

WALES TOWNSHIP

1372 WALES CENTER ROAD WALES, MI 48027

TEL (810) 325-1517 FAX (810) 325-9009

www.walestownship.org E-mail: wales@walestownship.org

Application for Approval of Land Division and Combination

Parcel Identification number/s _____

Property Owner: _____ Phone # _____

Address: _____

Applicant Signature: _____ Date _____

In order to obtain preliminary approval, please submit a scaled drawing of the proposed combinations/divisions, including buildings, water ways, drains, etc.

The requirements of Sec. 1, 2, 3 and 4 of the Land Division Control Ordinance are mandatory. All incomplete applications will be returned, without action, to the applicant.

_____ This preliminary lot split has been denied.

_____ This preliminary lot split has been approved for sixty (60) days. If Wales Township has not received all completed paperwork within this time frame, you must reapply for a new preliminary approval.

PRELIMINARY APPROVAL SIGNATURES:

ASSESSOR _____ Date _____

ZONING ADMINISTRATOR _____ Date _____

IN ORDER TO OBTAIN FINAL APPROVAL PLEASE PROVIDE:

- 1. Full legal description of the parent parcel before division.
2. Full legal description(s) contained in any outstanding land contracts(s) affecting the parent parcel.
3. Attach full legal description(s) of parcel(s) proposed to be created, (survey) and submitted for final approval of this application.
4. Compliance to width and depth ratio: ___Yes ___No
5. Easements from Detroit Edison, Semco (if necessary) and St. Clair County Road Commission have been obtained.

FINAL APPROVAL SIGNATURES:

CLERK _____ Date _____

ASSESSOR _____ Date _____

ZONING ADMINISTRATOR _____ Date _____

NOTE: It is the property owners' responsibility to complete the property combinations and/or divisions by having a deed recorded in the appropriate names. Please submit \$80.00 per new parcel ID created, with the application, survey and all necessary documents to Wales Township.

Paid \$ _____ Check # _____ Date _____ Recd By _____

REQUEST FOR PROPERTY SPLIT/COMBINATION

Tax Parcel(s) to be split/combined 74- _____

Owner(s) signature _____

Phone Number _____ Date ____/____/____

Municipality Preliminary Review

_____ Zoning Compliance for intended use (depth x width, acreage, frontage, access)

Municipality Signature _____ Date ____/____/____

Land Management Review for compliance of P.A. 591 of 1997 (Land Division Act of 1997)

Reference # _____

➤ Must provide a survey or drawing to scale with dimensions at time of review

Parent Parcel Tax Number(s) 74- _____

Total acreage of parcels _____ Number of available splits _____

_____ Platted Parcel Existing divisions _____ Requested Divisions _____

_____ New Taxable Parcel being created Requesting number of divisions _____

_____ Combination/Adjustment of Property lines (exempt from division)

with parcel(s) _____

_____ Owner Name _____

_____ Meets PA 591 _____ Doesn't meet PA 591

Notes:

_____ \$25.00 County Admin Fee _____ \$5.00 Tax Certification Fee

_____ Delinquent Taxes – This is to certify that there are no tax liens or titles on this property and that the taxes are paid for FIVE YEARS previous to the date of this instrument. This certification does not include taxes, if any now in the process of collection by the City, Village or Township Treasurer.

Reviewer Signature _____ Date ____/____/____

**The above review is for the compliance of P.A. 591 only.
Final approval of property splits/combinations by the Municipality is still required.**

*****THIS REVIEW EXPIRES AFTER A PERIOD OF ONE YEAR *****

MCL 560-109 Municipality shall approve/disapprove proposed division within 45 days after filing completed application of proposed division with assessor or other municipality designated official.

Municipality Final Review and Approval

_____ Adequate and Accurate legal descriptions (must be provided and attached) MCL 560.109 sect (1) (a)

_____ Accessibility. Driveway or existing easements provides vehicular access to existing roads or streets.

_____ Public Utility Easements. (gas, electricity, water, sewer, telephone)

_____ Taxes Current (responsibility of municipality)

_____ Courtesy TAX BILL SHOULD BE Issued allocate values-turn into Treasurer for proper billing of current year

_____ Approved _____ Disapproved

Notes: _____

Municipality Signature _____ Date ____/____/____

➤ The above signature authorizes for new parcel splits/combinations to be added to tax roll

PROCEDURE FOR LOT SPLIT / COMBINATION

BEFORE AN APPLICATION CAN EVEN BE CONSIDERED – ALL DELINQUENT PROPERTY TAXES CONCERNING THE PARCELS TO BE SPLIT AND OR COMBINED MUST BE PAID IN FULL AT THE COUNTY. ANY CURRENT YEAR TAXES MUST BE PAID IN FULL AT THE TOWNSHIP.

PHASE I

1. FILL OUT THE TOP PORTION ONLY OF THE WALES TOWNSHIP APPLICATION
PARCEL ID # - PROPERTY OWNER - PHONE # - ADDRESS
APPLICANT SIGNATURE AND DATE (APPLICATION MUST BE SIGNED)
2. FILL OUT THE FIRST 2 LINES ONLY OF THE SHEET LABELED
* REQUEST FOR PROPERTY SPLIT / COMBINATION *
PARCEL ID # - APPLICANT SIGNATURE AND DATE (APPLICATION MUST BE SIGNED)
3. PROVIDE A SKETCH WITH ALL BUILDINGS ON THE EXISTING PARCEL WITH THE DISTANCES FROM ALL LOT LINES. ON THIS SKETCH, SHOW THE PROPOSED SPLIT. IF YOU HAVE A SURVEY OF THE CURRENT PARCEL, IT WOULD PROBABLY BE BENEFICIAL TO USE A COPY OF IT FOR THE SKETCH. AN OVERHEAD OF YOUR PARCEL CAN BE OBTAINED FROM THE ST. CLAIR COUNTY WEBSITE IF YOU DO NOT HAVE AN EXISTING SURVEY.
4. RETURN THE ABOVE 3 ITEMS TO WALES TOWNSHIP FOR PRELIMINARY APPROVAL FROM THE ASSESSOR. NO PAYMENT IS DUE AT THIS TIME.

PHASE II

1. AFTER PRELIMINARY APPROVAL IS RECEIVED FROM THE ASSESSOR AND THE ZONING ADMINISTRATOR, YOUR APPLICATION WILL BE FORWARDED TO THE COUNTY FOR THEIR VERIFICATION THAT SPLITS ARE AVAILABLE. PROPERTY OWNER WILL RECEIVE AN INVOICE FROM THE COUNTY FOR \$30.00 TO COVER COUNTY PROCESSING FEES. AT THIS TIME THE PROPERTY OWNER WILL BE CONTACTED. THE OWNER WILL NEED TO MAKE ARRANGEMENTS FOR A NEW SURVEY TO BE COMPLETED SHOWING THE SPLIT INCLUDING ALL EXISTING BUILDINGS WITH DISTANCES FROM LOT LINES. IT IS ALSO THE RESPONSIBILITY OF THE OWNER TO CONTACT THE ROAD COMMISSION (FEE \$50) AND PUBLIC UTILITIES TO OBTAIN ANY NECESSARY EASEMENTS (CURRENTLY NO FEES FOR THE UTILITIES).
2. RETURN COPY OF SURVEY AND LETTERS FOR EASEMENTS TO WALES TOWNSHIP. THE TOWNSHIP WILL THEN FORWARD ALL INFORMATION TO THE COUNTY FOR THE ASSIGNMENT OF NEW PARCEL NUMBERS.
3. AFTER RECEIVING APPROVAL FROM THE COUNTY, THE PROPERTY OWNER WILL BE CONTACTED TO RETURN TO WALES TOWNSHIP TO PAY THE SPLIT/COMBINATION FEE AND RECEIVE COPIES OF ALL DOCUMENTS. FEES ARE BASED ON THE NUMBER OF NEW PARCEL NUMBERS CREATED.

PHASE III

1. AFTER FINAL SPLIT/COMBINATION APPROVAL IS RECEIVED, PROPERTY OWNER MUST RECORD PROPER DEEDS AT REGISTRAR OF DEEDS OFFICE FOR PROPERTY TO BE SOLD OR TRANSFERRED. THE APPROVAL FROM WALES TOWNSHIP DOES NOT LEGALLY TRANSFER OWNERSHIP OF LAND.

COUNTY OF CASS

HOPE ANDERSON, Treasurer
HOPEA@CASSCO.ORG

Cynthia Gill, Chief Deputy Treasurer
CYNTHIAG@CASSCO.ORG



120 N. Broadway – Suite 113
Cassopolis, MI 49031-0355
(269) 445-4468 phone
(269) 445-4497 fax

WWW.CASSCOUNTYMI.ORG

September 12, 2019

Dear Assessors,

Important tax protections for buyers of subdivided land was signed into law recently. House Bill No. 4055 requires a property tax payment certification before any parcel of land is divided. This change ensures that taxes are paid before splits happens. It also creates clarity regarding delinquent tax payments when land is split up, ensuring new owners will not receive the unpleasant surprise of responsibility for unpaid property tax bills of previous owners.

Effective September 16, 2019, the Cass County Treasurer's office will supply a certificate that all property taxes and special assessments due on the parcel or tract subject to the proposed land division for the 5 years preceding the date of the application have been paid. If the date of the application is on or after March 1 and before the local treasurer of the local tax collecting unit in which the parcel or tract is located has made his or her return of current delinquent taxes, the Cass County Treasurer's office shall include with the certification a notation that the return of current delinquent taxes was not available for examination.

The collection of a fee for a certification under this subdivision will be addressed soon.

Attached is the complete House Bill No. 4055.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Hope Anderson'.

Hope Anderson
Treasurer

Act No. 23
Public Acts of 2019
Approved by the Governor
June 18, 2019
Filed with the Secretary of State
June 18, 2019
EFFECTIVE DATE: September 16, 2019

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2019**

Introduced by Reps. Slagh, Filler, Howell, Brixie, Cherry, Hood, Kennedy, Eisen, Cynthia Johnson, Stone and Brann

ENROLLED HOUSE BILL No. 4055

AN ACT to amend 1967 PA 288, entitled "An act to regulate the division of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots and parcels; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained prior to the recording and filing of plats and other land divisions; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal acts and parts of acts," by amending section 109 (MCL 560.109), as amended by 2017 PA 196.

The People of the State of Michigan enact:

Sec. 109. (1) A municipality shall approve or disapprove a proposed division within 45 days after the filing of a complete application for the proposed division with the assessor or other municipally designated official. However, a municipality with a population of 2,500 or less may enter into an agreement with a county to transfer to the county authority to approve or disapprove a division. An application is complete if it contains information necessary to ascertain whether the requirements of section 108 and this section are met. The assessor or other municipally designated official, or the county official, having authority to approve or disapprove a proposed division, shall provide the person who filed the application written notice whether the application is approved or disapproved and, if disapproved, all the reasons for disapproval. A complete application for a proposed division shall be approved if, in addition to the requirements of section 108, all of the following requirements are met:

(a) Each resulting parcel has an adequate and accurate legal description and is included in a tentative parcel map showing area, parcel lines, public utility easements, accessibility, and other requirements of this section and section 108. The tentative parcel map shall be a scale drawing showing the approximate dimensions of the parcels.

(b) Each resulting parcel has a depth of not more than 4 times the width or, if an ordinance referred to in subsection (5) requires a smaller depth to width ratio, a depth to width ratio as required by the ordinance. The municipality or county having authority to review proposed divisions may allow a greater depth to width ratio than that otherwise required by this subdivision or an ordinance referred to in subsection (5). The greater depth to width ratio shall be based on standards set forth in the ordinance referred to in subsection (5). The standards may include, but need not be limited to, exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands. The depth to width ratio requirements of this subdivision do not apply to a parcel larger than 10 acres, unless an

ordinance referred to in subsection (5) provides otherwise, and do not apply to the remainder of the parent parcel or parent tract retained by the proprietor.

(c) Each resulting parcel has a width not less than that required by an ordinance referred to in subsection (5).

(d) Each resulting parcel has an area not less than that required by an ordinance referred to in subsection (5).

(e) Each resulting parcel is accessible.

(f) The division meets all of the requirements of section 108.

(g) Each resulting parcel that is a development site has adequate easements for public utilities from the parcel to existing public utility facilities.

(h) The division does not isolate a cemetery so that it does not meet the requirements of either section 102(j)(i) or (ii).

(i) One of the following are satisfied:

(i) All property taxes and special assessments due on the parcel or tract subject to the proposed division for the 5 years preceding the date of the application have been paid, as established by a certificate from the county treasurer of the county in which the parcel or tract is located. If the date of the application is on or after March 1 and before the local treasurer of the local tax collecting unit in which the parcel or tract is located has made his or her return of current delinquent taxes, the county treasurer shall include with his or her certification a notation that the return of current delinquent taxes was not available for examination. The official having authority to approve or disapprove the application shall not disapprove the application because the county treasurer's certification includes such a notation. The county treasurer shall collect a fee for a certification under this subdivision in an amount equal to the fee payable under section 1(2) of 1895 PA 161, MCL 48.101, for a certificate relating to the payment of taxes under section 135 of the general property tax act, 1893 PA 206, MCL 211.135.

(ii) If property taxes or special assessments due on the parcel or tract subject to the proposed division have not been paid, the unpaid property taxes or special assessments have been apportioned by the township or city assessing officer as provided by section 53 of the general property tax act, 1893 PA 206, MCL 211.53. Any apportioned property taxes or special assessments are a lien against the parcels or tracts as apportioned by the assessing officer and shall be treated in the same manner as property taxes and special assessments of the year of the original assessment for the purpose of collection and sale for delinquent taxes under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(2) The right to make divisions exempt from the platting requirements of this act under section 108 and this section can be transferred, but only from a parent parcel or parent tract to a parcel created from that parent parcel or parent tract. A proprietor transferring the right to make a division pursuant to this subsection shall within 45 days give written notice of the transfer to the assessor of the city or township where the property is located on a form prescribed by the state tax commission. The form shall include substantially the following questions in the mandatory information portion of the form:

(a) "Did the parent parcel or parent tract have any unallocated divisions under the land division act, 1967 PA 288, MCL 560.101 to 560.293?"

(b) "Were any unallocated divisions transferred to the newly created parcel? If so, state whether all were transferred or, if not, how many?"

(3) A person shall not sell a parcel of unplatted land unless the deed contains a statement as to whether the right to make further divisions exempt from the platting requirements of this act under this section and section 108 is proposed to be conveyed. The statement shall be in substantially the following form: "The grantor grants to the grantee the right to make [insert "zero", a number, or "all"] division(s) under section 108 of the land division act, 1967 PA 288, MCL 560.108.". In the absence of a statement conforming to the requirements of this subsection, the right to make divisions under section 108(2), (3), and (4) stays with the remainder of the parent tract or parent parcel retained by the grantor.

(4) All deeds for parcels of unplatted land within this state executed after March 31, 1997 shall contain the following statement: "This property may be located within the vicinity of farm land or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act."

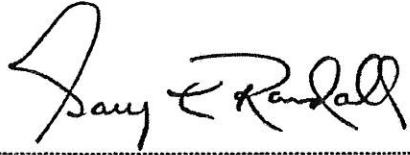
(5) The governing body of a municipality or the county board of commissioners of a county having authority to approve or disapprove a division may adopt an ordinance setting forth the standards authorized in subsection (1)(b), (c), and (d). The ordinance may establish a fee for a review of an application under this section and section 108. The fee shall not exceed the reasonable costs of providing the services for which the fee is charged.

(6) Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.

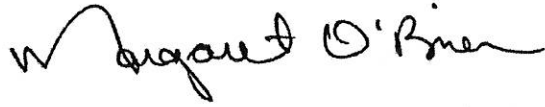
(7) Compliance with this section is not a requirement for a deed to be received for record or recorded by a register of deeds.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor

Contacts

St. Clair County Road Commission, 21 Airport Drive, St. Clair MI 48079-1404, PERMITS DEPARTEMENT, (810) 364-5720 or sccrc@michi.com FAX (810) 364.9050 website <http://www.sccrc-roads.org/>

City, Township and Village listing of telephone numbers and websites can be found at <http://www.stclaircounty.org/Offices/treasurer/Cities.aspx>

Detroit Edison, Right Of Way Department, (586) 412-~~X~~60, FAX (586) 412-~~X~~3037 *SEE SEPERATE SHEET*

AT & T, Right Of Way Department, 54 Mill St. P.O Box 30, Pontiac MI 48342, (248) 456-0860, FAX (248) 972-0001 or Sue Sampier at (248) 456-0361 or ss479@att.com

SEMCO Energy, Right of Way Department, 1411 Third Street Suite A, Port Huron MI 48060, Patrick Hurd, Engineer (810) 887-3041 FAX (810) 887-4233 email Patrick.hurd@semcoenergy.com

Comcast, Construction Division, Lake Huron Construction Division, 6095 Wall Street, Sterling Heights MI 48312, office phone (586) 883-7250 Construction Department Jim Stitzel (586) 883-7253 (prefers to be contacted via phone in the morning) FAX (586) 883-7406 james_stitzel@cable.comcast.com

Resources

A listing of Cities, Townships and Villages can be found at this website <http://www.stclaircounty.org/Offices/treasurer/Cities.aspx>

If you need an official tax roll, contact your local township assessor.

LAND DIVISION ACT 288 of 1967 - [http://www.legislature.mi.gov/\(S\(pytbokmk4oypm455d4fesxuc\)\)/mileg.aspx?page=GetObject&objectname=mcl-Act-288-of-1967](http://www.legislature.mi.gov/(S(pytbokmk4oypm455d4fesxuc))/mileg.aspx?page=GetObject&objectname=mcl-Act-288-of-1967)

PRINTABLE COPY OF THIS "How to Split or Combine Property in St. Clair County", [click here](#).

Printable copy of Municipality name and phone numbers [click here](#).

Detroit Edison



LAND SPLIT Service Application

Please complete and return your application to Detroit Edison, at the Regional Center address listed below.

(For DTE Energy to fill in)

Work Order _____

Date Received _____

Return Address:

Mt. Clemens Service Center, 43230 Elizabeth, Clinton Twp., 48036

Joyce Dudek, Facilitator Right of Way, Phone: (586) 783-1932 Fax No. 586-783-1981
e-mail address-joyce.dudek@dteenergy.com

Property Owner Name: _____

Current Address: _____ Phone Number _____

Name of person to be contacted in case of questions : _____

Daytime Phone Number: () _____ Evening Phone Number: () _____

Property/Tax I.D. # _____

City/Township/Village: _____

If assigned by municipality:

Address No.: _____ Street Name: _____

Nearest Intersection: _____

Subdivision name: _____

NOTE: The legal owner of the property must sign this application, unless the party acting instead of the legal owner has power of attorney or legal guardianship. Please provide proof of such.

Required Information

- a) Proof of Ownership (Deed or Land Contract - Title Insurance does not constitute proof of ownership)
- b) Certified Survey of Parent Parcel showing splits
- c) Certified Survey with written description of the proposed splits

NOTE: PLEASE ALLOW 4-6 WEEKS FOR PROCESSING.

Applicant's Signature: _____

Date: _____

Article
XVI

Schedule of District Regulations

Section 16.01 — Schedule of Regulations By Zoning District

SCHEDULE OF DISTRICT REGULATIONS LIMITING HEIGHT, BULK, DENSITY & AREA BY ZONING DISTRICT (A)											
DISTRICT	Minimum Lot Size		Minimum Yard Setbacks (B) (per lot in feet)				Maximum Height of Structures (E)		Maximum Lot Coverage By Buildings	Minimum Floor Area Per Unit	
	Area	Width (in Feet)	Front (C)	Minimum Side (D)	Total of Two	Rear	Stories	Feet			
									Front (C)	Side (D)	Total of Two
IA, Intensive Agriculture (R)	10 acres	660 (C)	50 (C2, F)	50 (F)	100	50 (F)	2	30 (G)	30%	(S)	
AG, Agriculture (R)	2.5 acres	330 (C)	50 (C2)	20	40	50	2	30	20%	(S)	
ROS, Recreation & Open Space (R)	2.5 acres	330 (C)	50 (C2)	30	60	50	2	30	10%	(S)	
RV, Village Residential											
-One-Family Dwellings (R)	12,000 sq. ft.	65 (C)	30 (C2)	7.5	15	40	2	25	30%	(S)	
R, Residential											
-One-Family Dwellings (R)	1.25 acres	165 (C)	40 (C2)	15	30	50	2	25	30%	(S)	
RM, Multiple-Family Res. (R)											
-Multiple Family Projects	(1,J)	—	40	25	50	50	2	30	30%	(K)	
-Manuf. Housing Comm. Dev. (L)	15 acres	—	—	—	—	—	—	25	—	760 sq. ft.	
-Two-Family Dwellings	102,300 sq. ft.	310 (C)	40 (C2)	20	40	50	2	25	30%	(S)	
B-1, Neigh. Business	—	—	25 (M, Q)	10 (N)	20 (N)	20	2	25	—	—	
B-2, General Business	—	—	20 (M, Q)	10 (N)	20 (N)	20	2	25	—	—	
I-1, Light Industrial	—	—	30 (O, P, Q)	15 (P)	30 (P)	30 (P)	2	30	50%	—	
I-2, Heavy Industrial	—	—	40 (O, P, Q)	20 (P)	40 (P)	20 (P)	—	40	—	—	

*Footnotes to this schedule are found in section 16.02.

TOWNSHIP OF WALES
COUNTY OF ST. CLAIR, STATE OF MICHIGAN

ORDINANCE NO. 8-A

Adopted 10-7-97
Effective 10-11-97

LAND DIVISION ORDINANCE

An ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to Michigan Public Act 288 of 1967, as amended, and Act 248 of 1945, as amended, being the Township General Ordinance statute; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this ordinance.

TOWNSHIP OF WALES
ST. CLAIR COUNTY, MICHIGAN,
ORDAINS;

SECTION I
TITLE

This ordinance shall be known and cited as the Wales Township Land Division Ordinance.

SECTION II
PURPOSE

The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formally known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the municipality by establishing reasonable standards for prior review and approval of land divisions within the Township.

SECTION III
DEFINITIONS

For purposes of this ordinance certain terms and words used herein shall have the following meaning:

- A. "Applicant" - a natural person, firm association, partnership, corporation or combination of any of them that holds an ownership interest in land whether recorded or not.
- B. "Divide" or "Division"- the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the State Land Division Act. "Divide" and "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the State Land Division Act, or the requirements of other applicable local ordinances.
- C. "Exempt split" or "exempt division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his

**SECTION VI
PROCEDURE FOR REVIEW OF APPLICATION
FOR LAND DIVISION APPROVAL**

- A. The Township shall approve or disapprove the land division applied for within 45 days after receipt of a complete application conforming to this Ordinance's requirements and the State Land Division Act, and shall promptly notify the applicant of the decision, and if denied, the reasons for the denial.
- B. Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision appeal the decision to the governing board of the Township or such other body or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said Board or by the appellate designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.
- C. The Township assessor or designee shall maintain an official record of all approved and accomplished land divisions or transfers.
- D. Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.
- E. The township and its officers and employees shall not be liable for approving a land division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to this effect.

**SECTION VII
STANDARDS FOR APPROVAL OF LAND DIVISIONS**

A proposed land division revisable by the Township shall be approved if the following criteria are met.

- 1. All the parcels to be created by the proposed land division (s) have not less than the minimum width and area set forth in the Wales Township Zoning Ordinance Schedule of District Regulations for the applicable zoning district.
- 2. All such parcels shall contain a minimum area of one and one-half (1.5) acres unless otherwise provided for in the Wales Township Zoning Ordinance Schedule of District Regulations for the applicable zoning district.
- 3. The ratio of depth to width of any parcel created by the division does not exceed a seven (7) to one (1) ratio exclusive of access roads, easements, or non-development sites. The depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right of way to the most remote boundary line point of the parcel from point of commencement of the measurement. The ratio does not apply to parcels larger than ten (10) acres.
- 4. The proposed land division (s) comply with all requirements of this Ordinance and the State Land Division Act.
- 5. All parcels created and remaining have existing adequate accessibility, or an area available therefor, for public utilities and emergency and other vehicles.

**SECTION VIII
CONSEQUENCES OF NONCOMPLIANCE WITH
LAND DIVISION APPROVAL REQUIREMENT**

Any division of land in violation of any provision of this Ordinance shall not be recognized as a land division on the Township tax roll and no construction thereon which requires the prior issuance of a construction or building permit shall be allowed. The Township shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this Ordinance.

An unlawful division or split shall also be avoidable at the option of the purchaser and shall subject the seller to the forfeiture of all consideration received or pledged therefor, together with any damages sustained by the purchaser, recoverable in an action at law.

TOWNSHIP OF WALES
ST. CLAIR COUNTY, MICHIGAN
ORDINANCE # 8-B

AN ORDINANCE TO AMEND THE TEXT OF THE LAND DIVISION ORDINANCE OF THE TOWNSHIP OF WALES TO CHANGE THE MAXIMUM RATIO OF DEPTH TO WIDTH.

THE TOWNSHIP OF WALES ORDAINS:

ARTICLE 1:

SECTION VII, STANDARDS FOR APPROVAL OF LAND DIVISIONS.

Paragraph 3. is amended to read as follows:

3. The ratio of depth to width of any parcel created by the division does not exceed a four (4) to one (1) ratio exclusive of access roads, easements, or non-development sites. The depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right of way to the most remote boundary line point of the parcel from the point of commencement of the measurement. The ratio does not apply to parcels larger than ten (10) acres.

ARTICLE 2 SEVERABILITY CLAUSE:

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this Ordinance other than said part or portion thereof.

ARTICLE 3 REPEAL:

All Ordinances or portions, thereof, which are in conflict with this Ordinance are hereby repealed.

ARTICLE 4 ADOPTION & EFFECTIVE DATE:

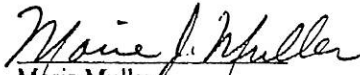
This Ordinance, adopted this 12th day of November, 2002, shall take effect thirty (30) days after publication following its adoption.

Voting For: Judy Duncan, Marie J. Muller, Carolyn Dunsmore
Dave Shannon, John Catherines

Voting Against: None

I certify that the above Ordinance was adopted by the Wales Township Board at a regular session held on November 12, 2002.

TOWNSHIP OF WALES


Marie Muller
Wales Township Clerk

LAND DIV ORD AMEND Wales.doc

TOWNSHIP OF WALES
ST. CLAIR COUNTY, MICHIGAN
ORDINANCE # 8-B (AMENDMENT)

AN ORDINANCE TO AMEND THE TEXT OF THE LAND DIVISION ORDINANCE OF THE TOWNSHIP OF WALES TO CHANGE APPLICATION FOR LAND DIVISION APPROVAL (SECTION V.).

THE TOWNSHIP OF WALES ORDAINS:

ARTICLE 1:

SECTION V, APPLICATION FOR LAND DIVISION APPROVAL

Paragraph B, Line 5. Is amended to read as follows:

5. All existing structures, improvements and physical features shall be presented on the certified survey, including distances from the structures and improvements to the nearest lot line, also defining all distances from structures and/ or improvements to any lot line within a 200 foot radius.

ARTICLE 2 SEVERABILITY CLAUSE:

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this Ordinance other than said part or portion thereof.

ARTICLE 3 REPEAL:

All Ordinance or portions, thereof, which are in conflict with this Ordinance are hereby repealed.

ARTICLE 4 ADOPTION & EFFECTIVE DATE:

This Ordinance, adopted this 12th day of November, 2019, shall become effective immediately upon publication.

Record of Roll Call Votes by Name

Ayes- Bobcean, Messina, Masters, Thomsn

Nays- \emptyset .

CERTIFICATON

I, Cynthia Bobcean, Clerk of the Township of Wales, St. Clair County, Michigan, do hereby certify that the foregoing is a true and correct copy of the Amended text of the Land Division Ordinance adopted by the Township Board of Wales Township at a regular meeting held on November 12, 2019.


Township Clerk

TOWNSHIP OF WALES
COUNTY OF ST. CLAIR, STATE OF MICHIGAN

ORDINANCE NO. 8-A

Adopted 10-7-97
Effective 10-11-97

LAND DIVISION ORDINANCE

An ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to Michigan Public Act 288 of 1967, as amended, and Act 248 of 1945, as amended, being the Township General Ordinance statute; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this ordinance.

TOWNSHIP OF WALES
ST. CLAIR COUNTY, MICHIGAN,
ORDAINS;

SECTION I
TITLE

This ordinance shall be known and cited as the Wales Township Land Division Ordinance.

SECTION II
PURPOSE

The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formally known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the municipality by establishing reasonable standards for prior review and approval of land divisions within the Township.

SECTION III
DEFINITIONS

For purposes of this ordinance certain terms and words used herein shall have the following meaning:

- A. "Applicant" - a natural person, firm association, partnership, corporation or combination of any of them that holds an ownership interest in land whether recorded or not.
- B. "Divide" or "Division"- the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the State Land Division Act. "Divide" and "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the State land Division Act, or the requirements of other applicable local ordinances.
- C. "Exempt split" or "exempt division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his

**SECTION VI
PROCEDURE FOR REVIEW OF APPLICATION
FOR LAND DIVISION APPROVAL**

- A. The Township shall approve or disapprove the land division applied for within 45 days after receipt of a complete application conforming to this Ordinance's requirements and the State Land Division Act, and shall promptly notify the applicant of the decision, and if denied, the reasons for the denial.
- B. Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision appeal the decision to the governing board of the Township or such other body or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said Board or by the appellate designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.
- C. The Township assessor or designee shall maintain an official record of all approved and accomplished land divisions or transfers.
- D. Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.
- E. The township and its officers and employees shall not be liable for approving a land division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to this effect.

**SECTION V II
STANDARDS FOR APPROVAL OF LAND DIVISIONS**

A proposed land division revisable by the Township shall be approved if the following criteria are met.

- 1. All the parcels to be created by the proposed land division (s) have not less than the minimum width and area set forth in the Wales Township Zoning Ordinance Schedule of District Regulations for the applicable zoning district.
- 2. All such parcels shall contain a minimum area of one and one-half (1.5) acres unless otherwise provided for in the Wales Township Zoning Ordinance Schedule of District Regulations for the applicable zoning district.
- 3. The ratio of depth to width of any parcel created by the division does not exceed a seven (7) to one (1) ratio exclusive of access roads, easements, or non-development sites. The depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right of way to the most remote boundary line point of the parcel from point of commencement of the measurement. The ratio does not apply to parcels larger than ten (10) acres.
- 4. The proposed land division (s) comply with all requirements of this Ordinance and the State Land Division Act.
- 5. All parcels created and remaining have existing adequate accessibility, or an area available therefor, for public utilities and emergency and other vehicles.

**SECTION VIII
CONSEQUENCES OF NONCOMPLIANCE WITH
LAND DIVISION APPROVAL REQUIREMENT**

Any division of land in violation of any provision of this Ordinance shall not be recognized as a land division on the Township tax roll and no construction thereon which requires the prior issuance of a construction or building permit shall be allowed. The Township shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this Ordinance.

An unlawful division or split shall also be avoidable at the option of the purchaser and shall subject the seller to the forfeiture of all consideration received or pledged therefor, together with any damages sustained by the purchaser, recoverable in an action at law.

TOWNSHIP OF WALES
ST. CLAIR COUNTY, MICHIGAN
ORDINANCE # 8-B (AMENDMENT)

AN ORDINANCE TO AMEND THE TEXT OF THE LAND DIVISION ORDINANCE OF THE TOWNSHIP OF WALES TO CHANGE APPLICATION FOR LAND DIVISION APPROVAL (SECTION V.).

THE TOWNSHIP OF WALES ORDAINS:

ARTICLE 1:

SECTION V, APPLICATION FOR LAND DIVISION APPROVAL

Paragraph B, Line 5. Is amended to read as follows:

5. All existing structures, improvements and physical features shall be presented on the certified survey, including distances from the structures and improvements to the nearest lot line, also defining all distances from structures and/ or improvements to any lot line within a 200 foot radius.

ARTICLE 2 SEVERABILITY CLAUSE:

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this Ordinance other than said part or portion thereof.

ARTICLE 3 REPEAL:

All Ordinance or portions, thereof, which are in conflict with this Ordinance are hereby repealed.

ARTICLE 4 ADOPTION & EFFECTIVE DATE:

This Ordinance, adopted this 12th day of November, 2019, shall become effective immediately upon publication.

Record of Roll Call Votes by Name

Ayes- Bobcean, Messina, Masters, Thomson
Nays- \emptyset .

CERTIFICATON

I, Cynthia Bobcean, Clerk of the Township of Wales, St. Clair County, Michigan, do hereby certify that the foregoing is a true and correct copy of the Amended text of the Land Division Ordinance adopted by the Township Board of Wales Township at a regular meeting held on November 12, 2019.


Township Clerk

TOWNSHIP OF WALES
ST. CLAIR COUNTY, MICHIGAN
ORDINANCE # 8-B

AN ORDINANCE TO AMEND THE TEXT OF THE LAND DIVISION ORDINANCE OF THE TOWNSHIP OF WALES TO CHANGE THE MAXIMUM RATIO OF DEPTH TO WIDTH.

THE TOWNSHIP OF WALES ORDAINS:

ARTICLE 1:

SECTION VII, STANDARDS FOR APPROVAL OF LAND DIVISIONS.

Paragraph 3. is amended to read as follows:

3. The ratio of depth to width of any parcel created by the division does not exceed a four (4) to one (1) ratio exclusive of access roads, easements, or non-development sites. The depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right of way to the most remote boundary line point of the parcel from the point of commencement of the measurement. The ratio does not apply to parcels larger than ten (10) acres.

ARTICLE 2 SEVERABILITY CLAUSE:

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this Ordinance other than said part or portion thereof.

ARTICLE 3 REPEAL:

All Ordinances or portions, thereof, which are in conflict with this Ordinance are hereby repealed.

ARTICLE 4 ADOPTION & EFFECTIVE DATE:


This Ordinance, adopted this 12th day of November, 2002, shall take effect thirty (30) days after publication following its adoption.

Judy Duncan, Marie J. Muller, Carolyn Dunsmore
Voting For: Dave Shannon, John Catherines

Voting Against: None

I certify that the above Ordinance was adopted by the Wales Township Board at a regular session held on November 12, 2002.

TOWNSHIP OF WALES


Marie Muller
Wales Township Clerk