

## ARTICLE 27.00

# INTERPRETATION, SEVERABILITY, PENALTIES, AMENDMENTS, RIGHTS, REMEDIES, GENERAL RESPONSIBILITY, ENACTMENT AND EFFECTIVE DATE

### **Section 27.01 Interpretation**

In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, or general welfare. Where this Ordinance imposes a greater restriction than is required by existing ordinances or by rules, regulations or permits, the provisions of this Ordinance shall control. Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, district, zoning classification or any permissible activities therein; and, they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety, and welfare.

### **Section 27.02 Severability**

This Ordinance and the various parts, sections, subsections, phrases and clause 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 this 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 clauses be declared invalid.

### **Section 27.03 Violation and Penalty**

Any person, firm or corporation, including, but not by way of limitation, builders and contractors who shall violate, neglect, or refuse to comply with or who resists the enforcement of any of the provisions of this Ordinance or conditions of the Board of Appeals or Township Board adopted pursuant thereto, or conviction thereof, shall be punished by a fine not to exceed five hundred (\$500.00) dollars and costs of prosecution, or by being imprisoned in the County Jail for not more than ninety (90) days, or both such fine and imprisonment at the discretion of the Court. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance. Uses of land, and dwellings, buildings, or structures, including tents, trailer coaches and mobile homes, used, erected, altered, razed, or converted in violation of any provision of this Ordinance, are hereby declared to be a nuisance per se. The Court may order such nuisance abated and the owner or agent in charge of such dwelling, building, structure, tent, trailer coach, mobile home, or land may be determined guilty of maintaining a nuisance per se, and the nuisance may be abated by order of any court of competent jurisdiction.

### **Section 27.04 Amendments to this Ordinance**

The Township Board may, upon recommendation from the Planning Commission, amend, supplement or change the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in 2006 P.A. 110, as amended, known as the Michigan Zoning Enabling Act. Whenever a petitioner requests a zoning district boundary amendment, he shall be the fee-holder owner of the premises concerned or the fee-holder owner shall also subscribe to his petition and shall submit a petition for rezoning to

the Township in accordance with the provisions of Section 18.05 of this Ordinance. Any applicant desiring a change in the text of this Ordinance shall submit a proposed text amendment in accordance with the provision so Section 18.05 of this Ordinance. (amended 9/12/06)

### **Section 27.05 Rights and Remedies**

The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

### **Section 27.06 General Responsibility**

The Township Board or its duly authorized representative is hereby charged with the duty of enforcing this Zoning Ordinance and said Board is hereby empowered to commence and pursue any and all necessary and appropriate actions and/or proceedings in the Circuit Court, or any other court having jurisdiction, to restrain and/or prevent any non-compliance with or violation of any of the provisions of this Ordinance, and to correct, remedy and/or abate such non-compliance or violation. It is further provided that any person aggrieved or adversely affected by such a noncompliance or violation may institute suit or join the Township Board in such a suit to abate the same.

### **Section 27.07 Enactment and Effective Date**

The foregoing Zoning Ordinance and Zoning Map were adopted at a regular meeting of the Charter Township of Bangor Board of Trustees, on November 8, 2005, after approval of the same by the Bangor Township Planning Commission following a public hearing on September 28, 2005. The Zoning Ordinance was ordered published in a newspaper having general circulation in Bangor Township, Michigan and said Zoning Ordinance shall become effective immediately upon the date of such publication.