

LEE TOWNSHIP
ALLEGAN COUNTY, MICHIGAN

ORDINANCE NO. 2026

SINGLE-FAMILY RESIDENCE ORDINANCE

An ordinance to amend, consolidate, and restate Ordinance No. 2008, Ordinance No. 2015, and Ordinance No. 2019 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. 2008, Ordinance No. 2015, and Ordinance No. 2019 are hereby amended, consolidated, and restated to read as follows:

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 outside mobile home parks; by establishing specific pre-construction inspection requirements and standards applicable to existing single-family residences, whether manufactured or site built, proposed to be moved within or into the Township; and by establishing standards pertaining to foundations, anchoring systems, 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. Setbacks

The front shall be sixty-five (65) feet minimum from the property line. Side and back yard will be fifteen (15) feet minimum from the property line with variance allowable in close proximity areas (i.e., lakefront lots), but said variance never less than seven (7) feet. When the front setback is measured from the road, the thirty-three (33) feet county right-of-way must be considered prior to establishing the setback starting point, hence, the front setback will be sixty-five (65) feet on county roads. The side yard minimum distance required for accessibility in the event of fire applies to all locations and is seven (7) feet.

Section 5. Minimum Floor Area

- A. That from and after September 15, 1999, all site built homes constructed and all mobile 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, including site built homes, mobile and modular homes, to be constructed or located in Lee Township, shall conform to all BOCA or HUD Code requirements. These codes 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 residences, site built, mobile or modular homes which replace an existing mobile or modular home or residence.

Section 6. Square Footage Determination

- A. In determining the square footage referred to in Section 5.A 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 stick constructed home may be built over a mobile home provided that it meets all BOCA or HUD Code requirements and there is no load bearing weight put on the mobile home. A drawing must be submitted to the Building Inspector prior to obtaining a permit.

Section 7. Permits

- A. Sanitary/Well permits.

Prior to commencing construction or prior to a placement of any site built, modular or mobile home, there shall be obtained sanitary/well permits from the Allegan County Health Department. A copy of sanitary/well permits must be attached to building permit application.

- B. Inspection permit for previously sited site built, mobile or modular homes.
- (1) All inspections required under this Section must occur prior to moving all site built, modular or mobile homes from their previous placement. All site built, modular or mobile homes located outside of Lee Township which require inspection under this Section, must be inspected by the Lee Township Building Inspector prior to being brought into Lee Township. Said mobile home or pre-manufactured residence shall be 15 years or newer as of January 1 of the year that structure is placed in Lee Township. The initial inspection will be made by the Lee Township Building Inspector within fourteen (14) days of request. Once the initial inspection has taken place, the home must be moved to lot site and set on a permanent foundation within sixty (60) days, with final inspection within thirty (30) days of locating on permanent foundation.
 - (2) Prior to placement of any site built, modular or mobile homes which were previously placed in another location either within or outside of Lee Township, an inspection of the site built modular or mobile homes must be conducted by Lee Township and the results of that inspection attached to the Building Permit Application. The inspection will be conducted in order to determine whether the previously place site built, modular or mobile home meets all state, county and township codes regarding site built, modular or mobile homes in order to provide for the safety and welfare of Township residents.
 - (3) All inspections under this Section shall be subject to the fee schedule adopted by Lee Township. In addition, any mileage and fees incurred for inspection purposes outside of Lee Township shall be paid by the applicant.

Section 8. Mobile & Modular Home Minimum Foundation Requirements

All such mobile or modular homes shall be set on a permanent foundation which shall consist of a full cement slab same length and width as mobile or modular home or meet BOCA or HUD Code requirements. Specifications will be issued by Building Inspector at time of permit application.

Section 9. Anchoring System

All mobile homes must meet BOCA or HUD Code requirements and be anchored by means of a combination of ties, anchoring equipment, and ground anchors that will, when properly installed, resist movement of an in-place mobile home caused by wind force. This section is in accordance with the Mobile Home Commission's rules which permit local units of government to adopt ordinances that require the installation of anchoring systems without obtaining Mobile Home Commission approval.

Section 10. Skirting

All mobile homes must meet BOCA or HUD Code requirements and must be skirted. This material between the ground and the base of the mobile home must conform and be of similar material to the original structure and/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 which permit local units of government to adopt ordinances that require the installation of skirting without obtaining Mobile Home Commission approval.

Section 11. Exemptions

The foregoing requirements and standards shall not apply to a trailer coach, mobile home or manufactured residence structure located in a licensed mobile home park except to the extent that same may be required by State law or otherwise specifically required by an Ordinance hereinafter adopted by said Township, pertaining to such parks.

Section 12. Sanctions and Enforcement.

Any person, firm, association, partnership, corporation or governmental entity who 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:

	<u>Minimum</u> <u>Fine</u>	<u>Maximum</u> <u>Fine</u>
1 st Offense	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	150.00	500.00
3 rd Offense within 3-year period*	325.00	500.00
4 th 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 costs which may include all expenses, direct and indirect, to which Lee Township has been put in connection with the municipal civil

infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. In addition, 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 interlocal agreement between the Township and the county sheriff are hereby authorized to issue and serve appearance tickets under this Ordinance and as provided by MCL 764.9c(2).

Section 13. Severability; validity.

The several provisions of this Ordinance are declared to be separate; if any court shall rule that any section or provision thereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this Ordinance.

Section 14. Repealer: Savings clause.

Any sections or provisions of Ordinance No. 2008, Ordinance No. 2015, or Ordinance No. 2019 which are inconsistent with this Ordinance are hereby repealed, with the exception that this amendment, consolidation, and restatement of Ordinance No. 2008, Ordinance No. 2015, and Ordinance No. 2019 shall not effect any enforcement proceeding or prosecution which may be pending under any of those ordinances, which enforcement proceeding or prosecution shall continue until conclusion under said ordinances as if said ordinances had not been amended, consolidated and restated by this Ordinance.

Section 15. Effective Date.

This Ordinance shall take effect thirty (30) days after its publication as required by law.

Moved by member S. MOORE, supported by member J. CERICOLA to adopt the foregoing ordinance.

Ayes: S. BLACK, J. CERICOLA, J. LOWERY, S. MOORE & D. CHRISTENSEN.

Nays: NONE

Absent/Abstentions: NONE

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Township Board of Lee Township, Allegan County, Michigan, at a meeting held on MAY, 13, 2002. I further certify that the Ordinance was published on MAY, 23, 2002 in the ALLEGAN COUNTY NEWS. I further certify that a copy of this Ordinance was filed with the Allegan County Clerk on May, 24, 2002.


Township Clerk

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