

CHARTER TOWNSHIP OF LYON
OAKLAND COUNTY, MICHIGAN
NOTICE OF ADOPTION
ORDINANCE NO. 11 - 19

NOTICE IS HEREBY GIVEN that the Charter Township of Lyon Board of Trustees has amended the Code of Ordinances, Chapter 10, Buildings, Article II, Single State Construction Code, Section 10-34 regarding cash deposits, and to provide penalties for violation thereof.

Section 1 of the Ordinance. Chapter 10, Buildings, Article II, Single State Construction Code, Section 10-34, Builder's Cash Deposit, was amended:

Sec. 10-34. - Cash deposit. This section provides that upon issuance of a building permit, the applicant shall deposit a cash deposit in an amount set by the Township Board to ensure the completion of the building improvements, including inspections. The cash deposit will be held by the Township until the applicant has satisfied certain conditions, including the work authorized by the building permit is completed, verification by the Township Engineer that all infrastructure have not been covered or altered, all debris, rubbish and trash have been removed from the building site, and ditches and culverts have been established in accordance with the requirements of the Road Commission for Oakland County. The cash deposit shall be returned, without interest and less any charges made against it, after final inspection and approval by the building inspector and issuance of a final certificate of occupancy. A violation of this section shall be a municipal civil infraction.

Section 2 of the Ordinance. Repealer.

Section 3 of the Ordinance. Severability.

Section 4 of the Ordinance. Savings Clause.

Section 5 of the Ordinance. Publication and Effective Date.

Section 6 of the Ordinance. Adoption.

This ordinance was adopted at a regular meeting of the Charter Township of Lyon Board of Trustees held on January 6, 2020.

This ordinance shall be effective on the 8th day after publication.

This ordinance has been published by posting on the date indicated in the Township's Clerk's office in the Township Hall at 58000 Grand River Avenue, New Hudson, MI 48165 and on the Township's Website, www.lyontwp.org under Legal Notices.

Michele Cash
Township Clerk
(248) 437-2240

ORDINANCE NO. 11-19

CHARTER TOWNSHIP OF LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF LYON CODE OF ORDINANCES, CHAPTER 10, BUILDINGS, ARTICLE II, SINGLE STATE CONSTRUCTION CODE, SECTION 10-34 REGARDING CASH DEPOSITS; AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

THE CHARTER TOWNSHIP OF LYON ORDAINS:

Section 1 of Ordinance. Amendment of Chapter 10, Buildings.

Chapter 10, Buildings, Article II, Single State Construction Code, Section 10-34, Builder's Cash Deposit, is hereby amended to read as follows:

Sec. 10-34. - Cash deposit.

- (a) Upon issuance of a building permit, the applicant shall deposit a cash deposit with the application in an amount set by Resolution of the Township Board to ensure the completion of the building improvements, including inspections required to verify that no disturbance with installed infrastructure has occurred during construction.
- (b) The cash deposit shall be held by the Township until such time as the applicant has satisfied all of the following conditions:
 - (1) The applicant has completed the work authorized by the building permit application during the term of the permit or any extensions thereof; and
 - (2) Verification by the Township Engineer that all the infrastructure, including but not limited to required manholes, have not been covered or otherwise altered during the construction process; and
 - (3) The applicant has removed and caused to be removed all debris, rubbish and trash from the building site; and
 - (4) The applicant has established ditches and culverts in accordance with the requirements and specifications of the Road Commission for Oakland County.
- (c) The cash deposit shall be returned to the applicant, without interest, and less any charges made against the deposit, after final inspection and approval by the building inspector and issuance of a final certificate of occupancy, after the necessary length of time which is required for processing by the township. No cash deposit shall be returned, or a final certificate of occupancy issued, until all of the above conditions have been satisfied.
- (d) A violation of this section shall be a municipal civil infraction punishable in accordance with Chapter 24, Law Enforcement, Article II, Municipal Civil Infractions, of the Code.

Section 2 of Ordinance. Repealer.

This ordinance repeals any ordinances in conflict thereof.

Section 3 of Ordinance. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance. The Township Board of Trustees hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4 of Ordinance. Savings Clause.

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5 of Ordinance. Publication and Effective Date.

This ordinance shall be effective on the 8th day after publication. The Township Clerk is hereby ordered and directed to cause this ordinance or a summary of this ordinance to be published in the manner required by law.

Section 6 of Ordinance. Adoption.

That this ordinance was duly adopted by the Charter Township of Lyon Township Board at its regular meeting called and held on January 6, 2020 and was ordered given publication in the manner required by law.

CHARTER TOWNSHIP OF LYON


MICHELE CASH, Township Clerk

Adoption Date: January 6, 2020

Publication Date: January 30, 2020

Effective Date: February 7, 2020