

ORDINANCE NO: 5

**TOWNSHIP OF MICHIGAMME
MARQUETTE COUNTY, MICHIGAN
SUBDIVISION ORDINANCE**

An Ordinance regulating the subdivision of land in the Township of Michigamme, requiring and regulating the preparation and presentation of preliminary and final plats for such purpose; establishing minimum subdivision standards; providing for minimum improvements to be made or guaranteed to be made by the subdivider; setting forth the procedures to be followed by the Township Board by applying these rules, regulation and standards, and prescribing penalties for the violation of its provisions.

SECTION I. PURPOSE

To regulate and control the subdivision of land within the Township of Michigamme, in order to promote the safety, public health and general welfare of the community. These regulations are specifically designed to

- a. Provide for orderly growth and harmonious development of the community, consistent with orderly growth policies.
- b. Achieve individual property lots of maximum utility and livability.
- c. Insure adequate provision for water, drainage, sanitary facilities, and other health requirements.

SECTION II. DEFINITIONS

- a. Alley: a public or private right-of-way shown on a plat which provides secondary access to a lot, block or parcel of land.
- b. Dedication: the intentional appropriation of land by the owner to public use.
- c. Improvements: any structure incident to servicing or furnishing facilities for a subdivision.
- d. Lot: a measured portion of a parcel or tract of land, which is described and fixed in a recorded plat.
 - 1. Lot Depth: the horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

2. Lot Width: the horizontal distance between the side lot lines measured at the setback line and at right angles to the lot depth.

E. Outlot: When included within the boundary of a recorded plat, a lot set aside for purposes other than a building site, or other land dedicated to public use or reserved to public use.

F. Parcel or Tract: a continuous area or acreage of land which can be described as provided for in the Subdivision Control Act, Act 288, P.A. 11967, as amended.

G. Public or private street or road: one which meets the Marquette County Road Commission Standards

SECTION III: Platting Procedure and Data Required

A. Preliminary Plats: Preliminary plats shall be submitted and filed for final approval under Sections 112-120 of the Subdivision Control Act. The fee paid shall be made to the Township Clerk at the time of filing.

ACTIONS: Planning Commission

1. The Planning Commission shall consider the preliminary plat at its next meeting, but no later than 30 days after receipt.
2. The Planning Commission shall within 30 days either reject the preliminary plat and give reasons or set forth within the conditions for granting approval.

B. CONDITIONS AND DURATION OF APPROVAL;

CONDITIONS:

Approval of a preliminary plat shall not constitute approval of the final plat, but rather that final plat approval shall be conditional on all requirements having been met.

DURATION:

1. Approval of the preliminary plat by the Planning Commission shall be for a period of one year commencing from the date of its approval by the other required authorities.
2. The Planning Commission may extend the one year period if requested in writing but only regarding its own requirements.

C. FINAL PLATS;

REQUIREMENTS

1. Final plats shall be prepared and submitted as provided for in the Subdivision Control Act 288, as amended.

2. A written application for approval and the recording fee shall accompany all final plats.
3. The subdivider shall submit proof of ownership of the land included in the final plat in the form of an abstract of title certified to the date of the proprietor's certificate, or a policy of title insurance currently in force.
4. The Township may require such other information as it deems necessary to establish that the appropriate parties have signed the plat.

D. ACTIONS:

Planning Commission

1. The Planning Commission shall review the final plat at its next regular meeting, or at a meeting to be called within 30 days of receipt of the plat.
2. The Planning Commission shall approve the plat, or disapprove. If disapproved, the Township Board shall provide its reasons in writing and rebate the recording fee and whatever portion of the review fee is provided for in this Ordinance.
3. The Planning Commission shall instruct the Secretary to record all proceeding in the minutes of the meeting, which shall be open for inspection and to sign the municipal certificate on the approved plat on behalf of the Township Board.

SECTION IV: LOT REQUIREMENTS:

Lot Size: the lot width, depth, and area shall not be less than the particular district requirement of the Michigamme Township Zoning Ordinance.

Lot Lines: Side lot lines shall be essentially at right angles to straight streets and radial to curved streets.

Width related to Length: Narrow deep lots shall be avoided. The depth of a lot generally shall not exceed four (4) times the width as measured at the building line.

Corner Lots: Corner lots shall have extra width to permit appropriate building setback from both streets and orientation to both streets.

Unbuildable Areas: Lands subject to flooding or otherwise deemed by the Township board to be uninhabitable shall not be platted for residential purposes, or for uses that may in the judgment of the Township Board increase the danger to healthy life or property or increase the flood hazard, Such land within a subdivision may be set aside for other uses, such as parks or open spaces,

Lot Frontage; All lots shall front upon a public or private street or road. Exceptions may be permitted for lots on lakes, rivers, or streams. The front line shall be the street or road unless otherwise shown on the plat.

Lot Division; The division of a lot in a recorded plat is prohibited, unless approved following application to the Township Planning Commission. The application shall be filed with the Township Clerk and shall state the reasons for the proposed division. No lot in a recorded plat shall be divided into more than four (4) parts and the resulting lots shall not be less in area than permitted by the Township Zoning Ordinance. No building permit shall be issued, or any building construction commenced unless the division has been approved by the Planning Commission and the suitability of the land for building sites has been approved by the County or District Health Department. 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 an affidavit.

SECTION V.

Violation: Violations of the provisions of this Ordinance or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with variances and conditional uses and including those of approved site plans, shall be subject to a civil penalty. Any person who violates this Ordinance or fails to comply with any of its requirements shall be in violation of the Civil Infraction Ordinance and will be subject to its rulings.

SECTION VI

Severability. The several sections of this ordinance shall be deemed severable, and should any section, clause, paragraph, or provision thereof be declared unconstitutional or contrary to the laws of the State of Michigan and thereafter voided by any court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole or any other part thereof other than that part or section so declared to be unconstitutional or invalid.

SECTION VII

Repeal. All ordinances, resolutions, orders or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

MICHIGAMME TOWNSHIP BOARD

By: Alvar Maki July 25, 2013

Alvar Maki – Township Supervisor

By: Jean Howe July 25th, 2013

Jean Howe, Township Clerk

I, HEREBY CERTIFY that the above ordinance is a true copy of the ordinance adopted by the Michigamme Township Board at its meeting held on the 25th day of July.

Vote: 5 Ayes, 0 Nays;

Board Members voting "Aye": Tembreull, Perry, Skytta, Howe, Maki

Board Members voting "NAY": _____

I, FURTHER CERTIFY THAT THIS ORDINANCE WAS:

Published in the Mining Journal : July 31, 2013 and

Filed with the Marquette County Clerk : August 30, 2013

MICHIGAMME TOWNSHIP CLERK

By: Jean Howe 08/30/13

Jean Howe