

DRAFT: March 4, 2021
Approved: March 8, 2021
Published: March 11, 2021
In effect: March 18, 2021

**GRATTAN TOWNSHIP
KENT COUNTY, MICHIGAN
(Ordinance No. 2021-001)**

At a regular meeting of the Township Board for Grattan Township held at the Township offices within the Township on March 8, 2021, at 7:00 p.m., the following Ordinance/ordinance amendment was offered for adoption by Township Board Member Paul Knoerl and was seconded by Township Board Member Sabrina Freeman:

**AN ORDINANCE TO AMEND THE GRATTAN TOWNSHIP
ZONING ORDINANCE TO ADD A NEW SUBSECTION
3.25V REGARDING ROADS AND ROAD FRONTAGE, TO
ADD A NEW SECTION 4.05 INVOLVING SMALL
LAKEFRONT LOTS AND TO ADD NEW SUBSECTIONS
19.07G AND 19.07H REGARDING THE RECOVERY OF
ATTORNEY FEES AND COSTS AND LIENS.**

THE TOWNSHIP OF GRATTAN (the “Township”) ORDAINS:

Article 1. A new and addition subsection 3.25V is hereby added to the Grattan Township Zoning Ordinance as follows:

3.25V Frontage:

Any public road right-of-way or easement (or portion thereof) that does not have a fully improved gravel road or paved road installed and maintained therein by the Kent County Road Commission (and meeting Kent County Road Commission’s road standards) shall not be counted for purposes of the required road frontage for any parcel or lot adjoining or fronting on that public road right-of-way or easement (or portion thereof). A vacant or unimproved public road right-of-way or easement cannot qualify as road or street frontage for an adjoining or abutting lot or parcel. In order to count or qualify as road frontage, the owner of the parcel or lot must install a private road approved by the Township and meeting the requirements of this Section.

Article 2. A new and additional Section 4.05 is hereby added to the Grattan Township Zoning Ordinance as follows:

4.05 Small Lake Lots:

No lawful nonconforming lot (or other lot) with frontage on a lake shall be utilized for a dock, pier, wharf, boat hoist, swim raft or similar item unless the lot has at least 3,000 square feet of area on dry land (and landward of the ordinary high water mark) and at least 80 feet of frontage on the lake. Furthermore, no lawful nonconforming lot (or other lot) shall have any boat, watercraft or vessel docked, moored, kept or anchored overnight, permanently or seasonally thereon unless the lot has at least 3,000 square feet of area on dry land (and landward of the ordinary high water mark) and also at least 80 feet of frontage on the lake. Where a property with frontage on a lake has a portion of the lot or parcel located between the lake and a road right-of-way or easement and the other portion of a lot or parcel is located across the road easement or right-of-way from the lake front portion of the lot or property, this subsection shall apply to the portion of the lot or parcel located between the lake and the road easement or right-of-way.

Article 3. New and additional subsections 19.07G and 19.07H are hereby added to the Grattan Township Zoning Ordinance as follows:

G. Should the Township prevail in a Kent County Circuit Court lawsuit (either in full or in part) or in a municipal civil infraction proceeding in the District Court (either in full or in part), then the defendant or defendants (or plaintiff or plaintiffs where the Township is a defendant) shall reimburse the Township for its reasonable attorney fees and costs pursuant to any such court action or proceeding (including the Township’s attorney fees and costs before the court proceedings, during the trial or formal hearing stage and through any appeals).

H. Any judgment, lien or the equivalent ordered in favor of the Township by the Kent County Circuit Court or the District Court and against a party whose is in violation of this Ordinance shall be a lien on any and all properties within the Township owned by the party who lost to the Township and any such lien shall also be secured by and paid for via a one lot or parcel special assessment district and being placed on the property tax roll for the property in violation of this Ordinance.

Article 4. The Remainder of the Grattan Township Zoning Ordinance is Unaffected. Except as expressly amended by this Ordinance/ordinance amendment, the rest of Grattan Township Zoning Ordinance remains unchanged and in full force and effect.

Article 5. Severability. Should a court of competent jurisdiction determine that any portion of this Ordinance/ordinance amendment (or any portion thereof) is invalid or unconstitutional, that shall not affect the balance of this Ordinance/ordinance amendment, which shall remain in full force and effect.

Article 6. Effective Date. This Ordinance/ordinance amendment shall become effective upon the expiration of seven (7) days after this Ordinance/ordinance amendment or a summary thereof appears in the newspaper as provided by law.

The vote to adopt this Ordinance/ordinance amendment was as follows:

- YEAS: Frank Force, Michelle Alberts, Sabrina Freeman, Paul Knoerl.
- NAYS: NA
- ABSENT: Dennis Heffron

THIS ORDINANCE/ORDINANCE AMENDMENT IS DECLARED TO BE DULY ADOPTED.

CERTIFICATION

I hereby certify the above is a true copy of the Ordinance/ordinance amendment adopted by the Township Board for Grattan Township as of the date, time and place as specified above, pursuant to the required statutory procedures.

Respectfully submitted,

By Michelle Alberts
Michelle Alberts
Grattan Township Clerk

