



Village of Breedsville

82 E Main St. PO Box 152
Breedsville, MI 49027
(269) 427-9029

ORDINANCE 2022-03

VILLAGE OF BREEDSVILLE VAN BUREN COUNTY, MICHIGAN 2022-03 ZONING ORDINANCE AS AMENDED

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE VILLAGE OF BREEDSVILLE, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the Village of Breedsville deems it necessary for the purpose of promoting the public health, safety, morals, and general welfare of the Village to enact such an Ordinance; and

WHEREAS, the Village Council has divided the Village of Breedsville into districts, and has prepared regulations pertaining to such districts, in accordance with a basic plan, which is designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote the public health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage disposal facilities, schools, parks, and other public improvements; and

WHEREAS, the Village council has given reasonable consideration to the character of the districts and their peculiar suitability for particular uses with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Village; and

WHEREAS, the Village Council has given due notice of a public hearing relating to zoning districts, regulations, and restrictions, and has held such a public hearing.

NOW, THEREFORE, BE IT RESOLVED, the following ordinance is adopted
The Village of Breedsville ordains:

ARTICLE I
ESTABLISHMENT OF DISTRICTS AND PROVISION FOR
OFFICIAL ZONING MAP

SECTION 1: 1.01 – Official Zoning Map

- A. For the purpose of this Ordinance all of the Breedsville Village area of Van Buren County is hereby divided into five kinds of zoning districts to be known as District R1 (Residential), and District R2 (Residential - Resort). District A (Agricultural), District. C (Commercial), and District I (Industrial).
- B. The description of unincorporated areas of the Village of Breedsville as set in this Ordinance shall constitute the areas included in each zoning district.
- C. The official zoning map shall be identified by the signature of the Village President attested by the Village Clerk, and shall bear the seal of the Village under the following words: "This is to certify that this is the official zoning map referred to in Article I of zoning Ordinance Number _____ of the Village of Breedsville, Van Buren County, Michigan." together with the date of the adoption of this Ordinance.
- D. If, in accordance with the provisions of this Ordinance, changes are made in zoning district boundaries or other matters portrayed on the official zoning map, such changes shall be entered on the official zoning map within 10 days after the amendment has been approved by the Village Council with an entry on the official zoning map as follows: "On August 16, 2022, by official action of the Village Council, the following change(s) was (were) made in the official zoning map: (a brief description of the change," which entry shall be signed by the Village President and attested by the Village Clerk.
- E. No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance.
- F. The location of zoning districts in Breedsville Village shall be shown on a map entitled Zoning Map of Breedsville Village. This map and all information and proper notations shown thereon are hereby made a part of this Ordinance. The zoning map shall be located in the office of the Village.

Section 1.02 – Replacement of Official Zoning Map

- A. In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature of number of changes and additions, the Village Council may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map shall be identified by the signature of the Village President, attested by the Village Clerk, and shall bear the seal of the Village under the following words: "This is to certify that this official zoning map supersedes and replaces the official zoning map adopted (date of adoption of map being replaced) as part of Zoning Ordinance No. 2022-03 of the Village of Breedsville, Van Buren County, Michigan."
- B. Unless the prior official zoning map has been lost or totally destroyed, the prior map, or any significant parts thereof remaining, shall be preserved together with all available records pertaining to its adoption or amendment.

ARTICLE II

NONCONFORMING LOTS, STRUCTURES, AND USES REGULATIONS COVERING ALL DISTRICTS

SECTION 2: 2.01 – Intent

- A. If when there exists land, structures, and uses of land and structures which were lawfully established or constructed at the time of their establishment or construction, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or future amendment thereto; it is the intent of this Ordinance to permit such lawful nonconformances to continue until they are removed but not to encourage their continuation. It is further the intent of this ordinance that lawful nonconformances are discouraged from enlargement, expansion, or extension. Such non-conforming uses, however, may be continued, including the construction of dwellings on lots of record as in existence prior to the date of this Ordinance. In such cases, side setbacks shall be at least five (5) feet in width from the building line on each side of the lot if the lot is fifty (50) feet in width, with one (1) foot additional width of side yard, on each side, being required for each additional ten (10) feet of lot width up to 100 feet wide lots.
- B. To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance, and upon which actual construction has been

carried on diligently. Actual construction is hereby defined to include the placing of construction materials in a permanent position and fastened in a permanent manner. Where excavation, demolition, or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation, demolition, or removal shall be deemed to be actual construction, provided that work shall be carried on diligently

Section 2.02 – Uses of Non-conforming Land Buildings and Structures

- A.** At the discretion of the owner, the lawful use of any building, structure or premises existing prior to the effective date of this Ordinance may be continued, although the use does not conform to the provisions of this Ordinance, and such use may be extended throughout said building and premises.
- B.** Whenever the non-conforming use of any building, structure, land or premises or part thereof is discontinued through vacancy, lack of operations or otherwise for a continuous period of twelve (12) months, then any further use shall cease unless said building, structure, land or premises shall conform, in its entirety, to the provisions of this ordinance, provided, however, that the board of appeals upon reasonable grounds, may upon application within six (6) months of the termination of said period, permit the resumption of such non-conformed use.

Section 2.03 – Reconstruction of Damaged Non-Conforming Buildings and Structures

Nothing in this ordinance shall prevent the reconstruction, repair or restoration and the continued use of any non-conforming building or structure damaged by fire, collapse, explosion, act of God, or acts of the public enemy, subsequent to the effective date of this Ordinance, if such reconstruction or restoration is undertaken within one (1) year and diligently prosecuted to completion; provided, that said use be identical with non-conforming use permitted in effect at the time of said damage, and provided, further that such reconstruction shall conform with highway setback and yard requirements of the district wherever physically practical.

Section 2.04 – Repair, Alteration and Completion of Non-Conforming Building

- A. Nothing in this Ordinance shall prevent the expansion, repair, reinforcement, improvement, replacement or rehabilitation of a non-conforming building, structure, or part thereof existing at the effective date of this Ordinance that may be necessary to secure or insure the non-conforming use of the building, premises or structure.
- B. No basement, cellar, garage, or any incompletely constructed structure in use as a dwelling on the effective date of this Ordinance shall be used as a dwelling for more than two (2) years following said date. The Board of Appeals may upon conditions and proofs it feels are just, grant a one (1) year extension.
- C. Beginning with the effective date of this Ordinance, and except as otherwise provided in this Ordinance, no new buildings or structures shall be enlarged, rebuilt, or altered, and no building, structure, land or part hereof shall be used for purposes other than in conformity with the provisions of this Ordinance pertaining thereto.
- D. Unless otherwise provided in the text as part of this ordinance, the boundary lines of all zoning districts shall be interpreted as following along section lines or the customary divisions of section such as quarter and eighth lines; or the center line of highways, streets and waterways; or the shoreline of water bodies; or the boundaries of unincorporated areas, recorded plats or subdivisions; or property lines of legal recordings on the date of enactment of this Ordinance, or any extension of said lines.
- E. Limitations on all dwellings:
 - 1. Minimum width of 12 feet the entire length of the building.
 - 2. Mobile homes must be HUD building and safety approved.
 - 3. Modular homes must be Construction Commission approved with state seal.
 - 4. Site built homes must meet BOCA Code.
 - 5. All dwellings must have at least 1000 square feet of dwelling room at time of original construction.

ARTICLE III
SCHEDULE OF DISTRICT REGULATIONS

SECTION: 3.01 – District R1 (Residential) Permitted Uses

INTENT: To establish and preserve single-family home districts as desired by substantial numbers of residents, which are free from other uses except those which are both compatible with and for the convenience of the residents of such districts; to maintain the character and integrity of existing residential areas which are comprised predominantly of conventionally built single-family dwellings; and to provide protection against contamination of soil and surface and ground water by effluent from septic tank sewage disposal systems by requiring adequately large lot sizes in areas not serviced by public sanitary sewer systems.

Minimum Lot Area and Frontage Width: 12,000 square feet lot area; 100 feet frontage width.

Minimum Yard Dimensions: Thirty (30) feet front yard; ten (10) feet side yards; twenty (20) feet rear yard. Also see Section 4.03.

Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

No land shall be used hereafter, and no buildings or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this Ordinance.

A. Principal permitted uses:

1. Detached conventionally built single-family dwellings.
2. Detached pre-manufactured modular single-family dwellings which meet or exceed the requirements and specifications of the rules of the Michigan Construction Code Commission promulgated pursuant to Section 6 of the State Construction Code Act, Act 230, of the Public Acts of 1972, as amended.

B. Permitted accessory uses:

1. One garage providing storage for a maximum of three (3) cars or vehicles.

2. Home occupations, including but not limited to, beauty shops, handicrafts, such as dressmaking, millinery or watch repairing, and professional occupations such as the office of a physician, dentist, lawyer, or accountant. There shall be no external evidence of such occupation except a name plate. not exceeding four (4) square feet in area, and further that the use or occupations shall not require or effect any change in the external character of the dwelling. No more than one (1) full or part-time employee, other than family occupants, may be employed in a home occupation in this zone.

C. Uses by special permit:

The following uses shall be allowed when determined to be in conformance with the provisions of Section 5.03:

1. Churches, schools, libraries and publicly owned buildings.
2. Hospitals, clinics, sanatoriums, convalescent homes and similar structures designed for human care.
3. Public utility buildings.
4. Community country clubs, fraternal lodges and similar civic or social organizations when not operated for profit.
5. Land for parks, playgrounds, public and private swimming pools, and similar facilities for outdoor exercise and recreation when not operated for profit.
6. Accessory buildings, structures and uses customary and incidental to any of the above permitted uses, such uses shall include temporary signs.

Section 3.02 – District R2 (Residential – Resort) Permitted Use

INTENT: To provide for the establishment and preservation of higher density, varied use types of housing including resort related residences and enterprises in areas conducive to such use.

Minimum Lot Area and Frontage Width: For two (2) family dwellings: 12,000 square foot dwelling unit; 100 feet frontage width.

Minimum Yard Dimensions: Thirty (30) feet front yard; ten (10) feet side yard; twenty (20) feet rear yard. Also see Section 4.03.

Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

No land shall be used hereafter, and no building or structure erected upon any premises and used for other than one or more of the following uses, except as otherwise provided in this Ordinance.

A. Principal permitted uses:

1. Same as R1- subject to regulations of that district.
2. Two-family dwelling.

B. Permitted accessory uses:

1. Same as R1 - subject to regulations of that district.

C. Uses by special permit:

The following uses shall be allowed when determined to be in conformance with the provisions of Section 5.03:

1. Churches, schools, libraries, and publicly owned buildings.
2. Public utility buildings.
3. Land for parks, playgrounds, public and private swimming pools, and similar facilities for outdoor exercise and recreation when not operated for profit.
4. Accessory buildings, structures and uses customary and incidental to any of the above permitted uses, such uses shall include temporary signs.
5. Multiple family dwellings.

Section 3.03 – District A (Agricultural) Permitted Uses

INTENT: To conserve and enhance the low density and agricultural use of those portions of the Village that now have such character. By conserving such character, the Village and other public agencies will realize an economic gain in public expenditures by minimizing scattered demand for urban types and levels of services, utilities, and facilities in otherwise predominately rural areas.

Minimum Lot Area and Frontage Width: 12,000 square feet lot area; 100 feet frontage width.

Minimum Yard Dimensions: Thirty (30) feet front yard; ten (10) feet side yards; twenty (20) feet rear yard. Also see Section 4.03.

Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

No land shall be used hereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this Ordinance.

A. Principal permitted uses:

1. Farms, including livestock and poultry operations, dairy farming, horticultural operations, grain farming, forestry operations, and garden plots.
2. Same as R1 - subject to regulations of that district.

B. Permitted accessory uses:

1. Same as R1 - subject to regulations of that district.
2. Buildings and structures customarily incidental to farming.
3. Dwelling structures for migrant workers.
4. Roadside stands and buildings for the packaging, storage and sale of agricultural products.

C. Uses by special permit:

The following uses shall be allowed when determined to be in conformance with the provisions of Section 5.03:

1. Same as R1 - subject to the regulations of that district.
2. Food processing and packaging industries; farm equipment sales and services.
3. Guide signs of a non-advertising nature.
4. Oil and brine wells and storage facilities for same.

Section 3.04 – District C (Commercial) Permitted Uses:

INTENT: To encourage and facilitate the development and maintenance of commercial endeavors of various types in appropriate areas. Further to encourage the exclusion of certain uses and activities which tend to disrupt the efficient functioning of commercial areas. No land shall be used thereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this Ordinance.

Site plans shall be submitted for all commercial uses pursuant to Section 3.06 of this Ordinance.

Minimum Lot Area and Frontage Width: 12,000 square feet area; 100 feet frontage width.

Minimum Yard Setback: Thirty (30) feet front yard; ten (10) feet side yards; twenty (20) feet back yard. Also see Section 4.03.

Parking: Clear vision area with one (1) parking space for every twenty (20) lineal feet of frontage.

Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

A. Principal permitted uses:

1. Stores, showrooms, and shops for the conduct of generally recognized retail business when conducted within buildings having a roof and four (4) walls.
2. Personal service shops, such as professional offices, barber shops, beauty parlors, shoe repair shops, laundry, and dry-cleaning pick-up shops.
3. Banks, dressmaking, millinery, photographic studios, undertaking establishments, public utility buildings, and publicly owned buildings.
4. Community clubs, fraternal organizations and similar civic and social organizations.
5. Gasoline and oil service stations, garages, and used car lots, but not the storage, processing or sale of used auto parts or other items commonly referred to as junk or hazardous materials.
6. Outdoor advertising signs not exceeding thirty-two (32) square feet in area.

B. Uses by special permit:

The following uses shall be allowed when determined to be in conformance with the provisions of Section 5.03.

1. Outdoor theaters, dance halls, recreational halls and other enterprises of recreation and amusement.
2. Sale and servicing of agricultural machinery, lumber yards, and warehouses.
3. Establishments located within buildings for the repair, alteration, finishing, assembling, fabrication or storage of goods primarily for local and retail sale.
4. Outdoor advertising signs exceeding thirty-two (32) square feet in area.

Section 3.05 – District I (Industrial) Permitted Uses:

INTENT: To encourage and facilitate the development of industrial enterprises in a setting conducive to public health, economic growth, protection from blight, deterioration, non-industrial encroachment, and efficient traffic movement including employee- and truck traffic. No land shall be used thereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this Ordinance.

Site plans shall be submitted for all industrial uses pursuant to Section 3.06 of this Ordinance.

Minimum Lot Area and Frontage Width: 12,000 square feet lot area; 100 feet frontage width.

Minimum Yard Dimensions: Thirty (30) feet front yard; then (10) feet side yards; twenty (20) feet rear yard. Also see Section 4.03.

Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

A. Principal permitted uses:

1. Manufacture or assembly of electrical appliances, motors and instruments; manufacture or assembly of signs, billboards and advertising structures; other manufacturing or assembly operations of similar nature not attended by excessive noises, smoke, odors, vibrations or dust.
2. Dairy plants, canneries, wineries, agricultural storage and packaging, and similar food processing operations and requiring a special permit under this section.
3. Sheet metal, machine shops, fabrication shops, and monument works.

B. Uses by special permit:

The following uses shall be allowed when determined to be in conformance with the provisions of Section 5.03:

1. Oil refineries, chemical manufacturing or processing, asphalt manufacturing or refining, similar related manufacturing, or processing.
2. Manufacturing or processing operations involving odors, fumes, smoke, dust, water, noise, or vibration only to such a degree as not to be considered obnoxious, offensive, unhealthful, or harmful to surrounding property.

Section 3.06 – Site Plan Requirements

INTENT: To determine whether certain development proposals specified herein meet applicable requirements and are in harmony with the purpose, intent and spirit of this Ordinance.

To assist the Village Council in reviewing design proposals which foster orderly, efficient, compatible, and aesthetic uses of the lands in Breedsville Village.

Contents of Site Plant: A required site plan shall be drawn at a scale of one (1) inch per forty (40) feet and shall contain the following information:

1. A legal description of the land and lots included in the plan, the owners and their addresses, and the signature of the owners or agent.
2. The boundary lines of the area included in the site plan, including angles, dimensions, and reference to a section corner, quarter corner or a point on a recorded plat, an arrow pointing north, and the individual lot areas and dimensions within the site plan. Adjacent properties, their uses, and owners names shall be identified.
3. The shape, location, floor area, and yards for all structures and the finished ground and basement grades.
4. The proposed streets, driveways, loading spaces, and the inside radius of all curves; the width of streets and driveways and the total number, location and layout of parking spaces.
5. Natural features such as wood lots, trees of more than one (1) foot in diameter, streams, ponds, lakes and environmental features, and manmade features such as roads and structures, together with an indication as to which features are to be retained and which removed altered.

6. The size and location of all existing and proposed public and private utilities and the required landscaping.
7. A vicinity sketch showing the location of the proposed development in relation to surrounding areas.
8. Existing and proposed topography, drainage systems, and structures with contour intervals of not more than two (2) feet; provided, that this may be waived at the direction of the Zoning Administrator.

Review Process: Upon submission of a site plan to the Breedsville Village Council and to the Zoning Administrator, the Village Council shall consider the site plan and, if necessary, with reason, ask for a review by the Village Council, with a time limit of twenty (20) days, and then the Village Council may approve or disapprove, with reason or may table and consider later.

- A. Approval Standards: In approving, disapproving, and approving with required modifications. the approving council may use the following guidelines:
 - B. That there is a proper relationship between the existing street and highways within the vicinity to ensure the safety and convenience of pedestrian and vehicular traffic.
 - C. That the proposed buildings and entry ways are so situated as to minimize adverse effects on owners and occupants of adjacent properties and the neighborhood in general.
 - D. That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the development and adjoining properties or where they would assist in preserving the general appearance of the neighborhood, control erosion, or reduce water pollution.
 - E. That any adverse effects upon adjoining owners and residents shall be minimized by appropriate screening, fencing, landscaping, setbacks, and the location of building and entryways.
 - F. That all provisions of the Village Zoning Ordinance have been complied with unless an appropriate variance has been granted.

INTENT: To establish and preserve single-family home districts as desired by substantial numbers of residents, which are free from other uses except those which are both compatible with and for the convenience of the residents of such districts; to maintain the character and integrity of existing residential areas which are comprised predominantly of conventionally built single-family dwellings; and to provide protection against contamination of soil and surface and ground water by effluent from septic tank sewage disposal systems by requiring adequately large lot sizes in areas not serviced by public sanitary sewer systems.

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B. Permitted accessory uses:

1. One garage providing storage for a maximum of three (3) cars or vehicles.
2. Home occupations, including but not limited to, beauty shops, handicrafts, such as dressmaking, millinery or watch repairing, and professional occupations such as the office of a physician, dentist, lawyer, or accountant.

There shall be no external evidence of such occupation except a name plate. not exceeding four (4) square feet in area, and further that the use or occupations shall not require or effect any change in the external character of the dwelling. No more than one (1) full or part-time employee, other than family occupants, may be employed in a home occupation in this zone.

C. Uses by special permit:

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Section 3.02 – District R2 (Residential – Resort) Permitted Use

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5. Multiple family dwellings.

Section 3.03 – District A (Agricultural) Permitted Uses

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3. Guide signs of a non-advertising nature.
4. Oil and brine wells and storage facilities for same.

Section 3.04 – District C (Commercial) Permitted Uses:

INTENT: To encourage and facilitate the development and maintenance of commercial endeavors of various types in appropriate areas. Further to encourage the exclusion of certain uses and activities which tend to disrupt the efficient functioning of commercial areas. No land shall be used thereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this Ordinance.

Site plans shall be submitted for all commercial uses pursuant to Section 3.06 of this Ordinance.

Minimum Lot Area and Frontage Width: 12,000 square feet area; 100 feet frontage width.

Minimum Yard Setback: Thirty (30) feet front yard; ten (10) feet side yards; twenty (20) feet back yard. Also see Section 4.03.

Parking: Clear vision area with one (1) parking space for every twenty (20) lineal feet of frontage.

Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

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3. Banks, dressmaking, millinery, photographic studios, undertaking establishments, public utility buildings, and publicly owned buildings.

4. Community clubs, fraternal organizations and similar civic and social organizations.
5. Gasoline and oil service stations, garages, and used car lots, but not the storage, processing or sale of used auto parts or other items commonly referred to as junk or hazardous materials.
6. Outdoor advertising signs not exceeding thirty-two (32) square feet in area.

B. Uses by special permit:

The following uses shall be allowed when determined to be in conformance with the provisions of Section 5.03.

1. Outdoor theaters, dance halls, recreational halls and other enterprises of recreation and amusement.
2. Sale and servicing of agricultural machinery, lumber yards, and warehouses.
3. Establishments located within buildings for the repair, alteration, finishing, assembling, fabrication or storage of goods primarily for local and retail sale.
4. Outdoor advertising signs exceeding thirty-two (32) square feet in area.

Section 3.05 – District I (Industrial) Permitted Uses:

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1. Site plans shall be submitted for all industrial uses pursuant to Section 3.06 of this Ordinance.
2. Minimum Lot Area and Frontage Width: 12,000 square feet lot area; 100 feet frontage width.

3. Minimum Yard Dimensions: Thirty (30) feet front yard; then (10) feet side yards; twenty (20) feet rear yard. Also see Section 4.03.
4. Maximum Building Height: Two and one-half (2 1/2) stories; thirty-five (35) feet.

A. Principal permitted uses:

1. Manufacture or assembly of electrical appliances, motors and instruments; manufacture or assembly of signs, billboards and advertising structures; other manufacturing or assembly operations of similar nature not attended by excessive noises, smoke, odors, vibrations or dust.
2. Dairy plants, canneries, wineries, agricultural storage and packaging, and similar food processing operations and requiring a special permit under this section.
3. Sheet metal, machine shops, fabrication shops, and monument works.

B. Uses by special permit:

The following uses shall be allowed when determined to be in conformance with the provisions of Section 5.03:

1. Oil refineries, chemical manufacturing or processing, asphalt manufacturing or refining, similar related manufacturing or processing.
2. Manufacturing or processing operations involving odors, fumes, smoke, dust, water, noise or vibration only to such a degree as not to be considered obnoxious, offensive, unhealthful or harmful to surrounding property.

Section 3.06 – Site Plan Requirements

INTENT: To determine whether certain development proposals specified herein meet applicable requirements and are in harmony with the purpose, intent and spirit of this Ordinance.

- A. To assist the Village Council in reviewing design proposals which foster orderly, efficient, compatible, and aesthetic uses of the lands in Breedsville Village.

- B. Contents of Site Plan: A required site plan shall be drawn at a scale of one (1) inch per forty (40) feet and shall contain the following information:
- C. A legal description of the land and lots included in the plan, the owners and their addresses, and the signature of the owners or agent.
- D. The boundary lines of the area included in the site plan, including angles, dimensions, and reference to a section corner, quarter corner or a point on a recorded plat, an arrow pointing north, and the individual lot areas and dimensions within the site plan. Adjacent properties, their uses, and owners names shall be identified.
- E. The shape, location, floor area, and yards for all structures and the finished ground and basement grades.
- F. The proposed streets, driveways, loading spaces, and the inside radius of all curves; the width of streets and driveways and the total number, location and layout of parking spaces.
- G. Natural features such as wood lots, trees of more than one (1) foot in diameter, streams, ponds, lakes and environmental features, and manmade features such as roads and structures, together with an indication as to which features are to be retained and which removed altered.
- H. The size and location of all existing and proposed public and private utilities and the required landscaping.
- I. A vicinity sketch showing the location of the proposed development in relation to surrounding areas.
- J. Existing and proposed topography, drainage systems, and structures with contour intervals of not more than two (2) feet; provided, that this may be waived at the direction of the Zoning Administrator.

Review Process: Upon submission of a site plan to the Breedsville Village Council and to the Zoning Administrator, the Village Council shall consider the site plan and, if necessary, with reason, ask for a review by the Village Council, with a time limit of twenty (20) days, and then the Village Council may approve or disapprove, with reason or may table and consider later.

- A. Approval Standards: In approving, disapproving, and approving with required modifications. the approving council may use the following guidelines:
- B. That there is a proper relationship between the existing street and highways within the vicinity to ensure the safety and convenience of pedestrian and vehicular traffic.
- C. That the proposed buildings and entry ways are so situated as to minimize adverse effects on owners and occupants of adjacent properties and the neighborhood in general.
- D. That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the development and adjoining properties or where they would assist in preserving the general appearance of the neighborhood, control erosion, or reduce water pollution.
- E. That any adverse effects upon adjoining owners and residents shall be minimized by appropriate screening, fencing, landscaping, setbacks, and the location of building and entryways.
- F. That all provisions of the Village Zoning Ordinance have been complied with unless an appropriate variance has been granted.
- G. That the plan, as approved, is consistent with the intent and purpose of zoning to promote public health, safety, morals and general welfare; to encourage the use of public lands in accordance with their character and adaptability; to avoid over-crowding of population; to lessen congestion upon public roads and streets; to reduce hazards to life and property; to facilitate adequate provisions for a system of transportation, sewage disposal, safe water supply, education, recreation and other public requirements; to use most advantageously land, resources, and property; to conserve property values and natural resources; and to give reasonable consideration of the uses of land and its peculiar suitability to the patterns of land, building, and population development.

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reduce hazards to life and property; to facilitate adequate provisions for a system of transportation, sewage disposal, safe water supply, education, recreation and other public requirements; to use most advantageously land, resources, and property; to conserve property values and natural resources; and to give reasonable consideration of the uses of land and its peculiar suitability to the patterns of land, building, and population development.

ARTICLE IV GENERAL PROVISIONS

SECTION 4.01 – Conflicting Laws, Ordinances, Regulations and Restrictions

It is not intended by this Ordinance to repeal, abrogate, annul or in any way impair or interfere with the existing provisions of the law, ordinance, rules, regulations or permits previously adopted or issued pursuant to laws relating to the erection or use of buildings or land; nor is it intended by this Ordinance to interfere with or abrogate or annul any existing easements, covenants or other agreements between parties; provided, however that where any provisions of this Ordinance imposes more stringent requirements, regulations, restrictions, or limitations, upon the erection or use of land or buildings, or upon the heights of buildings and structures, or upon safety and sanitary measures, or requires larger yards or open spaces than are imposed or required by the provisions of any other law or ordinance of any said rules, regulations, permits or easements, then the provisions of this Ordinance shall govern. The requirements are to be construed as minimum requirements and shall in no way impair or affect any covenant or restriction running with the land, except where such covenant imposes lesser requirement.

Section 4.02 – Size of Premises Section 4.02

Minimum Dwelling Size: ~~600~~ 1000 square feet on the main floor.

All buildings must be attached to a permanent foundation. Campers may be placed on parcels temporarily, for a maximum of three months, with special permit.

- A.** Parcels of land upon which a dwelling is hereafter erected or moved shall conform with the following:
 - 1. In cases of unplatted land, no lot shall contain less than 12,000 square feet, exclusive of public highway right of ways, nor shall be less than fifty (50) feet at the building line.

2. Every parcel of land shall provide a minimum width of thirty-three (33) feet at the site of the access to the premises
- B.** Other buildings: The minimum size of a parcel of land required for other permitted and approved uses shall be determined by the Village of Breedsville Zoning Commission and may be reasonable for such use.
 - C.** In determining lot requirements, no required area shall be ascribed to more than one principal building or use.
 - D.** Where a lot abuts upon the shoreline of a lake, reiver, stream, or other surface body of water not having a legally established water level and subject to fluctuation of water levels, the computation of the required lot area and year measurements shall exclude any portions of the land existing below the highest prior water level.

Section 4.03 – Limitation on all Lots

A. Front Yards:

Where premises abut upon a highway under the jurisdiction of the Michigan State Highway Department a distance of 110 feet shall be maintained between the centerline of the highway and the building line, or where premises abut upon highways under the jurisdiction of the Van Buren County Highway Commission a distance of eighty-three (83) feet between the centerline and building line. Provided, however, that when premises abut roads or streets contained within recorded plats and which are designed and intended for residential uses, front yard requirements may be reduced to fifty-eight (58) feet between the centerline and building line. Further, provided that in situations where adjoining uses of land have less set back, a variance may be granted which would make the subject property setback be the average of the adjoining uses.

B. Side Yards:

Shall be at least five (5) feet in width from the building line so on each side of lot up to fifty (5) feet in width, with one (1) foot additional width of side yard being required for each additional ten (1) feet in lot width of lots up to one hundred (100) feet; except where lots abut upon two or more streets or highways, in which case

only yards abutting such street or highway adjacent to the longest dimension of the property shall be considered side yards. Provided, however, that no side yard shall be required in District C and I when structures are separated by acceptable fire walls; or except on existing lots with less than fifty (5) feet frontage only five (5) feet side yards will be required.

C. Rear Yards:

Every building hereafter erected or moved upon a premise shall provide a rear yard no less than twenty (20) feet in depth.

D. No part of any required yard, except a rear yard, shall be used for any accessory building or use.

E. There shall be no more than (1) dwelling per lot.

Section 4.04 – Buildings and Structures Relative to Setback Lines

No building or structure of any kind except necessary highway signs and open fences through which there shall be clear vision, shall be hereinafter constructed, erected, or moved into space closer than eight (8) feet from a road right-of-way, or within any needed clear vision area as determined by the Village.

Section 4.05 – Water Supply and Sewage Disposal Facilities

- A. Every building or structure hereafter erected or moved upon any premises for permanent or temporary human habitation shall be provided with a safe and adequate system for water supply and sewage disposal. No such building or structure shall be utilized for human habitation until the owner of the premises has obtained a written approval of the water supply and sewage disposal from the Van Buren County Health Department.
- B. Connection shall be made to a public water supply and public sewer system, if they are available to the premises.
- C. When a private water supply or private sewage disposal system is required, the type, location, and construction shall comply with the sanitation regulations for Van Buren County. No building or structure requiring the facilities shall be erected or moved upon any premises which does not provide

adequate size or size conditions for safe and adequate water supply and sewage disposal facilities.

Section 4.06 – Dwellings for Use of Seasonal Farm Labor

Any building or structure located in the Agricultural District and available for occupancy from April first to November fifteenth for the use of seasonal farm labor shall not be subject to the provisions of this Ordinance; provided, it is maintained in a safe and sanitary condition, and is furnished with a safe and sanitary condition, and is furnished with a safe and sanitary water supply and with sewage disposal facilities which do not adversely affect the public health; and provided, further, that such buildings or structures shall be located at least 100 feet from the side or rear property line and 133 feet back from any state, county, or public highway or roadway; and are licensed by the appropriate state licensing agency of the Michigan Department of Public Health.

Section 4.07 – Essential Services

The erection, construction, alteration or maintenance by public utilities or municipal departments or commissions, of overhead or underground gas, electrical, steam, or water distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles electric sub-stations and auxiliary buildings, gas regulator buildings, and equipment, and other similar facilities and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare, shall be permitted as authorized or regulated by law and other ordinances of the Village of Breedsville in any zoning district, it being the intention hereof to except such erection, construction, alteration, and maintenance from the application of this Ordinance.

Section 4.08 – Temporary Dwelling Structures

- A. No building, trailer coach, garage, cellar, basement, or other structure which does not conform to the provisions of this Ordinance relative to dwellings shall be erected, altered, or moved upon any premises and used for dwelling purposes except under the following applicable limitations:

- B. Such use of any building, trailer coach, garage, cellar, basement, or other structure shall not be adverse to health, safety, or to the public welfare.
- C. The location of each building, trailer coach, garage, cellar, basement, or other structure shall conform to the regulations governing the yard requirements.
- D. Such use of any building, trailer coach, garage, cellar, basement, or other structure shall be for the sole purpose of providing dwelling facilities for the owner of the premises during the period of construction and until completion. Provided, however, that such a period shall not exceed twenty-four (24) months beginning with the date of issuance of the permit unless otherwise extended by the action of the Village Council.
- E. Application for the erection, movement, alteration and use of such building, trailer coach, garage, cellar, basement, or other structure shall be made to the Zoning Administrator as provided in Section 4.02 of this Ordinance. The Zoning Administrator shall approve or disapprove the application giving due consideration to the purposes of this Ordinance and to the best interest and welfare of all parties. Appeals to decisions of the Zoning Administrator shall be consider by the Village Council at their next regular meeting.
- F. The conditions of this section shall not apply to any trailer coach when located in a trailer coach park.

Section 4.09 – Vehicular Parking Space, Access Thereto, and Lighting Thereof

For each dwelling, commercial, industrial, manufacturing or other similar business or service establishment hereafter erected or altered and located on a public highway, road or street in the unincorporated portions of the Village, and including buildings or structures used principally as a place of public assembly, there shall be provided and maintained suitable space off the right-of-way for the parking or loading of vehicles equally one (1) for each 200 square feet of building, and such space shall be provided with safe exit to and safe entrance from the public thoroughfare. Approval for the location of such exit and entrance shall be obtained from the Michigan State Highway Department for all highways under their jurisdiction, and from the County Road Commission for all of other roads and highways in the Village, which approval shall also include the design and construction thereof in the interest of safety, adequate drainage, and other public requirements. A minimum of 200 square feet, exclusive of drive entrances and exits, shall comprise one automobile parking space. All parking as required in this

section, except as required for dwelling, shall be provided with artificial lighting that does not interfere with the peaceful use of adjoining property. **No vehicle shall be parked on a Village sidewalk at any time.**

Section 4.10 – Relating to all Mobile Homes

- A. Sanitary Permit: A sanitary permit is required from the Van Buren County Health Department.
- B. Application for Permits: Before any construction starts, a mobile home permit and electrical permit are required from the Village of Breedsville Building Official.
- C. Mobile Home Size (New and Used): The minimum size of a mobile home shall be ~~600~~ **1000** square feet outside dimension and no less than twelve ~~(12)~~ **(14)** feet wide, exclusive of tongue.

This does not include any additions to the mobile home. Two (2) or more mobile homes may not be tied together, nor may a mobile home be added to an existing mobile home. No mobile home may be installed as an addition to an existing conventionally construction home, nor may a stick constructed home be added to a mobile home.

- D. Used Mobile Homes: Used mobile homes must pass Village inspection before being set upon a building site. (Notice: No mobile home needing repairs may be placed upon a building site until the necessary repairs are made and the Village Building Inspector has approved the repairs).
- E. Lot Size: Minimum lot size for a mobile home is 12,000 square feet. (Notice: Exceptions may be made in certain subdivisions).
- F. Site Plan: A site plan is required showing to scale the size and location of the mobile home and all existing structures on the site and distances from the lot lines. It shall be drawn in accordance with an accurate boundary line survey.
- G. Mobile Home Foundation:
 - 1. Must be a four (4) inch thick concrete pad; or

2. Concrete runners sixteen (16) inches wide and four (4) inches thick; or

3. Platform and pillar:

- a. Platform: A sixteen (16) inch by sixteen (16) inch by four (4) inch solid concrete block that is placed directly on the ground and serves as the foundation of the pillar.
 - b. Pillar: The portion of the mobile home support system between the platform and the mobile home frame. Eight (8) inches by eight (8) inches by sixteen (16) inch concrete blocks and "shim" wooden wedges are used for leveling the mobile home.
- H. Anchoring Systems: All mobile homes must be anchored by means of a combination of ties, anchoring equipment, and ground anchors that will, when properly installed, resist movement of an in-place mobile home caused by wind force.
- I. Skirting: All mobile homes must be skirted. This material between the ground and the base of the mobile home must conform and be of similar material as to the original structure, it shall be vented, and be manufactured of fire-resistant material and certified as such by the manufacturer.
 - J. Occupancy: One cannot move into a mobile home until all construction has been completed in accordance with applicable Mobile Home Ordinance provisions and requirements and has been inspected and approved.

Penalty: Any person, firm, corporation or organization which violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any provision, shall be fined upon conviction, not less than ~~ten (10)~~ 100 dollars, nor more than ~~100~~ 500 dollars; together with the costs of prosecution; or shall be punished by imprisonment in the county jail for ~~not less than ten (10) days;~~ nor more ~~than up to~~ ninety (90) days, for each offense, or may be both fined and imprisoned as provided herein in the discretion of the court. Each and every day during which an illegal erection, alteration, maintenance, or use continues, shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this Ordinance.

ARTICLE V ADMINISTRATION

Section 5.01 – Zoning Administrator

The provisions of this Ordinance shall be administered and enforced by a Village Zoning Administrator, appointed by the Village Council for such term and subject to such conditions as said Council shall determine as reasonable.

Section 5.02 – Certificates of Approval

- A. No building or structure, subject to the provisions of this Ordinance, shall hereafter be erected or moved and used upon any premises until application for a certificate of approval has been filed with the Village Zoning Administrator, and the Administrator has issued said certificate. Such certificate shall be non-transferable, and must be granted before any work or excavation, or construction or movement is begun.
- B. The application shall be signed by the owner of the premises or his qualified agent and shall certify that all provisions of this Ordinance and other applicable law and requirements are to be complied with.
- C. The application shall be made on forms provided by the Village which shall provide space for declaring such information and intent required to determine compliance with this Ordinance.
- D. The Zoning Administrator shall determine whether the building or structure and the land use thereof, as set forth on the application, are in conformity with the provisions of this Ordinance, and if he so finds, he shall issue a certificate of approval; and when such certificate is refused, he shall state the cause in writing. One copy of the application with proper notations thereon, or attached thereto, including approval or disapproval and date, shall be placed on file with the Zoning Administrator as a record. One copy shall be filed with the Village Clerk and one copy shall be returned to the applicant. Accessory buildings when erected at the same time as the principal buildings and shown on the application, shall not require a separate certificate.

- E. Certificates of Approval under which no work has been done above the foundation walls within six (6) months from the date of issue shall expire by limitation; but may be renewed for an additional six (6) months from the date of expiration upon application and payment of fifty (50) percent of the total of the original fee to the Village ~~Treasurer-Clerk~~.
- F. The Zoning Administrator shall have the power to revoke or cancel any Certificate of Approval in case of failure or neglect to comply with any of the provisions of this Ordinance, or in the case of any false statement or misrepresentation made in the application. The owner of the premises shall be notified of such revocation in writing.
- G. It shall be the duty of the owner, architects, contractors, and other persons having charge of erection, alteration, or movement of a building or structure, subject to the provisions of this Ordinance, to determine that a proper certificate has been granted therefore before undertaking any such work. All such persons performing any work in violations of the provisions of this Ordinance shall be deemed guilty of a violation in the same manner as the owner of the premises.
- H. For each Certificate of Approval issued, fees shall be paid to the Zoning Administrator for deposit with the Village ~~Treasurer~~ Clerk to the credit of the General Fund for the Village. Those fees are to be set by the Village Council

Section 5.03 – Special Permits

- A. Application for a special permit shall be made in writing and shall accompany the application for a Certificate of Approval required under the provisions of this Ordinance.
- B. Application for a special permit shall be accompanied by a plan for the proposed use. This plan, where applicable, shall show the location of all buildings, structures, parking areas, open spaces, traffic access and circulation landscaping, including screening, and any other information necessary to determine the conformance of the proposed use with the provisions set forth in the schedule of District Regulations.
- C. The Zoning Administrator shall make such investigation as may be necessary to determine whether the proposed special use complies with the requirements of this Ordinance. A report of the Zoning Administrator's findings and action shall be filed with the Village Council. If the Zoning Administrator finds that

the proposed use is in compliance with the requirements of this Ordinance, he shall proceed with the processing of the application of a Certificate of Approval. In the event that the Zoning Administrator denies the application for a special use permit, the Village Council shall be notified, and the application shall be referred to the Village Council, together with all reports relevant thereto for consideration at the request of the owner. In no case, shall a period be exceeding thirty (30) days elapse between the filing of the special permit application and the time of notice to the Village Council. The owner shall have a period of no longer than sixty (60) days from the date of disapproval to appeal to the Village Council.

Special Permit Uses:

Special permit uses shall be subject to the following special requirements in addition to the requirements and standards of the zoning district in order to prevent conflict with or impairment of the principal permitted uses of the zoning district. Such uses -shall be deemed to possess characteristics of such unique form to the district that each shall be considered on an individual case.

A. Relation to adjacent land and buildings:

The location and size of the use, the nature and intensity of the operations, the size of the site in relation to operations, and the location of the site with respect to existing or future roads and highways providing access thereto shall be in harmony with the orderly development of the district; and the location, nature and height of buildings, walls and fences, shall not discourage the appropriate development and use of adjacent land and buildings or impair their value.

B. Character of operations:

Operations shall not be more objectionable to nearby properties by reason of noise, traffic, safety, congestion, vibrations, dust, fumes, smoke, or flashing lights than the operation of any permitted use.

C. Notice:

Notice of application for special permit shall be given to all landowners and occupants within 300 feet of the subject property.

Section 5.04 – Certificate of Compliance

No building or structure, or part thereof, for which a certificate of compliance has been issued by the Zoning Administrator stating that the building or structure or proposed use complies with requirements of this Ordinance. Within ten (10) days, after written notification that the building or structure is completed, the Zoning Administrator shall make inspection thereof and if it is found to be in conformity with the provisions, the Zoning Administrator shall issue the owner a certificate of compliance and record his action, including the date on the copy of the application for a certificate of approval. No fee shall be charged for a certificate of compliance when coincidental with the application for certificate of approval.

ARTICLE VI - BOARD OF APPEALS

There is hereby created a Board of Appeals, which shall perform its duties and exercise its power as provided by Act 184 of the Public Acts of 1943, as amended, and by the provisions of this Ordinance, to the end that the objectives of this Ordinance are observed and public safety, health, morals, and general welfare secured, and substantial justice done. The Village Council shall set a fee for review by the Board of Appeals. Such fees must be paid prior to a meeting of the Board of Appeals.

ARTICLE VII - DEFINITIONS

For the purpose of this Ordinance, certain terms used are herewith defined, when not inconsistent with the context with the context, words used in the present tense include the future, words in the singular include the plural number, and conversely, the work "shall" be always mandatory and note merely directory.

Section 7.01 – Accessory Building or Structure

A supplementary building or structure on the same premises as the main building or structure and occupied by or devoted exclusively to an accessory use; but such shall not include the use for dwelling or lodging purposes or sleeping quarters for human beings.

Section 7.02 – Building

Any structure, either temporary or permanent, having a roof or used or built for the shelter or enclosure of person, animals, chattels, or property of any kind. This shall include tents, awnings, vehicles, whether mounted or not on wheels, and situated on private property and used for purposes of a building.

Section 7.03 – Building Line

A line extending the full width of the lot from side lot line to side lot line, parallel to the centerline of the road upon which the property fronts.

Section 7.04 – Dwelling

Any building or part thereof occupied as the home, residence and sleeping place of one or more persons.

Section 7.05 – Erected

Includes built, constructed, reconstructed, moved upon, or any physical operations on the land required for the building, excavation, fill, drainage, and the like shall be considered a part of erection.

Section 7.06 – Family

A collective body of persons consisting of parents or children, or other relatives, domestics or servants residing together in one house or dwelling and under one head or one domestic government.

Section 7.07 – Farms

All of the unplatted contiguous, neighboring or associated land operated as a single unit on which bona fide farming is carried on directly by the owner-operator, manager, or tenant-farmer by his own labor or with the assistance of members of his household or hired employees; provided, however, that land to be considered a farm hereunder shall include a contiguous, unplatted parcel of not less than ten (10) acres in area; provided further, that orchards, hatcheries, and similar specialized agricultural enterprises may be considered as farms, but

establishments keeping fur bearing animals, game or operated as fish hatcheries are not farms

Section 7.08 – Highway, Road or Street

Any public vehicular, thoroughfare, except alleys, including village, county, federal and state highways.

Section 7.09 – Home Occupations

An occupation conducted by members of the family only within its place of residence, provided, that the space used is incidental to residential use, and occupies not more than twenty-five (25) percent of the area of one floor, and employs not more than one (1) paid assistant.

Section 7.10 – Lot

The parcel of land which one (1) principal building and its accessories are placed, together with the open spaces required by this Ordinance.

Section 7.11 – Yard

A space open to the sky and unoccupied or unobstructed on the same lot with a building or structure. Yard measurements shall be the minimum horizontal distances.

1. Yard, Front:

A yard extending the full width of the lot or parcel of land between the front, or thoroughfare right-of-way line, and the nearest line of the main building.

2. Yard, Rear:

A yard extending across the full width of the lot between the rear lot line and the nearest line of the main building.

3. Yard, Side:

A yard extending from the front yard to the rear yard between the side lot line and the nearest line of the main building or any accessory building.

Section 7.12 – Parking Space

An area enclosed or unenclosed, at least 200 square feet and sufficient in size to store one (1) automobile together with a driveway connecting the parking space with a street or alley and permitting egress and ingress of an automobile.

Section 7.13 – Words Requiring Special Interpretation

Any work requiring interpretation and not listed above shall be used as defined in the Housing Law of Michigan, Act 167 of the Public Acts of 1917, as amended.

ARTICLE VIII AMENDMENTS

Section 8.01 – Initiation of Amendments

Amendments of this Ordinance may originate with the Village Council by resolution of the majority of the membership, or by written petition signed by no less than eight (8%) percent of the owners of property located in the Village and filed with the Village Clerk. Such petition shall include the address of each signer and the location of his property in the Village.

Section 8.02 – Procedure

- A. Each proposed amendment not originating with the Village Council shall be referred to said Council for its consideration and recommendations.
- B. The Village Council may hold a public hearing on its recommendation. When any amendment proposes the rezoning of any premises, a public hearing shall be held and the Village Council shall cause the premises to be posted thirty (30) days prior to the date of hearing, with at least one (1) sign stating the premises are under consideration for rezoning, and the time and place of the hearing.
- C. Adoption and enactment of amendments shall be in accord with Act 184 of Public Acts 1943, as amended.

Section 8.03 – Spot Zoning

This Ordinance does not intend to encourage the use of spot zoning, however, in case any petition requests rezoning of individual parcels of land, the petition shall state the specific use or purpose for which rezoning is sought. If granted, it shall be illegal to use any parcel for any other use even though such other use or purpose is permitted under the district regulations in which the parcel is classified, unless separate proceedings are pursued for such other use.

ARTICLE IX PENALTIES

Section 9.01 – Penalties

Any building or structure which is erected, altered maintained or used, or any use of land which is begun, maintained, or changed in violation of any provisions of this Ordinance is hereby declared to be a nuisance per se. Any person, firm, corporation or organization, which violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any provision, shall be fined up to one hundred (\$100) Dollars, together with the cost of prosecution; or shall be punished by imprisonment in the county jail for not less than ten (10) days, nor more than ninety (90) days, for each offense, or may be both fined and imprisoned as provided herein in the discretion of the court. Each and every day during which an illegal erection, alteration, maintenance, or use continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this Ordinance.

Section 9.02 – Action

The Village Council or any owner, or owners of real estate may institute injunction, mandamus, abatement, or any other appropriate action or proceedings to prevent, enjoin, abate, or remove any said unlawful erection, alteration, maintenance of use. The rights and remedies provided herein are cumulative and are in addition to all other remedies provided by law

ARTICLE X
VALIDITY

This Ordinance and the various parts, sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase, or clause, is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected hereby. The Village of Breedsville Council hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence, and clause thereof, irrespective of the fact that any one or more part, sections, subsections, phrases, sentences, or clauses be declared invalid.

This ordinance shall become effective on the 16th day of August 2022

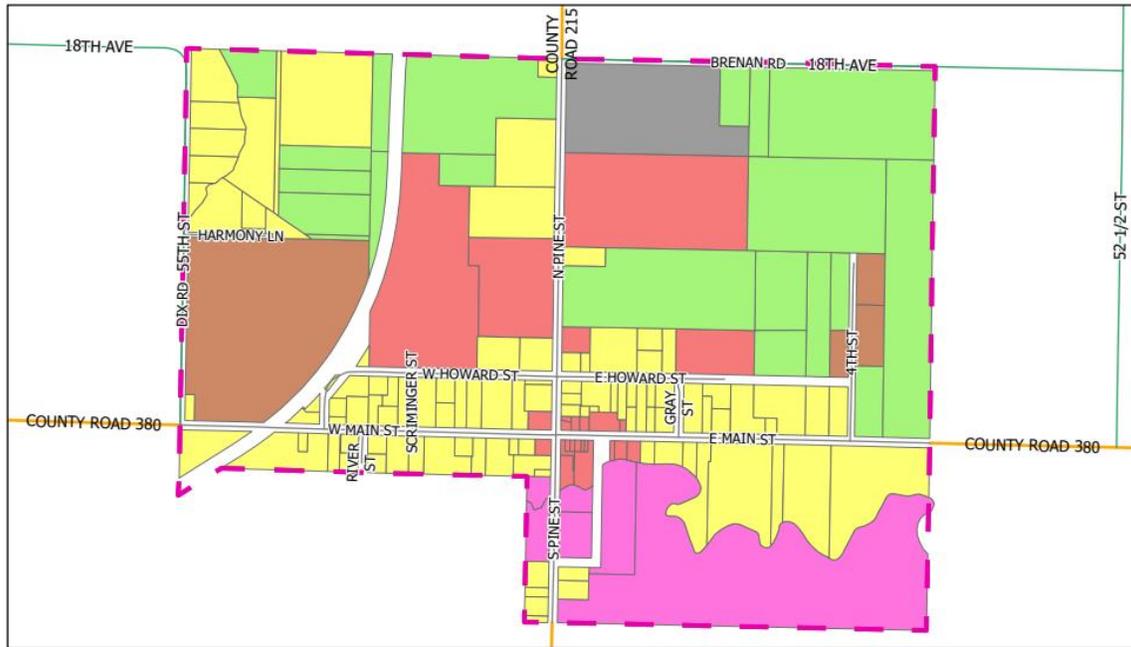
Motion by B. Hibma, supported by T. Weniger, that Ordinance No. 2022-03 be adopted.

Yes: B. Hibma, T. Weniger, L. Weniger, W. Yeager, S. Rogusta

No: None

Absent: None

Linda Norton,
Breedsville Village Clerk



**Village of Breedsville Zoning Map
(working)**



- | | |
|--|---|
|  (AG) AGRICULTURE |  (REC) RECREATIONAL |
|  (RES1) RESIDENTIAL 1 |  (COMM) COMMERCIAL |
|  (RES2) RESIDENTIAL 2 |  (IND) INDUSTRIAL |

VAN BUREN COUNTY LAND MANAGEMENT
219 PAW PAW ST. STE 302
PAW PAW, MI 49079

