

STATE OF MICHIGAN  
COUNTY OF MACKINAC  
BOIS BLANC TOWNSHIP

ORDINANCE NO. 40

Adopted: 11-12-03

LOT DIVISION IN RECORDED PLATS ORDINANCE

An Ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to Michigan Public Act 288 of 1967, (Appendix E) as amended, and Act 246 of 1945 (Appendix F) as amended, being the Township General Ordinance statute; to provide a procedure therefore, to repeal any Ordinance or provision thereof in conflict herewith, and to prescribe penalties and enforcement remedies for the violation of this Ordinance.

TOWNSHIP OF BOIS BLANC  
MACKINAC COUNTY, MICHIGAN  
ORDAINS;

SECTION I  
TITLE

This Ordinance shall be known and cited as the Bois Blanc Township Lot Division in Recorded Plats Ordinance.

SECTION II  
PURPOSE

The purpose of this ordinance is to call out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable Ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety, and welfare of the residents and property owners of the municipality by establishing reasonable standards for prior review and approval of lot divisions in a recorded plat within the Township.

SECTION III  
APPLICATION FOR LOT DIVISION IN RECORDED PLATS

The division of a lot in a recorded plat is prohibited, unless approved following application to the Bois Blanc Township Supervisor, or other official designated by the Bois Blanc Township Board. The application shall be filed with the Bois Blanc Township Clerk and shall state the reasons for the proposed division.

SECTION IV  
STANDARDS FOR APPROVAL OF LOT DIVISION  
IN RECORDED PLATS

- a. No lot in a recorded plat shall be divided into more than four (4) pans and the resulting lots shall be not less in area than permitted by the Bois Blanc Township zoning ordinance. No building permit shall be issued, or any building construction commenced, unless the division has been approved by the Bois Blanc Township Supervisor, or other official designated by the Bois Blanc Township Board and the suitability of the land for building sites has been approved by the LMAS district health department.
- b. All parcels, created and remaining, have existing adequate accessibility or an area available therefore, to a public road for public utilities and emergency and other vehicles not less than the requirements of all applicable ordinances.
- c. 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 affidavit form and shall contain a drawing showing the dimensions and description of each pan of the lot as proposed for dividing.
- d. Approval of the division of a lot in a recorded plat 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 Mackinac County Register of Deeds shall be accompanied by a copy of the written approval of the Bois Blanc Township Supervisor, or other official designated by the Bois Blanc Township Board and a drawing of the lot as approved for dividing.

e. The Mackinac County Register of Deeds shall not record a document involving the division of a lot in a recorded plat unless approved by the Bois Blanc Township Supervisor, or other official designated by the Bois Blanc Township Board in compliance with the provisions of this ordinance.

#### SECTION V PENALTIES AND ENFORCEMENT

Any person who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute, which shall be punishable by a civil fine of not more than \$500.00 along with costs which may include all expenses, direct and indirect, to which Bois Blanc 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. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law.

#### SECTION VI SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable if any clause, sentence, word, section, or provision is declared null and void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this Ordinance other than said part or portion (hereof).

#### SECTION VII REPEAL

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed, except that this Ordinance shall not be construed to repeal any provision of the Township Zoning Ordinance, or the building codes adopted by Bois Blanc Township.

#### SECTION VIII EFFECTIVE DATE

This Ordinance shall take effect 30 days following publication after adoption.

TOWNSHIP OF BOIS BLANC

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CERTIFICATE

I, Joan E. Schroka, Bois Blanc Township Clerk, do hereby certify that the foregoing Bois Blanc Township Ordinance No. was adopted by the Bois Blanc Township Board at a regular meeting held on November 12, 2003, and that the following is a record of the vote of the members of said Township Board on said Ordinance.

AYES: 5

NAYS: 0

ABSTENTIONS: 0

ABSENT: 0