

NAPOLEON TOWNSHIP ORDINANCE

An ordinance regulating the partitioning or dividing of lots, outlots, or other parcels of land in a recorded plat and the division of unplatted parcels of land in the Township of Napoleon, County of Jackson, State of Michigan.

The Township of Napoleon ordains:

Article I – General Provisions

Section 1.1 Short Title: This ordinance shall be know as “The Napoleon Township Lot Partition Ordinance.”

Section 1.2 Purpose: The purpose of this Ordinance is to regulate and control the partitioning or dividing of lots, outlots, or other parcels of land in a recorded plat and the division of unplatted parcels in the Township of Napoleon, in order to promote the safety, public health, and general welfare of the community by providing for orderly growth and harmonious development of the community and achieving individual property lots of maximum utility and livability.

Section 1.3 Authority: This Ordinance is enacted pursuant to the statutory granted by the Subdivision Control Act of 1967, Act 288, P.A. 1967; Act 191, P.A. 1939 providing for publication of ordinances; Act 246, P.A. 1945, as amended, authorizing Township Boards to adopt ordinances and regulations to secure the public health, safety, and general welfare.

Article II – Definitions

The following definitions shall apply in the interpretation and enforcement of this Ordinance, unless otherwise specifically state. The wordl “shall” is always mandatory and not merely directory.

Lot: a measured portion of a parcel or tract of land, which is described and fixed in a recorded plat.

Outlot: When included within the boundary of a recorded plat, means a lot set aside for purposes other than a building site, park or other land dedicated to public use or reserved to private use.

Parcel: A continuous area or acreage of land which can be described as provided for in the Subdivision Control Act, Act 288, Michigan P.A. 1967.

Article III – Regulations

Section 3.1 Lot Division in Recorded Plats: The division of a lot in a recorded plat is prohibited, unless approved following application to the Township Board. The application shall be filed with the Township Clerk and shall state the reasons for the proposed division. No lot in a recorded plat shall be divided into more than four (4) parts and the resulting lots shall be no less in area that permitted by the Zoning Ordinance of Napoleon Township. No building permit shall be issued, or any building construction commenced, until the division has been approved by the Township Board and the suitability of the land for building sites has been approved by the Jackson County Health Department, The division of a lot resulting in a smaller area or lesser width than prescribed by the Zoning Ordinance of Napoleon Township or the Subdivision Control Act, Act 288, Michigan P.A. 1967 may be permitted, but only for the purpose of adding to the existing site or sites. The application shall so state and shall be in affidavit form.

Article IV – Penalties

Penalties for failure to comply with the provisions of this Ordinance shall be as follows: Violation of any of the provisions of the Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one hundred dollars (\$100) or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. The land owner, tenant, subdivider, builder, public official or any other person who commits, participates in assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Township Board or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this Ordinance.

Article V – Effective Date

This Ordinance was adopted by the Township Board of the Township of Napoleon, Jackson County, Michigan at a regular meeting held on September 8, 1969. The effective date of this Ordinance shall be thirty (30) days after the date of publication.

Date Sept. 9, 1969

/S/ Wayne E. Russler
Township Supervisor

Date Sept. 9, 1969

/S/ Erwin Hawley
Township Clerk



At a regular meeting of Napoleon Township Board held on the 13th day of August, 1973, at 7:30 o'clock in the afternoon, in the Napoleon Township Hall, Jackson County, Michigan, the following amendment was heard and passed: AMENDMENT ADDING SECTION 3.2 TO NAPOLEON TOWNSHIP ORDINANCE – AN ORDINANCE REGULASTING THE PARTITIONING OR DIVIDING OF LOTS, OUTLOTS, OR OTHER PARCELS OF LAND IN A RECORDED PLAT AND THE DIVISION OF UNPLATTED PARCELS OF LAND IN THE TOWNSHIP OF NAPOLEON, COUNTY OF JACKSON, STATE OF MICHIGAN: NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP OF NAPOLEON that the following section be added to the Napoleon Township Ordinance.

Section 3.2 Division of Unplatted Parcels: The division of unplatted parcels of less than ten (10) acres is prohibited, unless approved following application to the Township Board. The application shall be filed with the Township Clerk and shall state the reasons for the proposed division. The division, or divisions, will be governed by the terms of the Subdivision Control Act of 1967, commonly known as P.A. 288, effective January 1, 1968, and particularly Section 102, and such other Sections or parts thereof as may be applicable thereto. The resulting lots or parcels shall be in conformance to the terms of the Napoleon Township Zoning Ordinance for the district involved. No building permit shall be issued, or any building construction commenced, until the division has been approved by the Township Board and the suitability of the land building sites have been approved by the Jackson County Health Department. The division of a parcel resulting in a smaller area or lesser width than prescribed by the Zoning Ordinance of Napoleon Township or the Subdivision Control Act, Act 288, Michigan P.A. 1967, 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.

All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Amendment are, to the extent of such conflict, hereby repealed.

This Ordinance shall be published in the manner provided by law and shall take effect immediately upon publication.

Erwin Hawley
Township Clerk

Adopted: August 13, 1973

Effective: August 21, 1973

AMENDMENT

At a recessed regular meeting of the Napoleon Township Board held on the 22nd day July, 1974, at 7:30 PM in the evening, in the Napoleon Township Hall, Jackson County, Michigan, the following amendment was heard and passed:

AMENDMENT ADDING SECTION 3.3 TO NAPOLEON TOWNSHIP ORDINANCE – AN ORDINANCE REGULATING THE PARTITIONING OR DIVIDING OF LOTS, OUTLOTS, OR OTHER PARCELS OF LAND IN A RECORDED PLAT AND THE DIVISION OF UNPLATTED PARCELS OF LAND IN THE TOWNSHIP OF NAPOLEON, COUNTY OF JACKSON, STATE OF MICHIGAN:

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP OF NAPOLEON that the following section be added to the aforesaid Napoleon Township Ordinance.

Section 3.3 Private Road Construction Requirement: a private road which serves more than one separately held parcel, or more than one dwelling unit, or more than one commercial or industrial activity shall be constructed to the standards set forth in the Jackson County Road Commission Plat Policy. Bituminous surface will not be required during duration of the private status.

Compliance with the above stipulation, where applicable, will be required for approval of the division of properties under the terms of the Ordinance.

All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Amendment are, to the extent of such conflict, hereby repealed.

This Ordinance shall be published in the manner provided by law, and shall take effect thirty (30) days after publication.

Date: July 22, 1974

LS /S/ Erwin Hawley
Erwin Hawley, Clerk
Napoleon Township