

## Article 82: Administration Of This Ordinance

### 8201 Purpose

It is the purpose of this **Article** to provide the procedures for the administration of the Ordinance, issuance of permits, inspection of properties, collection of fees, handling of violations and enforcement of the provisions of this Ordinance and amendments thereto.

### 8202 Zoning Administrator

- A. The provisions of this Ordinance **shall** be administered by the Suttons Bay **Village Zoning Administrator (Administrator)**. Applicants for the office of **Administrator shall** be interviewed by Council or **Village Manager**. The **Village Council shall** employ a zoning administrator from the list of applicants recommended, an **Administrator** who **shall** serve for such term, subject to such conditions, and at such rate of compensation as the **Village Council shall** determine, and the duty of the enforcement of this Ordinance **shall** rest with the **Administrator** as **shall** be authorized by law.
- B. Eligibility. Elected officials of Suttons Bay **Village** and/or members of the **Commission** and **Appeals Board shall** be ineligible for appointment to the office of **Administrator**, and interim **Administrator**, except as otherwise provided in **Section 8202.C**.
- C. Interim **Administrator**. In the event of the resignation, death, disability, vacation, or disqualification of the **Administrator**, the **Village Manager shall** be the interim **Administrator** until such time as the **Village Council** designates another interim **Administrator**. The interim **Administrator shall** serve until a new **Administrator shall** be appointed by the **Village Council**, or the existing **Administrator** again assumes his duties.

### 8203 Zoning Administrator Duties

The **Administrator shall** submit to the **Commission** and to the **Village Council** monthly reports fully explaining the type and nature of **Uses** permitted by right; the nature and extent of violations of this Ordinance; and the type and nature of **Nonconforming Uses, Buildings, and Structures**

### 8204 Fees

- A. To assist in defraying the costs of investigating, reviewing, and administering zoning applications, appeals, rezoning requests from individual property owners, and other types of decisions which result in extra costs to the Township, the Township Board may from time to time adopt by resolution a fee schedule establishing basic zoning fees related to the following:
  - 1. Zoning permits.
  - 2. Special use permits.
  - 3. Appeals to or requests for interpretations by the Zoning Board of Appeals. Appeals and requests for interpretations initiated by the Township Board, the Planning Commission, or the Zoning Administrator shall not be subject to a zoning fee.
  - 4. Classification of unlisted property uses.
  - 5. Requests for variances from the Zoning Board of Appeals.
  - 6. Requests for rezoning of property by individual property owners. Rezoning of property initiated by the Township Board, or the Planning Commission shall not be subject to a zoning fee.
  - 7. Site plan reviews.
  - 8. Requests for a planned unit development (PUD).
  - 9. Any other discretionary decisions by the Planning Commission or Zoning Board of Appeals.

- B.** The amount of these zoning fees shall cover the costs associated with the review of the application or appeal, including but not limited to the costs associated with conducting public hearings, publishing notices in the newspaper, sending required notices to property owners, postage, photocopying, mileage, time spent by zoning staff, and time spent by the members of the Planning Commission and/or Zoning Board of Appeals. The basic zoning fees are non-refundable, even when an application or appeal is withdrawn by the applicant.
- C.** If the Planning Commission or Zoning Board of Appeals determines that the basic zoning fees will not cover the actual costs of the application review or appeal, or if the Planning Commission or Zoning Board of Appeals determines that review of the application and/or participation in the review process or appeal by qualified professional planners, engineers, attorneys, or other professionals is necessary, then the applicant shall deposit with the Township Treasurer such additional zoning fees in an amount determined by the Planning Commission or Zoning Board of Appeals equal to the estimated additional costs. The additional zoning fees shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than ten percent (10%) of the initial escrow deposit or less than ten percent (10%) of the latest additional escrow deposit and review of the application or decision on the appeal is not completed, then the Planning Commission or Zoning Board of Appeals may require the applicant to deposit additional fees into escrow in an amount determined by the Planning Commission or Zoning Board of Appeals to be equal to the estimated costs to complete the review or decide the appeal. Failure of the applicant to make any escrow deposit required under this Ordinance shall be deemed to make the application incomplete or the appeal procedurally defective thereby justifying the denial of the application or the dismissal of the appeal. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application or the final decision on the appeal. Any actual costs incurred by the Township in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the issuance of any permit or the release of a final decision on an appeal.

