

PLEASANTON ZONING ORDINANCE ARTICLE 98: AMENDMENTS, VALIDITY, AND PENALTIES

9801. - AMENDMENTS:

The Pleasanton Township Board may, from time to time, amend, supplements, or change the regulations and boundaries of districts or provisions of this Ordinance in the manner prescribed by Act 184 of Public Acts of Michigan for 1943, as amended.

• A. AMENDMENT PROCEDURE:

The procedure for making amendments to the Ordinance shall be in the manner provided by statute, with all amendment proposals being referred to the Pleasanton Township Planning Commission for statutorily required notices, hearing, review by Manistee County Planning Commission, transmission of the proposed amendments and summary comments made at the public hearing to the Township Board for their action with or without an additional public hearing, within fifteen (15) days notice given in a newspaper. If the Township Board holds an additional hearing, the Township Planning Commission members shall be required to attend. Within fifteen (15) days of adoption, a notice to the effect shall be published in a newspaper and a copy of the amendment filed with the Township Clerk.

• B. CONFORMANCE TO COURT DECREE:

Any amendment for the purpose of conforming a provision thereof to the decree of a court of competent jurisdiction shall be adopted by the Township Board and the amendments published without referring the same to any other board or agency.

9802. - EXTINGUISHMENT OF AMENDMENT BY ABANDONMENT OF PURPOSE:

In the event this Ordinance is amended by the rezoning of certain premises upon the petition of a property owner for a specific project or purpose, the granting of the amendment may be conditioned upon the start of construction or the undertaking of the project within one (1) year from the effective date of such rezoning. If the start of construction does not occur within the stated time, the rezoning shall be held null and void and shall cease to exist and the premises shall thereupon revert to its former classification and zoning. The term "state of construction", is defined to mean construction started in a substantial manner and continued without unreasonable interruption to a substantial completion. The purpose of this section is to prevent a petitioner from obtaining the rezoning of premises for a specific purpose and then failing to proceed with such rezoning for a purpose, or using such rezoning for a purpose other than requested in the petition for rezoning.

9803.-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 the 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 clause be declared invalid.

9804.-PENALTIES:

Any building or structure which is erected, reconstructed, altered, converted, maintained or used, or any use of land or premises which is begun, maintained or changed in violation of any provisions of this Ordinance are hereby declared to be a nuisance per. Se. Any person, firm or corporation, or the agent in charge of such buildings or land who violates, disobeys, omits neglects or refuses to comply with, or resists the enforcement of any provision of this Ordinance, or any amendment thereof, shall be fined upon conviction not less than One Dollar (\$1.00) nor 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 less than one (1) day nor more than ninety (90) days, for each offence, or may be fined and imprisoned as provided herein. The party, or parties, convicted of such offense shall have a period of the ten (10) days in which to correct the cause of the offense. Thereafter, each and every day during which an illegal erection, construction, reconstruction, alteration, maintenance or use continue shall be deemed a separate offense. The Township Board, the Township Zoning Administrator, the Board of Appeals, the Attorney for the Township, or any owner or owners of real estate within the district in which such building, structure or land is situated may institute a nuisance, 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.

9805. - CONFLICTING PROVISIONS:

All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

9806. - REPEAL OF FORMER ZONING ORDINANCE:

Pleasanton Township Zoning Ordinance of 1975 as amended is hereby repealed as of the effective date of this Ordinance.

Fred Alkire, Supervisor

Constance Ledford, Clerk