

File

ALAMO TOWNSHIP ORDINANCE NO. 40-M

ALAMO TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN

Adopted: *April 9th*, 2001

Effective: *June 1*, 2001

An Ordinance to regulate the establishment and collection of administrative fees incurred by the Township in the administration of its Zoning Ordinance and its Land Division, Land Subdivision and Condominium Subdivision Control Ordinance, as each now and may hereinafter be amended; to provide procedures for so doing in the exercise of its rights and powers given it by the Public Acts of this State including, but not limited to, 1967 PA 288, 1945 PA 246, 1978 PA 59 and 1943 PA 184, as each now is and may hereinafter be amended.

THE TOWNSHIP OF ALAMO, KALAMAZOO COUNTY, MICHIGAN, ORDAINS:

ARTICLE I – TITLE

This Ordinance shall be known and cited as the
Alamo Township Administrative Fee Ordinance

ARTICLE II – DEFINITIONS

(a) Basic Fee. Stated sum certain established by a duly adopted Resolution of the Township Governing Board covering an application involving administrative procedures and the known and reasonably expected costs to hear and decide same. Such costs include, but are not limited to, those necessary to reimburse Board members, those incurred to provide notice required by law, those incurred for legal fees and those incurred for costs of publication as required by law.

(b) Escrow Fee. A fee, in addition to the basic fee, where, in any given administrative procedure, the Township's actual costs do or are reasonably expected to exceed the basic fee.

ARTICLE III – ESTABLISHMENT

Basic fees shall be established from time-to-time by a duly adopted Resolution of the Township Governing Board. Escrow fees shall become due and payable whenever the Township Supervisor determines the costs of any given administrative procedure does or is reasonably likely to exceed the basic fee. An escrow fee shall not exceed reasonably expected costs, shall be paid in advance and in increments as necessary no less than \$500.00 in amount.

ARTICLE IV – PAYMENT

All fees shall be paid to the Township Treasurer. No application shall be processed until the required basic fee has been first paid. No administrative procedure will be processed further until an escrow fee, if required, has been paid. Notice of an escrow fee requirement shall be given to the applicant in writing, shall state the amount then required and shall set forth briefly the facts which have made it necessary.

ARTICLE V – APPEAL

An applicant may appeal an escrow fee requirement to the Township Board within no more than 30 days from the date written notice by regular mail has been given. Any such appeal shall be heard and determined within no less than 35 days from the date notice of appeal has been filed. All such appeals shall be in writing and should be filed with the Township Clerk.

ARTICLE VI – MAINTENANCE

Each escrow fee shall be held by the Township in a separate account administered by the Township Treasurer. No payment shall be made from such an account except for an actual expense directly related to the procedure for which the fee was required. The Treasurer shall keep accurate records of each account, retain appropriate documentation for any payment made therefrom and shall return without interest all funds, if any, not used.

ARTICLE VII – SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section, or provision is declared 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 thereof.

ARTICLE VIII – REPEAL

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

ARTICLE IX - EFFECTIVE DATE

This Ordinance shall take effect June 1st, 2001.

ARTICLE X

The foregoing Ordinance was duly adopted at a regular meeting of the Alamo Township Board held on April 9th, 2001.



Alamo Township Supervisor



Alamo Township Clerk