

SUBDIVISION CONTROL ORDINANCE OF THE CHARTER TOWNSHIP OF CHOCOLAY

An ordinance establishing the minimum requirements and conditions for Municipal approval of plats in the Charter Township of Chocolay, County of Marquette, State of Michigan

The Charter Township of Chocolay ordains:

SECTION 1. Definitions:

As used in this Act:

- (a) "Plat" means a map or chart of a subdivision of land.
- (b) "Land" means all land areas occupied by real property.
- (c) "Preliminary Plat" means a map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.
- (d) "Subdivide or Subdivision" means the partitioning or dividing of a parcel of tract of land by the proprietor thereof or by his heirs, executors, administrators, legal representatives, successors or assigns for the purpose of sale or lease for more than one year, or of building development, where the act of division creates five or more parcels of land each of which is ten acres or less in area are created by successive divisions within a period of ten years.
- (e) "Proprietor" means a natural person, firm, association, partnership, corporation or combination of any of them which may hold any ownership in land whether recorded or not.
- (f) "Street" means all ways and easements of ingress or egress or other mode of providing access to lots within each subdivision whether dedicated to the public or reserved for the private use of the landowner or landowners within the subdivision.

SECTION 2. Conditions of approval:

No final plat of lands in the Charter Township of Chocolay shall hereafter be considered or reviewed for approval by the Township Board of the Charter Township of Chocolay unless and until the following conditions have been complied with by the proprietor thereof and satisfactory evidence of compliance thereof has been presented to the Township Board of the Charter Township of Chocolay.

- (a) The Proprietor submitting the plat shall pay to the Charter Township of Chocolay a fee in the amount of \$10.00 for each lot in the subdivision proposed but in no event less than \$100.00 nor more than \$200.00 at the time of submission of the preliminary plat to the Township Board for the examination and inspection of the plat and expenses related thereto.

- (b) The proprietor shall furnish to the Township Board at the time of submission of the preliminary plat for approval and opinion by an attorney licensed to practice law in the State of Michigan based on an abstract of title certified to the date of the proprietor's certificate as to ownership and marketability of title of the land for the purpose of ascertaining whether the proper parties have signed the plat.
- (c) The proprietor shall at the time of submitting the final plat to the Township Board for the approval submit a street lighting plan cost estimate prepared by a Professional Engineer, or electrical utility providing street lighting in the area proposed to be subdivided having minimum requirements of not less than the following:
- (1) each lighting location shall provide for a mercury vapor lamp or other ballasted light of not less than 250 watts located on a pole acceptable to the standards in the trade at least 23 feet above grade.
 - (2) there shall be located one street lamp (a) at the intersection of two or more streets; (b) at the apex or apogee of any curve located within the subdivision of greater than 40 degrees and (c) the minimum spacing of lights shall be not more than one-quarter mile within the plat and along the streets of the plat within said subdivision, and said proprietor shall deposit with the Township Board in cash or other security acceptable to the Township Board an amount equal to the estimated cost of construction of such street lighting plan. Upon completion of the street lighting in accordance with the plan submitted as approved by the Township Board and assignment of such lighting to the Township, such cash deposit or other securities shall be refunded to the proprietor.
- (d) The proprietor shall at the time of submitting the final plat deposit with the Township Board a sum equal to the cost of providing street signs at every street intersection within the plat so approved which sum shall be refunded to the proprietor upon the proper placement of signs within said subdivision. In the event that such street signs have been placed at the time of submission of the final plat and upon certification thereof by the building inspector no such deposit shall be required.
- (e) The plat submitted shall comply in all respects with the minimum lot size and other requirements of the Charter Township of Chocolay zoning ordinance as that ordinance may from time to time be amended.

(f) The proprietor shall, for himself and his heirs and assigns, agree by written instrument to extend the Chocolay Township sanitary sewer system to the proposed subdivision to be platted whenever the nearest sewer line available shall be within one quarter mile of the proposed subdivision and pay such assessments as may from time to time be provided by the ordinances applicable thereto.

(g) No private road within any proposed subdivision shall provide for street right of way of less than 66 feet in width.

(h) All plats submitted shall provide for adequate easements for present and future electrical, sewer, water, gas and other utilities as may from time to time be franchised by or furnished by the Township and copies of all final plats shall be furnished each utility presently serving the area plated.

SECTION 3.

All ordinances and parts of ordinances heretofore enacted by the Charter Township of Chocolay that may be in conflict herewith are hereby repealed.

SECTION 4.

If any section, clause or provision of this ordinance shall be declared invalid or void by any court of competent jurisdiction such holding shall effect only that section, clause or provision hereof so voided but the same shall not effect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

SECTION 5.

This ordinance shall become effective and be in full force and effect 30 days from the publication hereof.

Helen Kopenski

Helen Kopenski, Clerk
Charter Township of Chocolay

Attested:

Donald J. Frailing

Donald J. Frailing, Supervisor
Charter Township of Chocolay

Ordinance No. 27 adopted at
a Regular Meeting of the Board on
January 27, 1975
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Adopted at a Regular Meeting of the Chocolatey Township
Board on January 27, 1975 by a vote of:
AYES: D. Frailing, H. Kopenski, C. Brin, I. Fende, R. Rogers
H. Kitzman, J. Wietek
NAYES: none

RESOLUTION DECLARED ADOPTED

This Ordinance was published for the final required publication
in the "Mining Journal" on Feb. 11, 1975.