

CHAPTER 33

ADMINISTRATION & ENFORCEMENT

SECTION 33.1 ADMINISTRATIVE OFFICIALS. The Zoning Administrator shall administer and enforce the provisions of this Zoning Ordinance. The Zoning Administrator or in his or her absence, the Township Supervisor, is authorized to designate the Building Inspector and other assistants and agents to aid him or her in the enforcement and administration of this Zoning Ordinance.

SECTION 33.2 PERMITS, ZONING COMPLIANCE AND CHANGE OF USE.

1. No activity which requires the issuance of a zoning compliance or change of use permit shall be undertaken until such permit has been obtained from the Zoning Administrator. Activities requiring a zoning compliance or change of use permit shall include:
 - a. The erection, movement, placement, reconstruction, extension, enlargement or alteration of any building or structure in any zoning district;
 - b. The initial use of any property;
 - c. The change of any building or property from one type of use to a different type of use;
 - d. Site grading, excavation or filling in preparation for construction.

An application for permit shall be in writing upon printed forms furnished by the Township. The forms shall indicate the type of activity requiring approval and the approval(s) requested by the applicant.

A zoning compliance or change of use permit issued by the Zoning Administrator is nontransferable and must be obtained before any work, excavation, erection, alteration or movement is commenced. Satisfactory evidence of ownership of the lot or premises may be required by the Zoning Administrator. If approved, the Zoning Administrator shall provide the applicant with a compliance card signed by the Zoning Administrator stating, as applicable, the type of activity and the extent of the work authorized. This card shall be attached to and remain on the lot or premises during the process of any authorized work.

A building permit issued by the Building Inspector, if that official is other than the Zoning administrator, may serve as the zoning compliance and change of use permit. The building permit and posted construction card must be signed by both Zoning Administrator and Building Inspector, and

the appropriate indications of approved activities and/or use changes appear in writing on the building permit and construction card.

2. Contents of Application - Each application shall include such reasonable information as may be requested by the Zoning Administrator in order to determine compliance with the terms and provisions of this Ordinance and shall include, as a minimum, the following information: (1) the location and actual dimensions of the lot or premises to which the permit is to apply; (2) the kind of buildings or structures to which the permit is to apply; (3) the width of all abutting streets; (4) the area, size and location of all buildings or structures to which the permit is to apply; (5) the type of use to be made of the building or structure to which the permit is to apply; (6) the use of buildings or structures on adjoining lands; and (7) the estimated cost of the building or structure. The Zoning Administrator, in his or her discretion, may waive the inclusion of any of the foregoing information in an application if it is determined that such information is not reasonably necessary to determine compliance with the terms and provisions of this Ordinance.
3. Accessory Buildings or Structures - Accessory buildings or structures, when erected, moved, placed, reconstructed, extended, enlarged or altered, at the same time as the principal building on the same lot or premises and when shown on the application for the permit for the principal building, shall not require the issuance of a separate zoning compliance permit. A separate permit shall be required if any accessory building or structure is erected, moved, placed, reconstructed, extended enlarged or altered separately or at a different time than the principal building on the same lot or premises.
4. Other Approvals. When the terms of this ordinance require authorization as a special use and/or site plan by the Planning Commission or Site Plan Review Committee, variance or special exception approval by the Zoning Board of Appeals, other official body having zoning authority under this ordinance, or a court of law, the Zoning Administrator shall not issue a zoning compliance or change of use permit until such authorization has been made and documented in the public record.

SECTION 33.3 BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY REQUIRED.

It shall be unlawful for any person to commence construction, alteration or conversion of any building, dwelling, structure or parking area, or to make structural changes in any existing building, dwelling or structure, without first obtaining a building permit from the Building Inspector. No permit shall be issued for the 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 and with the Building Code. No plumbing, electrical or drainage permit shall be issued until the Building Inspector has determined that the plans and designated use indicate that the structure and premises, if constructed and used as planned and proposed, will conform with the provisions of this Ordinance.

In addition it shall be unlawful to use or permit the use of any structure or premises hereafter altered, extended or erected, until the Building Inspector shall have made an inspection of the premises and issued a Certificate of Occupancy stating that the structure complies with this Ordinance and filed a copy thereof in the office of the Township Clerk.

The following additional provisions shall govern the issuance of building permits and certificates of occupancy.

1. Development requiring site plan review or any other type of zoning review approval under the authority of this Ordinance shall not receive a building permit until it has received the necessary Township approvals and a Certificate of Zoning Compliance from the Zoning administrator.
2. Issuance - No building permit or Certificate of Occupancy shall be issued by the Building Inspector unless there is compliance with this Ordinance and other applicable ordinances and laws, decisions of the Planning Commission, Zoning Board of Appeals, Township Board or court decisions.
3. Revocation - The Building Inspector may revoke a Building Permit or Certificate of Occupancy in those cases where an administrative determination has been duly made that false statements or misrepresentations existed as to material fact(s) in the application or plans upon which the permit of approval was based.
4. Suspension - The Building Inspector may suspend a Building Permit or Certificate of Occupancy where an administrative determination has been duly made that an error or omission on either the part of the permit applicant or government agency existed in the issuance of the permit or certificate. A new permit or certificate shall be issued in place of the incorrect permit or certificate after correction of the error or omission.
5. Notice and Appeal - All Building Inspector decisions concerning the issuance, revocation, or suspension of Building Permits and Certificates of Occupancy pursuant to this Ordinance shall be stated in a written notice to the permit applicant. Any decision of the Building Inspector with regards to this Ordinance may be appealed to the Zoning Board of Appeals

SECTION 33.4 BUILDING PERMIT APPLICATIONS. Every application for a building permit shall be made as required by the Building Code and shall designate the existing and/or intended use of the structure or premises or part thereof which it is proposed to alter, erect or extend, and the number of dwelling units, if any, to occupy it. The application shall be accompanied by an ink, blue-print or photostat copy of drawings, drawn to scale, showing the actual lines, angles and dimensions of the lot to be built upon or used, the exact size and location on the lot of all existing and proposed structures and uses, together with their specifications, and any other information with respect to the lot and adjoining property required by the Building Inspector. In cases of minor alterations to existing structures, the Building Inspector may waive any of the requirements of this paragraph obviously not necessary for his determination of its compliance with this Ordinance.

SECTION 33.5 NUISANCE PER SE. Any building or structure erected, altered, razed, converted, moved or maintained, or any use of land, building or structure carried on or maintained in violation of any provision of this Ordinances is a nuisance per se.

SECTION 33.6 MUNICIPAL CIVIL INFRACTION.

1. A person who violates any provision of this Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each violation (as authorized by Section of 7(b) of the Township Zoning Act and the Grand Rapids Charter Township Municipal Civil Infraction Ordinance, as amended).
2. Repeat offenses under this Ordinance shall be subject to increased fines as provided by this Section, below. As used in this Section, "repeat offense" means a second (or any subsequent) violation of the same requirement or provision of this Ordinance (i) committed by a person within any 90 day period and (ii) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this Ordinance shall be as follows:
 - a. The fine for any offense which is a first repeat offense shall be not less than \$250.00, plus costs.
 - b. The fine for any offense which is a second repeat offense, or any subsequent repeat offense, shall be not less than \$500.00 each, plus costs.
3. Each day on which any violation of this Ordinance continues constitutes a separate offense subject to separate sanctions.
4. The Building Inspector is hereby designated as the authorized township official to issue municipal civil infraction citations for violations of this Ordinance, as provided by the Grand Rapids Charter Township Municipal Civil Infraction Ordinance.
5. In addition to any remedies available at law, the township may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of this Ordinance.

SECTION 33.7 CEASE AND DESIST ORDERS. The Zoning Administrator shall have the authority to issue a cease and desist order in the form of a written notice for the violation of any provision of this Zoning Ordinance. A cease and desist order may be issued to any person referred to in Section 33.2 hereof. Such cease and desist order shall become effective once it has been posted on the property where the violation has occurs and a copy of the notice has been sent to the person involved by first class mail at the person's last known address. Once a cease and desist order is effective, any use or work done in violation of the Zoning Ordinance shall stop immediately and shall not be recommenced until the Zoning administrator issues a written notice dissolving the cease and desist order. Any person who violates a cease and desist order shall be responsible for a municipal civil infraction as authorized above. Any decision of the Zoning Administrator regarding a cease and desist order may be appealed to the Zoning Board of Appeals. A cease and desist order shall be in addition to the other violation penalties and remedies provided in this Ordinance and Chapter.