

**PROPOSED AMENDMENT TO
ATTICA TOWNSHIP ZONING ORDINANCE**

AN ORDINANCE TO AMEND SECTIONS 7.1, 7.2, 7.3, 7.4 AND 7.6 THE ATTICA TOWNSHIP ZONING ORDINANCE.

THE TOWNSHIP OF ATTICA ORDAINS:

PART 1: Amend Section 7.1 Enforcement as follows:

7.1 ENFORCEMENT

The provisions of this Ordinance shall be administered and enforced by the ~~Building Inspector~~ Zoning Administrator or by ~~such deputized of his department as the Building Inspector~~ such other administrative officer(s) as the Township Board may delegate to enforce the provisions of this Ordinance.

PART 2: Amend Section 7.2 Duties Of Building Inspector as follows:

7.2 DUTIES OF BUILDING INSPECTOR AND ZONING ADMINISTRATOR

1. The ~~Building Inspector~~ Zoning Administrator shall have the power to grant zoning compliance and occupancy permits, to make inspections of buildings and properties as necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the ~~Building Inspector~~ Zoning Administrator to approve any plans or issue any permits or certificates of zoning compliance and occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform with this Ordinance and until the Building Inspector has found the building plans to conform with the Building Code and issued a building permit, if required.
2. The ~~Building Inspector~~ Zoning Administrator shall record all nonconforming uses existing at the effective date of this Ordinance for the purpose of carrying out his duties as ~~Building Inspector~~ Zoning Administrator.
3. The ~~Building Inspector~~ Zoning Administrator shall not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the application despite violations of contracts, such as covenants or private agreements which may occur upon granting of said permit.
4. The Building Inspector shall have the power to grant emergency ~~access~~ occupancy of a temporary mobile home, for a period not to exceed one (1) year, for the use of the property owner as a residence while a permanent dwelling is uninhabitable due to fire, flood, or other circumstance. One (1) permit extension of six (6) months may be granted if reconstruction or rehabilitation of the home is not complete and substantial progress is being made, as determined by the Building Inspector.
 - A. All such temporary mobile homes shall be safely anchored to the ground, properly skirted on all sides, and attached to an approved public or private water supply and sewage disposal system.
 - B. The applicant shall deposit with the Township Clerk, a cash performance guarantee, in an amount set by motion of the Township Board, to insure removal of the temporary mobile home and proper restoration of the site after expiration of the temporary permit.

PART 3: Amend Section 7.3 Permits as follows:

7.3 PERMITS

1. No building or structure, or part thereof, shall be hereinafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the Township Building Code, Housing Law of Michigan, or this Ordinance, except for minor repairs or changes not involving any of the aforesaid features.
2. The Building Inspector shall require that all application for building permits shall be accompanied by plans and specifications including a plot plan, in triplicate, drawn to scale, showing the following:
 - A. The actual shape, location and dimensions of the lot.
 - B. The shape, size, and location of all buildings or other structures, to be erected, altered, or moved and of any building or other structures already on the lot.
 - C. The existing and intended use of the lot and of all such structures upon it, including in residential area, the number of dwelling units the building is intended to accommodate.
 - D. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being observed.
3. No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this Ordinance as determined by the Zoning Administrator.

PART 4: Amend Section 7.4 Certificates as follows:

7.4 CERTIFICATES OF OCCUPANCY AND ZONING COMPLIANCE

No land, building, or part thereof, shall hereafter be occupied by or for any use unless and until a Certificate of Occupancy and/or Zoning Compliance shall have been issued for such use. The following shall apply in the issuance of any certificate.

1. Certificate for New Use of Land. No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a Certificate of Occupancy Zoning Compliance is first obtained for the new or different use.
2. Certificate for New Use of Buildings. No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a Certificate of Occupancy and a Certificate of Zoning Compliance is first obtained for the new or different use.
3. Certificates Not To Be Issued. No Certificate of Occupancy nor Zoning Compliance shall be issued for any building, structure, or part thereof, or for the use of any land, which is not in accordance with all the provisions of this Ordinance.
4. Certificates Required. No building or structure, or parts thereof, which is hereafter erected or altered, shall be occupied or used or the same caused to be done, unless and until a Certificate of Occupancy shall have been issued for such building or structure.
5. Certificates Including Zoning. Certificates of Occupancy as required by the Township Building Code for new buildings or structures, or parts thereof, or for alterations to or changes of use of existing buildings

or structures, shall also ~~constitute~~ require Certificates of ~~Occupancy~~ Zoning Compliance as required by this Ordinance.

6. Certificates for Existing Buildings. Certificates of ~~Occupancy~~ Zoning Compliance shall be issued for existing buildings, structures, or parts thereof, or existing uses of land if, after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, are in conformity with the provisions of this Ordinance.
7. Records of Certificates. A record of all certificates issued shall be kept on file in the offices of the Building Inspector and Zoning Administrator, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.
8. Certificates for Dwelling Accessory Buildings. Buildings or structures accessory to dwellings shall not require separate Certificates of Occupancy but may be included in the Certificate of Occupancy for the dwelling when shown on the plot plan and when completed at the same time as such dwelling.
9. Application for Certificates of Occupancy. Application for Certificates of Occupancy shall be made in writing to the Building Inspector on forms furnished by him, and such certificates shall be issued within five (5) days after receipt of such application if it is found that the building or structures or part thereof, ~~or the use of land~~ is in accordance with the provisions of this Ordinance.

If such certificate is refused for cause, the applicant, therefore, shall be notified of such refusal and cause thereof, within the aforesaid five (5) day period.

10. Application for Certificates of Zoning Compliance. Application for Certificates of Zoning Compliance shall be made in writing to the Zoning Administrator on forms furnished by him, and such certificates shall be issued within five (5) days after receipt of such application if it is found that the use of land and/or buildings or structures is in accordance with the provisions of this Ordinance. If such certificate is refused for cause, the applicant, therefore, shall be notified of such refusal and cause thereof, within the aforesaid five (5) day period.

PART 5: Amend Section 7.6 Fees as follows:

7.6 FEES

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