

Lee Township  
Allegan County, Michigan  
Ordinance NO. 2026.2

**Single-Family Residence Ordinance**

An ordinance to amend, consolidate, and restate Ordinance No. 2026 to regulate the placement or construction of all single-family residences, site built, mobile, and modular homes located within Lee Township, Allegan County, Michigan.

THE TOWNSHIP OF LEE, ALLEGAN COUNTY, MICHIGAN ORDAINS:  
Ordinance No. 2026 is hereby repealed and replaced by the following:

**Section 1. Ordinance Title**

This Ordinance shall be known as and may be cited as "The Township of Lee Single-Family Residence Ordinance."

**Section 2. Purpose**

It is the purpose of this Ordinance to protect the safety and health of the public, and to promote the comfort, convenience and welfare of the public by establishing minimum dimensions for single family residences in the Township located outside mobile home parks; by establishing specific standards applicable to single-family residences, whether manufactured or site built, proposed to be moved within or into the Township; and by establishing standards pertaining to foundations, and skirting to assure that modular, manufactured and mobile homes located outside mobile home parks are so constructed and placed that the safety and appearance of single-family residences in Lee Township are consistent with the interests of the residents and citizens in developing and maintaining safe, attractive, and affordable housing.

**Section 3. Residential Use of Certain Structures or Objects Prohibited.**

No person shall reside in any camper, tent, tepee, bus, car, other motor vehicle, cave or any other structure, place, or location, not originally designed and intended for residential use and/or not constructed in a manner and with materials which comply with the requirements of applicable federal and state laws and Township ordinances for residential structures.

**Section 4. Lot Requirements**

A single-family residence shall only be constructed, moved, placed, or relocated on a lot or parcel that has frontage on a public or private road, is served by a deeded easement from a public or private road, or has been approved by the Lee Township Fire Department.

## **Section 5. Setbacks**

The required setback for single-family residences and their accessory structures shall be as follows. The front yard setback shall be thirty-five (35) feet minimum measured from the road right-of-way line. The rear yard setback shall be fifteen (15) feet minimum from the property line. The side yard setback shall be thirty (30) total feet with one side not less than seven (7) feet minimum from the property line. Variances from the required setbacks may be granted by the Township Board.

## **Section 6. Minimum Floor Area**

A. All site built homes constructed and all mobile, manufactured and modular homes located within Lee Township for single-family residences shall have a floor area of not less than 780 square feet and a width or length dimension of no less than 14 feet, except when located in a mobile home park.

B. All single-family residences, to be constructed or located in Lee Township, shall meet the requirements of the Mich. Admin. Code R 408.30501 – 408.30547 (2011) or verification shall be presented that the home has been manufactured in conformance with the standards promulgated by the United States Department of Housing and Urban Development, Minimum Property Standards for Housing (1994). The aforementioned standards shall apply to all single-family residences built or brought into the Township, those whose location is changed within the Township or on a lot, and those single-family residences, site built, mobile, manufactured or modular homes which replace an existing mobile, manufactured or modular home or residence.

## **Section 7. Square Footage Determination**

A. In determining the square footage referred to in Section 6 above, any additions or attempted additions shall not be considered or permitted in an effort to meet the minimum requirements.

B. Two or more mobile homes may not be tied together, nor may a mobile home be added to an existing mobile home. No mobile home may be installed as an addition to an existing conventionally constructed home. A site-built home may be built over a mobile home already existing on-site provided, that it meets all requirements of the Mich. Admin. Code R 408.30501 – 408.30547 (2011).

## **Section 8. Permits**

A. No single-family residence shall be constructed, moved, placed or relocated within Lee Township without the owner or the owner's representative first obtaining a permit from the building official.

B. No permit shall be issued for the construction, moving, placement or relocation of a single-family residence in Lee Township unless the required application and fee are submitted with the following:

1) Proof of ownership of the lot or parcel on which the proposed single-family residence is to be located.

2) A site plan showing location of the proposed single-family residence, all other structures located on the lot or parcel, and all proposed setbacks to property lines.

3) A copy of the well and septic permits issued by the Allegan County Health Department.

4) Construction plans including all foundation specifications in compliance with the Mich. Admin. Code R 408.30501 – 408.30547 (2011).

5) A driveway permit issued by the Allegan County Road Commission.

6) A soil Erosion permit issued by the Allegan County Health Department for all projects within 500' of any lake, river, stream, or county drain.

#### **Section 9. Multiple Mobile Homes on Parcel**

No more than two mobile homes shall be allowed on any lot or parcel unless such lot or parcel has a mobile home park license from the State of Michigan (Mobile Home Commission Act, MCLS § 125.2316).

#### **Section 10. Anchoring System**

The Mobile Home shall be installed pursuant to the manufacturer's setup instructions and shall be secured to the Building site by an anchoring system or device complying with the rules and regulations, as amended, of the appropriate state agency or any similar or successor agency having regulatory responsibility for Mobile Home Parks.

#### **Section 11. Skirting**

All mobile, manufactured or modular homes must be skirted. The skirting between the ground and the base of the mobile, manufactured, or modular home must conform and be of similar material to the structure or masonry material. Skirting must be installed within thirty (30) days of locating on permanent foundation or before occupancy, whichever occurs first. This section is in accordance with the Mobile Home Commission's rules (MCLS §125.2307) which permit local units of government to adopt ordinances that require the installation of skirting without Mobile Home Commission approval.

## Section 12. Sanctions and Enforcement

Any person, firm, association, corporation, or governmental entity that violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction, as defined by Michigan law, which shall be punishable by a civil fine determined in accordance with the following schedule:

Fines	Minimum	Maximum
1st Offense	\$75.00	\$500.00
2nd Offense within 3-year period*	\$150.00	\$500.00
3rd Offense within 3-year period*	\$325.00	\$500.00
4th or more Offense within 3-year period*	\$500.00	\$500.00

\*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay all costs, direct or indirect, incurred by Lee Township in prosecution of the municipal civil infraction or enforcement of this provision. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. The Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

The building official and any deputy sheriff enforcing Township ordinances pursuant to an inter local agreement between the Township and the Allegan County Sheriff Department are hereby authorized to issue and serve appearance tickets under this Ordinance and as provided in MCL § 764.9c(2).

## Section 13. Severability.

The invalidity of any clause, sentence, paragraph, or part of this Ordinance shall not affect the validity of the remaining parts of this Ordinance.

#### Section 14. Savings Clause

A prosecution that is pending on the effective date of this Ordinance and that arose from a violation of an ordinance repealed by this Ordinance, or a prosecution that is started within a year after the effective date of this Ordinance arising from a violation of an ordinance repealed by this Ordinance and that was committed before the effective date of this Ordinance, shall be tried and determined exactly as if the former ordinance had not been repealed.

#### Section 15. Repeal Clause

Ordinance No. 2026 is repealed in its entirety.

#### Section 16. Effective Date.

This Ordinance is declared necessary for the health, safety and welfare of the Township of Lee and effective 30 days after its publication.

Motion made by Supervisor OWEN, Seconded by Board member  
Trustee BLACK, on this Day Nov. 10<sup>th</sup> 2014

Supervisor Owen	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Absent	<u>Scott D. Co</u>
Clerk King	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Absent	<u>Reggie King</u>
Treasurer Lowery	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Absent	<u>Jessie Lowery</u>
Trustee Galdikas	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Absent	<u>Joe Galdikas</u>
Trustee Black	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Absent	<u>Johnny L. Black</u>