

# TOWNSHIP OF FREMONT

COUNTY OF TUSCOLA  
MAYVILLE, MICHIGAN 48744

## LAND DIVISION ORDINANCE

An Ordinance to provide a procedure for the division of land located within the Township of Fremont, pursuant to the requirements of Public Act 591 of 1996, "And Public Act 87 of 1997," being the Michigan Land Division Act, as amended.

THE TOWNSHIP OF FREMONT ORDAINS:

Section 1. COMPLIANCE REVIEW BY ASSESSOR. No land within the Township shall be divided without the prior review and approval of the Township assessor for compliance with this ordinance and the Michigan Land Division Act. No land divisions shall be placed on the township tax roll until such compliance has been verified by the assessor.

Section 2. LAND DIVISION REQUIREMENTS. An applicant for land division approval shall provide the assessor with documented proof that the following requirements have been met before any land division can be approved:

- A. A tentative land division map (to scale) showing:
  1. Area of each land division
  2. Proposed property lines of each land division
  3. Public utility easements to each land division
  4. Road accessibility for each land division
- B. Compliance with a depth to width ratio of not more than 4 to 1 for each land division, except "any parcel in excess of ten acres."
- C. Compliance with the minimum lot width requirements of the township zoning ordinance for each land division.
- D. Compliance with the minimum lot area requirements of the township zoning ordinance for each land division.
- E. Road accessibility for each land division by:
  1. Public road frontage which meets Road Commission driveway location standards; or
  2. Frontage on a private road which complies with the Township Private Road and Drive Ordinance; or
  3. A private driveway easement at least sixty-six (66) feet in width which complies with the Township Private Road and Drive Ordinance.
- F. A survey and legal description of each proposed land division.
- G. An accurate legal description (in the shortest possible form) of the remaining parcel of land from which the new divisions are being taken.



H. The proposed land divisions shall not create more divisions than the number allowed by the Michigan Land Division Act.

I. County Health department approval for on-site water for each land division, if the land division is "less than one (1) acre in size."

J. County Health department approval for on-site sewage disposal for each land division, if the land division is "less than (1) acre in size."

K. Public utility easements must be in place from the proposed land division to existing public utility facilities, if the land division is to be a "development site."

L. A completed application form on such form as may be provided by the municipality.

Section 3. DEVELOPMENT SITE DEFINITION. For purposes of this ordinance, the term "development site" shall mean any parcel which is used or intended to be used as a location for a dwelling or other building. The term "development site" shall not include vacant agricultural or forestry land which will not be used as a location for a dwelling or other non-agricultural building.

Section 4. APPROVAL PERIOD. The township assessor shall have a review period of (45) days after documents verifying compliance with each of the requirements listed in Section 2 have been submitted to the assessor. If all items are in compliance, approval shall be granted within said forty five (45) day review period.

Section 5. "FEES. A fee of \$ 25.00 per application shall be charged for processing land division and parcel combination requests."

Section 6. PENALTIES AND ENFORCEMENT. Any person who violates any of the provisions of this ordinance shall be responsible for committing a civil infraction and may be fined. A violation of this ordinance shall be deemed a nuisance which may be abated by a court of competent jurisdiction.

Section 7. EFFECTIVE DATE. This Ordinance shall take immediate effect upon publication in a newspaper of general circulation.

The undersigned Clerk of the Township of Fremont, hereby certifies that the above Ordinance was adopted by the Fremont Township Board on the twelfth day of November, 1997, and was published in the Tuscola County Advertiser December 6, 1997, a newspaper circulated in the Township of Fremont.

  
Fremont Township Clerk

RESOLUTION  
LAND DIVISION ORDINANCE

BE IT RESOLVED, that Fremont Township adopt this Land Division

Ordinance: Motion: Moved by H. Wymore, supported by M. Sugden, to  
approve the Fremont Township Land Division Ordinance.

ROLL CALL VOTE

R. Talsma, aye  
S. Schempp, aye  
M. Sugden, aye  
H. Wymore, aye  
K. Talsma, absent

AUTHORIZED SIGNATURES

K. Talsma, supervisor  
S. Schempp, Treasurer  
R. Talsma, Clerk

*K. Talsma 12-6-97*  
Signature & Date  
*Shirley Schempp*  
Signature & Date  
*R. Talsma 12-6-97*  
Signature & Date

Resolution adopted November 12, 1997, published December 6, 1997,  
effective December 6, 1997.

**TOWNSHIP OF FREMONT  
COUNTY OF TUSCOLA  
P.O. Box 216  
MAYVILLE, MI 48744**

At the Fremont Township Board meeting held on February 11, 2004, a motion was made by A. Green, seconded by M Sugden to raise the property split fee from the present \$25 to \$30. Motion was carried.