

ARTICLE 28.00

ADMINISTRATIVE ORGANIZATION

Section 28.01 -- OVERVIEW

The Township Board of Trustees or its duly authorized representatives as specified in this Article is hereby charged with the duty of enforcing the provisions of this Ordinance. Accordingly, the administration of this Ordinance is hereby vested in the following Township entities:

- A. Township Board of Trustees**
- B. Township Planning Commission**
- C. Zoning Board of Appeals**
- D. Zoning Enforcement Officials, Including the Building Official and Township Planner**

The purpose of this part of the Zoning Ordinance is to set forth the responsibilities and scope of authority of these entities.

Section 28.02 -- TOWNSHIP BOARD OF TRUSTEES

The Township Board of Trustees shall have the following responsibilities and authority pursuant to this Ordinance.

A. Adoption of Zoning Ordinance and Amendments

In accordance with the intent and purposes expressed in the Preamble to this Ordinance, and pursuant to the authority conferred by Michigan Public Act 184 of 1943, as amended, the Township Board of Trustees shall have the authority to adopt this Ordinance, as well as amendments previously considered by the Planning Commission or at a hearing or as decreed by a court of competent jurisdiction.

B. Review and Approval of Plans

Township Board review and approval shall be required for all site plans, pursuant to Section 27.02.

Township Board review and approval shall be required for all Special Land Uses, in accordance with Section 27.03.

Township Board review and approval shall be required for all Planned Developments, in accordance with Section 27.04.

C. Setting of Fees

In accordance with Section 27.08 of this Ordinance and Section 25 of Michigan Public Act 184 of 1943, as amended, the Township Board shall have the authority to set all fees for permits, applications, and requests for action pursuant to the regulations set forth in this Ordinance. In the absence of specific action taken by the Township Board to set a fee for a specific permit or application, the appropriate Township administrative official shall assess the fee based on the estimated costs of processing and reviewing the permit or application.

D. Approval of Planning Commission Members

In accordance with Michigan Public Act 168 of 1959, as amended, members of the Planning Commission shall be appointed by the Township Supervisor with the approval of the Township Board.

E. Determining Similar Uses

The Township Board shall be responsible for determining if proposed uses are similar in nature and compatible with uses that are expressly permitted in a district, pursuant to Section 2.08.

Section 28.03 -- TOWNSHIP PLANNING COMMISSION

The Township Planning Commission shall have the following responsibilities and authority pursuant to this Ordinance.

A. Creation

The Township Planning Commission is created pursuant to Michigan Public Act 168 of 1959, as amended, the Township Planning Act, and Township Ordinance 15. In accordance with Section 11 of Act 168, the Planning Commission shall have all the powers and duties provided for zoning boards created pursuant to Michigan Public Act 184 of 1943, as amended.

B. Membership and Operation

Members of the Planning Commission shall be appointed by the Township Supervisor with the approval of the Township Board of Trustees. The qualifications of members, the term of each member, filling of vacancies, removal of members, compensation of members, and operation of the Planning Commission shall be in accordance with Act 168 of 1959, as amended, and Township Ordinance 15.

In accordance with Section 5 of Act 168, the Planning Commission by resolution shall determine the time and place of meetings. A special meeting may be called by either two (2) members upon written request to the secretary, or by the chairperson. The Planning Commission shall adopt rules for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

C. Jurisdiction

The Planning Commission shall discharge the following duties pursuant to this Ordinance:

1. Formulation of Zoning Ordinance and Amendments

The Planning Commission shall be responsible for formulation of the Zoning Ordinance, review of amendments to the Zoning Ordinance, holding hearings on a proposed Zoning Ordinance or amendments, and reporting its findings and recommendations concerning the Zoning Ordinance or amendments to the Township Board of Trustees.

2. Site Plan Review

The Planning Commission shall be responsible for review of applications for site plan approval in accordance with Section 27.02. As provided for in Section 27.02, the Planning Commission shall be responsible for making a recommendation to the Township Board to grant approval, approval subject to revisions, or denial of site plan approval.

3. Special Land Use Review

The Planning Commission shall be responsible for holding hearings and review of all applications for special land use approval in accordance with Section 27.03, and making a recommendation to the Township Board to grant approval, approval subject to revisions, or denial of approval.

4. Planned Development Review

The Planning Commission shall be responsible for holding hearings and review of all applications for planned development in accordance with Section 27.04. The Planning Commission shall be responsible for making a recommendation to the Township Board of Trustees to grant approval, approval with conditions, or denial of a Planned Development proposal.

5. Formulation of a Basic Plan

The Planning Commission shall be responsible for formulation and adoption of a basic plan (i.e., the Williamstown Township Master Plan) as a guide for the development of the Township, in accordance with Michigan Public Act 168 of 1959, as amended.

6. Review of Matters Referred by the Township Board

The Planning Commission shall be responsible for review of plats or other matters relating to land development referred to it by the Township Board of Trustees. The Planning Commission shall recommend appropriate regulations and action on such matters.

7. Report on Operation of the Zoning Ordinance

In accordance with Section 13 of Michigan Public Act 184 of 1943, as amended, the Planning Commission shall periodically prepare for the Township Board of Trustees a report on the operations of the Zoning Ordinance including recommendations as to the enactment of amendments or supplements to the Ordinance.

Section 28.04 -- ZONING BOARD OF APPEALS

The Township Zoning Board of Appeals (hereinafter referred to as "ZBA") is created pursuant to Michigan Public Act 184 of 1943, as amended, the Township Rural Zoning Act.

A. Membership and Operation

The ZBA shall consist of five (5) members who shall be appointed in accordance with Section 18 of Michigan Public Act 184 of 1943, as amended, as follows:

1. The first member shall be a Chairperson of the Planning Commission or the Chairperson's designee.
2. The remaining members shall be electors of the Township residing outside of incorporated cities and villages, and shall be representative of the population distribution and of the various interests present in the Township.
3. Of the remaining members, one shall be a member of the Township Board.

No employee or contractor of the Township may be a member or employee of the Board of Appeals. No elected officer of the Township may serve as chairman of the Board of Appeals.

The qualifications of members, the term of each member, filling of vacancies, compensation of members, and operation of the ZBA shall be in accordance with Act 184. The ZBA shall not conduct business unless a majority of the members of the Board are present.

B. Meetings

Meetings of the ZBA shall be held in accordance with an adopted schedule, or at the call of the Chairman, or at such other times as the ZBA may specify in its rules and procedures. The ZBA shall state the grounds of each determination, and shall maintain a record of its proceedings, which shall be filed in the office of the Township Clerk.

C. Jurisdiction

The ZBA shall have the authority outlined in Section 27.05.

Section 28.05 -- BUILDING OFFICIAL, TOWNSHIP PLANNER, AND OTHER ENFORCEMENT OFFICIALS

A. Overview

As specified throughout this Ordinance, certain actions necessary for the implementation of this Ordinance shall be administered by the Building Official and other Township administrative officials, the Township Planner, or their duly authorized assistants or representatives. In carrying out their designated duties, all such enforcement officers shall administer the Ordinance precisely as it is written and shall not make changes or vary the terms of the Ordinance.

B. Responsibilities of the Building Official and Assistants

In addition to specific responsibilities outlined elsewhere in this Ordinance, and in addition to specific responsibilities related to enforcement and administration of the adopted Building Code, the Building Official or his/her duly authorized assistants shall have the following responsibilities:

1. Provide citizens and public officials with information relative to this Ordinance and related matters.
2. Assist applicants in determining and completing appropriate forms and procedures related to site plan review, rezoning, and other zoning matters.
3. Review and investigate permit applications to determine compliance with the provisions of the Zoning Ordinance.
4. Issue building or other appropriate permits when all provisions of this Ordinance and other applicable ordinances have been complied with.
5. Issue Certificates of Occupancy in accordance with Section 27.07 when all provisions of this Ordinance and other applicable ordinances have been complied with.
6. Perform inspections of buildings, structures, and premises to insure proposed land use changes or improvements are and will remain in compliance with this Ordinance.

7. Investigate alleged violations of this Ordinance and enforce appropriate corrective measures when required, including issuance of violation notices, issuance of orders to stop work, and revoking of permits.
8. Perform other related duties required to administer this Ordinance.

C. Responsibilities of the Township Planner

In addition to specific responsibilities outlined elsewhere in this Ordinance, upon request from the Township Board or other authorized Township body or official, the Township Planner or his/her duly authorized assistants shall have the following responsibilities:

1. Prepare and administer such plans and ordinances as are appropriate for the Township and its environs, within the scope of the Michigan planning and zoning enabling acts.
2. Advise and assist the Planning Commission and be responsible for carrying out the directives of the Planning Commission.
3. Advise and assist the Township Board and be responsible for carrying out the directives of the Township Board.
4. Provide citizens and public officials with information relative to this Ordinance and related matters.
5. Assist applicants in determining the appropriate forms and procedures related to site plan review, rezoning, and other zoning matters.
6. Forward to the Planning Commission all applications for site plan review, special land use review, planned development proposals, petitions for amendments to this Ordinance, and other applications which must be reviewed by the Planning Commission.
7. Forward to the Zoning Board of Appeals all materials related to applications for appeals, variances, of other matters on which the Zoning Board of Appeals is required to act.
8. Forward to the Township Board all recommendations of the Planning Commission concerning matters on which the Township Board is required to take final action.
9. Periodically report to the Planning Commission on the status of Township's zoning and planning administration. The Township Planner's reports may include, but need not be limited to, updates on the nature and number of planning, zoning, and development inquiries; planning or zoning concerns that are not adequately addressed in the Zoning Ordinance; development trends that the Planning Commission should be aware of and/or may wish to study; statistical or other information that would help the Planning Commission perform their duties; administrative policy decisions that affect planning and zoning; and similar concerns.
10. Maintain up-to-date Zoning Map, Zoning Ordinance text, and office records by recording all amendments and filing all official minutes and documents in an orderly fashion.
11. Maintain records as accurately as is feasible of all nonconforming uses, structures, and lots existing on the effective date of this Ordinance, and update this record as conditions affecting the nonconforming status of such uses changes.
12. Review all applications for site plan review, special land use review, planned development proposals, and take any action required under the guidelines in Article 27.00.

Administrative Organization

13. At the request of the Planning Commission or Township Board, draft amendments to the Zoning Ordinance and other ordinances to accomplish the planning objectives of the Township.
14. Perform other related duties required to administer this Ordinance.