

# DEXTER TOWNSHIP ORDINANCE NUMBER 12

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## SUBDIVISION ORDINANCE

ADOPTED: NOVEMBER 21, 1978

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND IN THE TOWNSHIP OF DEXTER, REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE, ESTABLISHING MINIMUM SUBDIVISION STANDARDS, PROVIDING FOR MINIMUM IMPROVEMENTS TO BE MADE; SETTING FORTH THE PROCEDURES TO BE FOLLOWED BY THE TOWNSHIP BOARD IN APPLYING THESE RULES, REGULATIONS AND STANDARDS; AND PRESCRIBING PENALTIES FOR VIOLATION OF ITS PROVISION:

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THE TOWNSHIP OF DEXTER ORDAINS:

### SECTION I

#### 1. GENERAL PROVISIONS.

**SHORT TITLE:** This Ordinance shall be known and may be cited as the “Dexter Township Subdivision Ordinance”.

**PURPOSE:** The purpose of this Ordinance is to regulate and control the subdivision of land within Dexter Township in order to promote the safety, public health and general welfare of the community.

**LEGAL BASIS:** This Ordinance is enacted pursuant to the statutory authority granted by the Township Planning Commission Act, Act 168 of 1959 as amended; the Subdivision Control Act of 1967, Act 288 of 1967; Act 191, P.A. of 1939; and Act 246, P.A. of 1945, as amended.

**SCOPE:** This Ordinance shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this Ordinance, except for further dividing of existing lots. Nor is it intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, ordinances, or regulations. Where this Ordinance imposes a greater restriction upon land than is imposed or required by such existing provisions of any other ordinance of the Township of Dexter, the provisions of this Ordinance shall prevail.

**FEES:** The schedule of fees for the review of plans and plats, the inspection of improvements for the administration of this Ordinance, and for other costs incurred by the Township of Dexter in the platting process, shall be determined, and may be modified from time to time, by resolution of the Dexter Township Board.

**CONFORMANCE WITH ZONING ORDINANCE:** All plats reviewed under these regulations shall conform to all Dexter Township Zoning Ordinance provisions for the district in which the proposed plat is to be located. All required zoning changes shall be made prior to tentative approval of the preliminary plat by the Dexter Township Board.

## **DEXTER TOWNSHIP ORDINANCE NUMBER 12**

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### **SECTION II**

1. **DEFINITIONS.** All words or terms used in this Ordinance not defined by the Subdivision Control Act of 1967, Act 288, P.A. of 1967, shall be used with a meaning of common or standard utilization.

### **SECTION III**

1. **PLAT PROCEDURES.** The proprietor shall file five (5) copies of the preliminary plat with the Dexter Township Clerk. Said preliminary plat will contain in addition to the information and form required by Section III, Subdivision Control Act of 1967, the following information:
  - A. Names of adjacent subdivisions, layout of streets indication street names, right of way widths, and connections with adjoining platted streets, widths and locations of alleys, easements; and public walkways adjacent to or connecting with the proposed subdivision, and layout and dimensions of lots adjacent to the proposed subdivision, and names and addresses of owners of record of all adjacent property.
  - B. Topography, existing and proposed, at 5 foot intervals. Proposed grading and land filling shall be indicated on the plans. All topographic data shall relate to USGS data.
  - C. Plans and specifications of soil erosion and sedimentation control measures in accordance with standards and specifications of the Washtenaw County Soil Conservation District.
  - D. Proposed deed restrictions or protective covenants; if none, a statement of such in writing.
  - E. All parcels or lands to be dedicated or reserved for public use or for use in common by property owners in the subdivision shall be indicated on the preliminary plat, along with any conditions of such dedication, reservation, and maintenance agreement of such areas.
  - F. Identification, location, and nature of all uses other than family residences to be included within the subdivision.
  - G. Staging of development of the entire subdivision shall be clearly shown on the plan, and the relocation of each stage to the entire subdivision shall be clearly indicated.
  - H. Proof that the applicant is the owner of the land to be subdivided or is acting on the owner(s) behalf.
2. If the Clerk determines that the plat application is complete, including fees, he shall forward the application to the Dexter Township Zoning Board. Said Board will review the application for conformance to the Dexter Township Zoning Ordinance, and will within sixty (60) days report their findings and recommendations, in writing, to the Dexter Township Board.

## **DEXTER TOWNSHIP ORDINANCE NUMBER 12**

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3. The Township Board shall within ninety (90) days of the date of submission to the Clerk of the proposed plat, act on said plat. The Township Board may tentatively approve the preliminary plat; or may request of the proprietor modification in the preliminary plat. In the event the Township Board determines that additional information, either of an advisory or technical nature is required, in order to determine compliance with the Dexter Township Zoning Ordinance, the time limit of ninety (90) days will be automatically extended the length of time required to secure such additional information. If the Township approves the preliminary plat, said approval will be recorded on the plat and returned to the proprietor. If the Township Board disapproves the plat, the Board shall record its reasons for such action and the conditions to be met to qualify the preliminary plat for tentative approval and shall transmit such reasons and conditions to the proprietor.
4. After receiving tentative approval from the Township Board the proprietor shall submit the preliminary plat to all county and state plat approval authorities as required in the Subdivision Control Act.
5. Tentative approval of the preliminary plat shall confer upon the proprietor for a period of one (1) year from the approval date, approval of the lot sizes, lot orientations and street layout of the proposed subdivision. The tentative approval may be extended if an extension is applied for by the proprietor and granted by the Township Board.
6. The preliminary plat, as tentatively approved by the Township Board, and approved by all county and state plat approval authorities as required by the Subdivision Control Act, together with the written application, shall be submitted to the Township Clerk. The Clerk shall determine if the submittal is complete, and if complete, transmit same to the Township Board. If the application is not complete the Clerk shall so inform the applicant in writing, listing the deficiencies. The application for final approval of the preliminary plat shall contain the following:
  - A. A list of all county and state authorities required by the Subdivision Control Act to approve the preliminary plat, certifying that the list is complete and that each authority has approved the preliminary plat.
  - B. Copy of receipt from the Dexter Township Treasurer that all fees required under this Ordinance have been paid.
7. If the requirements of paragraph 6 above have been met, the Township Board will review the preliminary plat at its next regular meeting or within twenty (20) days of the date of submission of the application. The Board shall finally approve the preliminary plat if it conforms to the preliminary plat as tentatively approved by the Board and if all other required approvals have been obtained. The Clerk will promptly notify the proprietor of the final approval in writing. The Board shall disapprove the final preliminary plat if it does not conform to the preliminary plat as tentatively approved by the Board, or if any of the other required approvals have not been obtained. The reasons for the disapproval shall be recorded in the minutes of the Board meeting and notices of disapproval shall be sent to each of the other plat approval authorities. In case of disapproval of the final preliminary plat further

## **DEXTER TOWNSHIP ORDINANCE NUMBER 12**

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consideration of a plat for subdividing the same land can be obtained only if the proprietor applies again for tentative approval of a preliminary plat. Final approval of the preliminary plat shall confer upon the proprietor for a period of two (2) years from the date of approval, the conditional right that the general terms and conditions under which the final approval of the preliminary plat was granted will not be changed. The two (2) year period may be extended if an extension is applied for by the proprietor and granted by the Township Board. Notice of any extensions shall be sent by the Clerk to all other plat approval authorities.

8. Final plats for approval, shall be submitted in the form required in the Subdivision Control Act, and shall be submitted to the Clerk. The Clerk shall determine if the submittal is complete, and if so, transmit same to the Board in adequate time for inclusion in the agenda for the Board's next meeting or at a meeting called within twenty (20) days of date of submission. If the application is not complete, the Clerk shall so notify the applicant in writing and shall list the deficiencies. A final plat shall not be accepted for review after the date of expiration of the final approval of the preliminary plat. All final plats shall be in the form and contain the information required by the Subdivision Control Act as well as a commitment on title insurance or an attorney's opinion on the abstract of title, each of which has been rendered within thirty (30) days of submission. Also, all improvements and facilities to be provided by the proprietor shall be installed, or adequate security in lieu thereof shall be provided, and all dedications and easements shall be evidenced as having been made before the Township Board may approve the final plat. However, approval of the final plat shall not constitute acceptance of the items for dedication. The Township Board shall review the application and all recommendations and either approve or disapprove the final plat. The Board shall approve the plat if it conforms to the preliminary plat as finally approved and to the provisions of the Subdivision Control Act. If the final plat is approved, the Clerk shall transmit the reproducible copy of the plat and the filing and recording fee (as required by the Subdivision Control Act) to the Clerk of the County Plat Board, after recording the fact of approval and date of approval on said plat. If the final plat is disapproved, the Clerk shall record the reason for rejection in the minutes of the meeting, and notify the proprietor in writing of the action and reasons therefore, and return the plat to the proprietor. Approval of the final plat shall confer upon the proprietor for a period of three (3) years from the date of approval a right that all existing zoning regulations and subdivision regulations applicable to the area covered by the final plat shall remain unchanged.

### **SECTION IV**

1. **PENALTIES**. Non-compliance with the various provisions of the Subdivision Control Act of 1967, ACT 288 of 1967, will be punishable as contained in said act. Penalties for failure to comply with the provisions of this Ordinance shall be as follows:

Violation of any of the provisions of this 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 constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof,

## **DEXTER TOWNSHIP ORDINANCE NUMBER 12**

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be fined not more than one hundred dollars (\$100.) or imprisonment for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense.

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Township Clerk