

**TOWNSHIP OF ALGANSEE
COUNTY OF BRANCH, STATE OF MICHIGAN**

At a regular meeting of the Township Board of the Township of Algansee, Branch County, Michigan, held at the Township Hall, in said Township, on the 4th day of November, 2019, at 7:30 p.m.

PRESENT: Members John Shilling, Harold Sneath, Russ Jennings, Ann Strong, Anne Gary

ABSENT: Members None

The following ordinance was offered by Member, Ann Strong, and supported by Member, Harold Sneath.

The Township of Algansee ordains:

ORDINANCE NO. 803

An ordinance to regulate the division of a lot in a recorded plat in the Township of Algansee, County of Branch, State of Michigan; as per the Land Division Act, 1967 PA288, MCLA 560.263:

THE TOWNSHIP OF ALGANSEE HEREBY ORDAINS:

1. In order to divide a lot in a recorded plat, it shall be necessary for the proprietor of that lot to submit an affidavit to the Algansee Township Clerk, requesting approval for the proposed division. The affidavit must clearly describe: the purpose of the proposed division; the plat and lot number; main road frontage and area of the resulting lots of the lot to be divided.
2. Per PA23 of 2019, Sec 109(1)(i)1, submit Branch County Treasurer's Tax Certification, stating all property taxes and special assessments due on this parcel or tract subject to the proposed division for the five (5) years preceding the date of the application have been paid.
3. Following receipt of the affidavit and Tax Certification, the Clerk will submit the affidavit and supporting documents to the Township Board at its next regular meeting.
4. The Township Board may approve or deny the request to allow division of the lot. A majority vote is required for approval. The determination is discretionary, except that the Township Board shall not approve any division which is not in full conformity with this ordinance.
5. No lot in a recorded plat shall be divided into more than four (4) parts.
6. No lot in a recorded plat shall be divided if either of the following conditions exist:
 - a. All resulting lots to be created by the proposed division shall fail to fully comply with the applicable lot area and lot width requirements of the Algansee Township Zoning Ordinance for the zoning district(s) in which the resulting lots are located.
 - b. Either of the resulting lots comprising the lot to be divided lack direct access to a street or road.
7. Paragraph 6 shall be inapplicable for any lot which fails to meet the requirements thereof, if that lot is served by public sewer and public water systems.

8. Paragraph 6 shall be inapplicable for any lot which fails to meet the requirements thereof, if that lot is conveyed to the proprietor of a lot immediately adjacent thereto, and said adjacent lot fully complies with the applicable area and lot width requirements of the Algansee Township Zoning Ordinance for the zoning district in which said adjacent lot is located.
9. No building permit shall be issued, nor any construction commenced, until the lot division has been approved by the Township board and permits issued on the resulting parcels by the District Health Department, as necessary.
10. Approval of the division of a lot shall be contingent on an agreement in writing by the applicant that any sales contract, deed, or any other document presented for recording at the office of the Branch County Register of Deeds, shall be accompanied by a copy of the written approval of the Township Board for the division.
11. Anyone violating any provision of this Ordinance is responsible for a municipal civil infraction, subject to the payment of a civil fine of not less than \$50, plus costs and other sanctions, for each infraction. A second infraction within six months shall subject the violator to payment of a civil fine of not less than \$100. A third, or more, infractions within six months of the previous infraction shall be subject to a fine of not less than \$250.
12. All ordinances or parts of ordinances in conflict herewith are hereby repealed. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.
13. This ordinance shall take effect thirty (30) days after publication in accordance with Act No. 78 of the Public Acts of 1989 as amended.

Ayes: Shilling, Sneath, Jennings, Strong, Gary

Nays: None

ORDINANCE DECLARED ADOPTED: November 4, 2019

ORDINANCE EFFECTIVE: _____

State of Michigan)
)ss.
County of Branch)

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Algansee at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Anne Gary, Algansee Township Clerk