

Hamilton Township

Zoning Ordinance 2011

Article 1 – Miscellaneous Provisions

1.1 Short Title

This Ordinance shall be known and may be cited as the Hamilton Township Zoning Ordinance.

1.2 Legal Basis

This Ordinance has been prepared and adopted under the authority of the Township Rural Zoning Act (P.A. 184 of 1943, as amended). This Ordinance shall be continued to be maintained, applied and enforced under the authority of Public Act 110 of 2006, as amended, the Michigan Zoning Enabling Act

1.3 Purpose

It is the purpose of this Zoning Ordinance to promote public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to limit the improper use of land, to conserve natural resources and energy, to meet the needs of the state's residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to insure that uses of the land shall be situated in appropriate locations and relationships, to avoid the overcrowding of population, to provide adequate light and air, to lessen congestion on the public roads and streets, to reduce hazards to life and property, to facilitate adequate provision for a system of transportation, sewage disposal, safe and adequate water supply, education, recreation, and other public requirements, to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources, and properties, to carry out the goals, objectives and policies contained in the master plan for the Township adopted pursuant to the Township Planning Act, Public Act 168 of 1959, and as may be periodically amended or newly adopted pursuant to the Planning Enabling Act, Public Act 33 of 2008, and to advance all other purposes as authorized by the Michigan Zoning Enabling Act.

1.4 Interpretation

This Ordinance does not repeal other laws and ordinances except as may be noted in the provisions that follow this section. This Ordinance has no effect on the applicability of private deed restrictions or restrictive covenants.

In cases where this Ordinance imposes greater restrictions on the use of land, buildings, structures, or on the commencement of land development projects, or requires larger lots, setbacks, or parking areas than provided by other laws, ordinances, or private deed restrictions or restrictive covenants, the provisions of this Ordinance shall prevail.

In cases where this Ordinance establishes lesser restrictions on the use of land, buildings, structure, or on the commencement of land development projects, or requires smaller lots, setbacks or parking areas than

provided by other laws, ordinances, or private deed restrictions or protective covenants, the provisions of those other laws, ordinances, restrictions or covenants shall prevail.

1.5 Repeal

This Ordinance repeals and replaces the previous Hamilton Township Zoning Ordinance in its entirety.

1.6 Validity

This Ordinance and the various sections, subsections, clauses, sentences, and provisions are severable. If any section, subsection, clause, sentence or provision is declared to be unconstitutional or invalid, the balance of the Ordinance shall not be affected by the declaration

1.7 Effective Date

This Ordinance shall become effective upon publication of a notice of adoption as provided by the Township Rural Zoning Act (P.A.184 of 1943, as amended).