETECTORS

All dwellings shall be required to install smoke detectors outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling including basements and cellars but not including crawl spaces and uninhabitable attics.

When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added to existing dwellings, the entire building shall be provided with smoke detectors located as required for new dwellings.

ARTICLE VI AGRICULTURAL DISTRICTS

The following regulations shall apply to all Agricultural Districts:

Section 6.01 USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or used, or land or premises used, in whole or in part, for other than one or more of the following specified uses:

(a) Farm dwellings, farm buildings and structures, including roadside stands, home occupations and portable sawmills.

(b) Farms, including both general and specialized farming and similar agricultural enterprises.

(c) Tourist homes, boarding houses, lodging housed when situated in farm dwellings.

(d) Fire control structures, airfields and ports, stone quarries, gravel or sand pits, churches, schools, publicly owned buildings, hospitals and institutions of similar nature, telephone exchanges and substations, community clubs, country clubs, fraternal lodges, and similar civic or social organizations when not operated for profit, land for parks, picnic groves, golf courses, and similar facility for outdoor exercise and recreation; provided, however, that the use of any such building, structure or land does not tend to produce noise or annoyance or prove otherwise injurious to the surrounding neighborhood and is not contrary to the purpose of this ordinance as set forth in the Preamble. Application for the location, erection, alteration or use of such land, building or structure shall be made to the Township Clerk as provided in Section 10.04 who shall refer the application to the Zoning Board for its recommendation and approval by the Township Board under the provisions and procedures of Section 9 of this ordinance for the granting on non-conforming use permits.

(e) Accessory uses, buildings and structures incidental to any of the above permitted uses, including dwellings for the use of domestic employees, hired farm labor or tenants of the owner or lessee of the principal dwelling on the lot or farms.

(f) One one-family dwelling per farm in addition to the farm dwelling and in addition to any accessory dwellings, but subject to the two following conditions:

(1) Such additional dwelling shall be located on a parcel of land other than that occupied by the farm dwelling and any accessory buildings.

(2) Such parcel shall have an area of not less than one (1) acre.

(g) A dwelling may be erected on a parcel of land of less than twenty (20) acres provided that said dwelling shall be erected under the requirements of Resort Districts, excepting that the size of the lot shall be not less than one hundred (100) feet by two hundred (200) feet (20,000 square feet) in width or depth.

Section 6.02 FLOOR AREA OF DWELLINGS

No dwelling shall be erected or altered which provides less than six hundred (600) square feet of floor area at the first floor level, exclusive of any garage or area of any accessory or attached structure.

ARTICLE VII FOREST DISTRICTS

Section 7.01 REGULATIONS

The following regulations shall apply to Forest Area Districts:

No building structure or part thereof shall be erected, altered, or used, or land or premises occupied in this district except by permit, authorized by special application under the procedures provided by Section 9 hereof. Such use shall be limited to structures for use as seasonal hunting and recreational cabins and accessory uses and shall be authorized only upon the condition that the same is accessible to an improved public road or the applicant shall agree to provide and maintain such a trail or lane at his own cost or expense. If use as a permanent residence is authorized, such dwelling shall be erected under the requirements pertaining to Section 5.05, FLOOR AREA DWELLINGS.

ARTICLE VIII COMMERCIAL DISTRICTS

Section 8.01 REGULATIONS

The following regulations shall apply to Industrial Areas:

Industrial areas will be considered by the zoning board in any compatible area of the township.

No building structure or part thereof shall be erected, altered, or used, or land or premises occupied in this district except by permit, authorized by special application under the procedures provided by Section 9 hereof. If use as a permanent residence is authorized, such dwelling shall be erected under the requirements pertaining to Section 5.05, FLOOR AREA OF DWELLINGS.

ARTICLE IX PERMISSIVE USES NOT OTHERWISE PROVIDED

Section 9.01

The use of any building structure or land not otherwise permitted under the provisions of this ordinance for use as a business or commercial establishment including trailer parks and cabin camps or other non-conforming use which do not tend to constitute a nuisance or prove otherwise injurious to the surrounding neighborhood and is not contrary to the purposes of this ordinance as set forth in the Preamble may be permitted upon proper application and approval as hereinafter provided. Application for a permit for the location, erection, alteration or use of such land, building or structure shall be made as provided in Section 10.04 to the Township Clerk who shall refer the application to the Township Zoning Board for its recommendation. The Township notice thereof by posting in community center and in business establishments, the first to be printed not more than thirty (30) days nor less than twenty (20) days and the second not more than eight (8) days before the date of such hearing. Upon the hearing any party may appear in person or by agent or attorney. The Township Zoning Board shall thereupon make a written recommendation to the Township Board to grant or deny the permit or to modify the application as in its opinion ought to be made in the premises. The Township Board at its regular or special meeting called for that purpose shall either approve or deny the application and in the event of approval shall authorize the issuance of the permit.

ARTICLE X ADMINISTRATION AND ENFORCEMENT

Section 10.01

Section 10.02

The duty of enforcing this ordinance shall rest in the Township Board including, unless otherwise provided, the issuance and revocation of permits. They shall prepare and file an annual report with the Township Board on the operation of the Zoning Ordinance including recommendations as to the enactment of any amendments or supplements thereto.

Section 10.03 RECORD OF NON-CONFORMING USES

(a) Immediately following the effective date of this ordinance, the Township Board shall prepare a record of all instances of uses, location, size and construction of buildings, structures, premises, lots, and lands which, on the effective date of this ordinance, are not in conformity with its provisions. Such record shall contain the legal description of the property and the nature and extent of all non-conformities, and on completion be deposited with the Township Clerk.

(b) As soon as the record is completed, the Clerk shall provide for the examination thereof in his/her office for thirty (30) successive days by any interested persons for the purpose of noting errors or omissions, and shall give notice of the provision for examination by publication in a newspaper of general circulation in the county for three (3) successive weeks. Records shall also be posted in stores and in the Community Center.

(c) Errors and omissions in such record shall be corrected upon appeal and presentation of proof to the Township Board during its first session following the close of said examination period, following which the corrected record shall be permanently filed in the office of the Clerk, evidence of the nature and extent of non-conformance with reference to any land, premises, lot, building or structure existing at the time this ordinance becomes effective.

(d) Following the filing of the corrected record on non-conforming, it shall be the duty of the supervisor to observe these non-conformance when he makes his property assessments, and to report annually to the Township Board on the discontinuance of any non-conformance in his township including the date thereof. Such reports shall be filed with the Township Board.

Section 10.04 BUILDING PERMITS AND ALL OTHER REQUIRED PERMITS

(a) Except as otherwise provided, no dwelling or building subject to the provisions of this ordinance shall be erected, altered, enlarged, or moved on to any land, lot or premises until a permit therefore has been issued by the building official.

Such a permit shall be non-transferable and must be granted before any work of excavation, construction, alteration, enlargement or movement is begun.

(b) All applications for permits shall be submitted in duplicate to the building inspector not less than fifteen (15) days prior to the time when erection, alteration, enlargement or movement of a dwelling or building is intended to begin. Such application shall be accompanied by a drawing showing the location and actual dimensions of the land to which the permit is to apply, the kind of building to be erected, the width of all abutting streets and highways, easements and public open spaces, the area, size and location of all dwellings or buildings erected, altered or moved on to the premises, and the front yard dimensions for the nearest building on both sides of the proposed dwelling or building.

(c) The application shall also show the location, dimensions and description of the water

supply and sewage disposal facilities to be constructed, such as septic tanks and disposal fields, privies, or any other facility used in the disposition of human excreta, sink wastes, and laundry wastes, existing wells on the premises adjoining the premises to be build upon, and existing sewage disposal facilities on such adjoining premises.

(d) Nothing in this section shall be construed as to prohibit the owner or his agent from preparing his own plans and specifications, provided the same are clear and legible.

For each such building permit issued, a fee set by the Township Board shall be paid to the Treasurer who shall place the same in a separate fund to be known as the Zoning Ordinance Fund which shall be used for the administration of this ordinance only, as directed by the Township Board. No permit shall be valid until the required fee has been paid.

(e) Within fifteen (15) days after the receipt of the application, the building inspector shall issue a building permit to the owner, or his duly authorized agent, provided the dwelling or building and the land and uses thereof as set forth in the application are in conformity with the provisions of this ordinance, and when such permit is refused he shall state such refusal in writing with cause. The Township Clerk shall file one copy of the application with proper notations thereon, or attached thereto, relative to his approval or disapproval including the date thereof, as a record. The second copy of the application shall be returned to the applicant with similar notations.

(f) Accessory buildings when erected at the same time as the principal building on a lot and shown on the application therefore shall not require a separate building permit.

(g) The Township Board shall have the power to revoke or cancel any permit in case of failure or neglect to comply with any of the provisions of this ordinance or in any case of any false statement or misrepresentation made in the application. The owner or duly authorize agent shall be notified of such revocation or cancellation in writing.

Section 10.05

No dwelling or building, subject to the provisions of this ordinance shall be occupied or used until the building inspector shall have issued a certificate of compliance to the owner or his building inspector agent. Such certificate shall be applied for co-incident with the application for a building permit. Within five (5) days after notification that the dwelling or building is ready for occupancy, the building inspector shall make final inspection thereof, and if it is found to be in conformity with the provisions of this ordinance, shall issue the owner or his agent a certificate of compliance. He shall also record his action, including the date, on the copy of the application retained on file as a record.

ARTICLE XI BOARD OF APPEALS

Section 11.01 BOARD OF APPEALS

There is hereby created a Board of Appeals which shall perform its duties and exercise its powers as provided by Act 184 of Public Acts of 1943 as amended in such a way that the objectives of this ordinance shall be observed, public safety secured and substantial justice done.

Section 11.02 PERSONNEL OF BOARD

As provided by said Act, the Board of Appeals shall consist of three (3) members, the first (1) member of such board shall be the chairman of the Township Zoning Board, the second (2) member shall be a member of the Township Board, appointed by the Township board from electors, residing in the unincorporated area of the Township, provided that no elected officer of the Township nor any employee of the Township Board may serve simultaneously as a member of or an employee of the Board of Appeals. The Township board may provide that the Board of Appeals shall have five (5) members, the additional members shall be selected and appointed by the Township Board from among the electors residing in the unincorporated area of the township. An additional member shall not be an employee of the Township Board. The member who is a member of the Township board, appointed by the Township Board shall not serve as Chairman of the Board of Appeals.

Section 11.03 MEETINGS OF BOARD OF APPEALS

Meetings of the Board of Appeals shall be held at the call of the chairman and at such other times as the Board in its rules of procedures may specify. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. all meetings of the Board of Appeals shall be open to the public. The Board shall maintain a record of its proceedings which shall be filed in the office of the Township Clerk and shall be a public record.

Section 11.04 JURISDICTION AND APPEALS

(a) The Board of Appeals shall act upon all questions as they may arise in the administration of the zoning ordinance, including the interpretation of zoning maps, and may fix rules and regulations to govern its procedure. It shall hear and decide on appeals from and review any order, requirements, decision or determination made by the Zoning Board, the Township Board, building inspector or any administrative official charge with enforcement of this ordinance. It shall also hear and decide on all ordinances. the concurring vote of a majority of the members of the Boar of Appeals shall be necessary to reverse any order, requirement, decision or determination of any such board or administrative official, or to effect any variation in this decision or determination of any such board or administrative official, or to decide in favor of the applicant any matter upon which they are required to pass or to effect any variation in this ordinance. Such appeal may be taken by any person aggrieved by any

officer, department, board, or bureau of the county or state. The grounds of every such determination shall be stated. The applicant any matter upon which they are required to pass or to effect any variation in this ordinance. Such appeal may be taken by any person aggrieved or by an officer, department, board or bureau of the County or State. The grounds of every such determination shall be stated.

(b) Such appeal shall be taken within such time as shall be prescribed by the Board of appeals by general rule, by the filing with the officer from whom the appeal is taken and with the Board of Appeals of a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board, all the papers constituting the record upon which the action appealed from was taken.

(c) any appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board of Appeals after the notice of appeals shall have been filed with him that by reason of facts stated in the certificated, a stay would in his opinion, cause imminent peril to life and property, in which case proceedings shall no be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by the Circuit Court, on application on cause shown, after notice to the officer from whom the appeal is taken.

(d) The Board of Appeals shall fix a reasonable time for the hearing of the appeal and given due notice thereof to the parties and decide the same within a reasonable time. Upon the hearing any party may appear in person or by the agent or by attorney. The Board of Appeals may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal was taken, and may issue or direct the issuance of a permit. Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinance, the Board of Appeals shall have the power in passing upon appeals to vary or modify any of its rules, regulations or provisions so that the spirit of the ordinance shall be observed, public safety secured and substantial justice be done. The decision of such board shall not be final, and any person having an interest affected by any such ordinance shall have the right to appeal to the Circuit Court on questions of law and fact.

ARTICLE XII TOWNSHIP ZONING BOARD

Section 12.01

There shall be a Township Zoning Board composed of five (5) members appointed by the Township Board. The members of said board shall be selected upon the basis of their respective qualifications and fitness to serve as members of a zoning board without consideration for their political activities. Of the members first appointed, three (3) shall be appointed for terms of two (2) years each. The other two (2) members shall be appointed for terms of four

(4) years each. Each member of said board shall serve until his successor is appointed and has qualified. Upon the expiration of the terms of the members first appointed, successors shall be appointed in like manner, for terms of four (4) years each. Vacancies shall be filled in the same manner as in provided for the appointment in the first instance for the remainder of the unexpired term. No elected officer of the township nor any employees of the township board shall serve simultaneously as a member or as an employee of the zoning board, and no less than two-thirds (2/3) members of such board shall be electors who reside in and have property assessed for taxes in the unincorporated portions of the township. Members of the zoning board shall be removable for non-performance of duty or misconduct in office by the township board upon written charges and after public hearings.

Section 12.02

The township zoning board shall hold a minimum of two (2) regular meeting annually, giving notice of the time and place by publication in a newspaper of general circulation in such township not more than fifteen (15) days nor less than eight (8) days prior thereto at which meetings any person having interests in the township, or their duly appointed representatives, shall be heard relative to any matters that should properly come before the zoning board. The zoning board shall elect form its members a chairman, a secretary, and such other officers or committees as it may deem necessary, and may engage such employees including technical assistance for periods of one (1) year or less as it may require. The election of officers shall be held at least once in every two year period.

Section 12.03

Members of the township zoning board shall be compensated according to the Township Board ruling.

ARTICLE XIII VALIDITY

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

ARTICLE XIV AMENDMENTS

Amendments or supplements to this ordinance may be made from time to time in the same manner provided in Act 184 of Public Acts of 1943, for the enactment of this ordinance in the first instance.

ARTICLE XV PENALTIES

Section 15.01

Any building or structure which is erected, constructed, reconstructed, altered, converted, maintained or used, or any use of the land or premises which begun, maintained or changed in violation of any provision of this ordinance are hereby declared to be a nuisance per se. Any person, firm, or corporation or the agent in charge of such building or land who violates, omits, neglects or refuses to comply with, or resists the enforcement of any provisions of this ordinance, or any amendment thereof shall be fined upon conviction not more than one hundred dollars (\$100.00) together with the costs of prosecution, or shall be punished by imprisonment in the county jail for not more than thirty (30) days or by both, such fine and imprisonment in the discretion of the court. Each and every day during which an illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. The Township Board or the Township Clerk, the Board of Appeals, the Prosecuting Attorney of the county, or any owner or owners of real estate within the district in which such building, structure or land is situated may institute injunction, mandamus, abatement or any other appropriate action or actions, proceeding or proceedings to prevent, enjoin, abate or remove any said unlawful erection, construction, alteration, reconstruction, maintenance or use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

EFFECTIVE DATE
JANUARY 1, 1980

ARTICLE XVI ADVERTISING SIGNS

Section 16.01 DEFINITIONS

Any structure or portion thereof on which lettered or pictorial matter is displayed for advertising purposes.

Section 16.02 ADVERTISING SIGNS

By special permit, advertising signs, billboards, advertising displays, outdoor displays and other advertising media may be permitted within the setback area provided that they comply with the following conditions.

- (a) Such advertising signs or displays comply with the statutes of the State of Michigan
- (b) Such advertising sign or display is not erected within three hundred (300) feet of an existing sign or display excepting for public signs (township sign, traffic sign, etc.)
- (c) Such advertising sign or display is not erected within three hundred (300) feet of any dwelling existing at the time and at the intersection said sign or display is erected or moved to such location, provided such dwelling is used exclusively for residential

purposes and, provided further, should a dwelling be erected at any time within three hundred (300) feet limitation, the permit shall be revoked and the owner of the sign or his authorized agent shall be notified of the revocation and such sign shall then be removed within 90 days.

(d) Such advertising sign or display shall not be less than the following distances from the highway right-of-way line, such distance to be measured on a line perpendicular to the highway right-of-way line:

1. Signs shall not be less than a distance of 300 feet from each other.
2. A sign shall not be less than fifty (50) feet from the highway right-of-way line where the highway right-of-way is 100 feet, and 30 feet where the highway right-of-way is 60 feet.

(e) Such advertising sign or display not conforming to this amendment at the time of its adoption shall not be permitted to be replaced unless it is brought up to conformity.

The provisions of this section shall not apply to:

(a) Temporary sale, lease or rent signs, election campaign signs providing:

1. Not more than two signs are displayed.
2. Such signs are located on the lot or structure for sale, lease, or rent.
3. Such sign is removed following the sale, rent or lease of the property.
4. Such signs do not contain an area of more than ten square feet.
5. Election campaign signs removed following election.

(b) Bulletin boards of churches, schools, libraries and other public buildings providing:

1. Such bulletin board is located on the premises.
2. Such bulletin board is not located as to obstruct the view of traffic from sidewalks, driveways, roadways, and adjoining property.

(c) Advertising signs and displays of commercial enterprises, business, industry, agricultural products or professional services providing:

1. Such sign is the only one located on the premises of such business and is at least thirty (30) feet from the highway right-of-way.

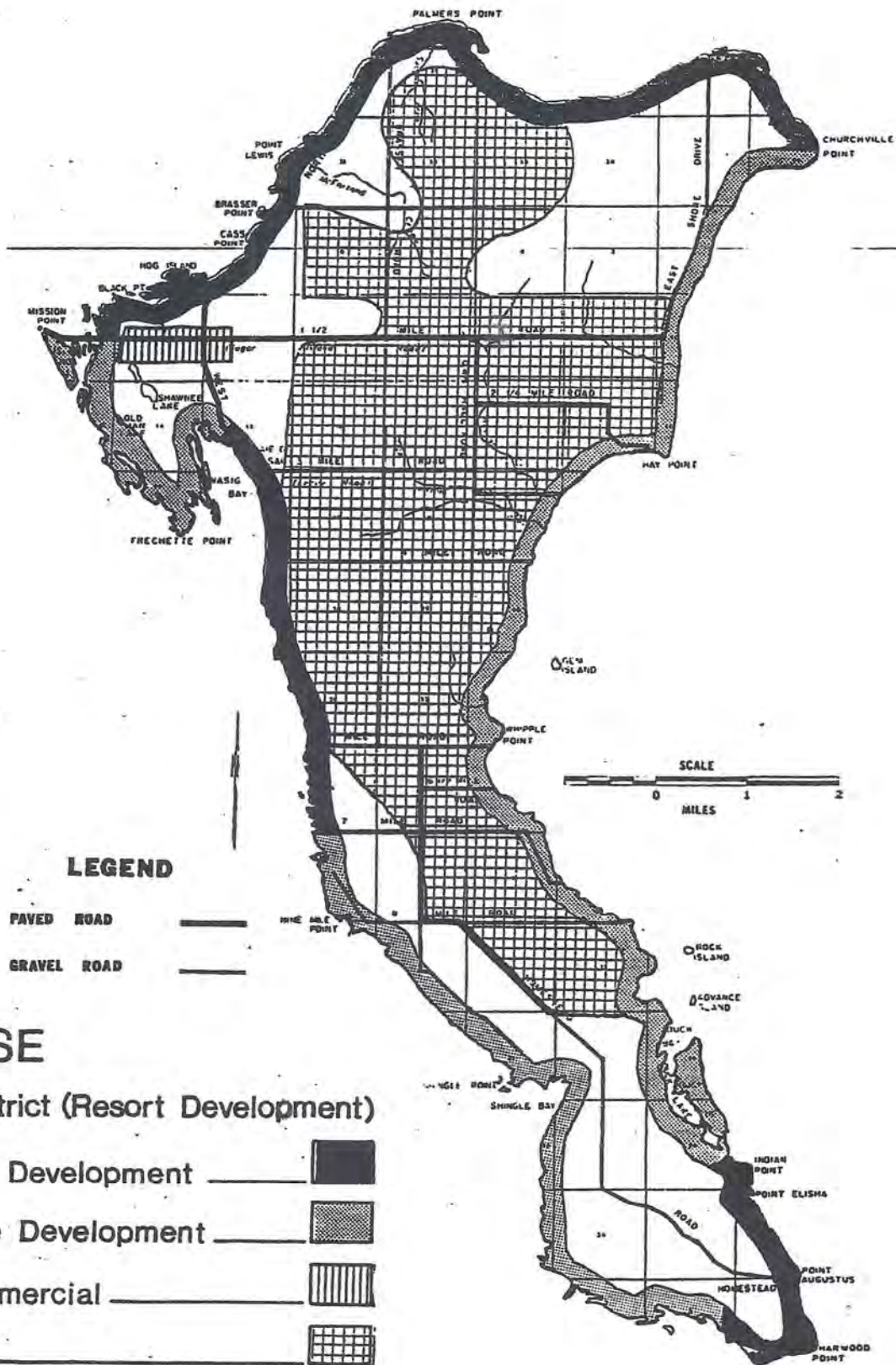
2. Such sign or display is limited to the products or services of the enterprises.
3. Such sign does not obstruct the view of traffic from the sidewalk, roadway, driveways or property.
4. Their operation does not constitute a nuisance to any adjacent residential district or residential neighborhood, by reason of a glare, intermittent action or other such actions.

Adopted: March 11, 1986

ARTICLE XVII DIVISION OF RECORDED LOTS

The division of a lot in a recorded plat is prohibited, unless approved following application to the township board. The application shall be filed with the township clerk and shall state the reasons for the proposed division. The township board may request review and comment by the County Planning Commission. The division, to be approved by the township board, shall have the suitability of the land for building purposes approved by the county or district Health Department. No building permit shall be issued, or any building construction commenced, prior to the township board's approval. No lot in a recorded plat shall be divided into more than four (4) parts and the resulting lots shall be not less in area than permitted by the township or county zoning ordinance. The division of a lot resulting in a smaller area than prescribed herein may be permitted but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form.

SUGAR ISLAND TOWNSHIP



LEGEND

PAVED ROAD ————
GRAVEL ROAD - - - - -

LAND USE

Shoreline District (Resort Development)

A. Intensive Development ———— 

B. Extensive Development ———— 

General Commercial ———— 

Agricultural ———— 

Forestry / Recreation ———— 