

LAND SUBDIVISION AND UTILITY EXTENSION  
ORDINANCE

Approved by:  
Planning Commission  
Carson City, Michigan  
January 4, 1984

LAND SUBDIVISION AND UTILITY EXTENSION ORDINANCE

ORDINANCE NO. 46

ARTICLE I - SHORT TITLE, PURPOSE AND INTENT

1.1. SHORT TITLE. This Ordinance shall be known as the "Subdivision and Utility Ordinance" of the City of Carson City.

1.2. INTERPRETATION. In their interpretation and application the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of public health, safety, convenience and general welfare. It shall be administered to insure orderly growth and development, to protect and conserve and adequately provide for circulation, utilities and services in the City and its surrounding urbanizing area.

1.3. PURPOSE. It is the purpose of this Ordinance to regulate the subdivision of land; to further the orderly development of the City; to provide for and regulate the economical provision or extension of utility services, streets and other necessary land improvements; to require that land be suitable and suitably improved for building sites; to provide for adequate drainage; to prevent the premature development of land; to provide for proper ingress and egress to lots; to promote proper surveying, monuments and legal descriptions; to provide for safe and convenient traffic circulation and traffic movement; to insure against the creation of unsafe or undesirable conditions; to conserve the value of property; to regulate the density of development in relation to utility services for the protection of the public health; to conserve natural features; to carry out the purpose and intent of the City Master Plan and Zoning Ordinance, and to carry out the purpose and intent of the Subdivision Control Act of 1967, and the Municipal Planning Act of 1931 (P.A. 285 of 1931).

1.4. SERVICE AREAS. The density of all future subdivision development shall be directly related to Service Areas shown on the Service Areas Map as Primary, Secondary, Private and Industrial Service Areas. Said Map is incorporated into and made a part of this Ordinance. Primary Service Areas are those areas of the City which are provided with, or where the City agrees it will provide public sewer and public water services. Secondary Service Areas are those areas of the Township adjacent to the City where the City agrees it could provide public water services but not public sewer services. Private Service Areas are those areas where neither public water or public sewer are provided and where there are no agreements

ARTICLE II - UTILITY EXTENSIONS AND LAND DIVISIONS

2.1. UTILITY SERVICE REQUESTS. Request for public water, public sanitary sewers, public storm sewers or public street improvements shall be made to the City Planning Commission. If the Planning Commission finds the property or building conforms to this Ordinance, the Zoning Ordinance and adopted Master Plan, the Planning Commission shall forward the request and report of approval to the City Council for consideration and action.

No request for public services shall be approved by the City Council which does not conform to the provisions of this Ordinance, the Zoning Ordinance and the adopted Master Plan except by a unanimous vote of the entire Council.

2.2. UTILITY CHARGES. Where any public improvement or service is recommended by the Planning Commission and where the City Council agrees to provide such service, such services shall only be provided when satisfactory arrangements have been made for financing the cost of installation and for the payment of service charges for the use thereof. The service charge to properties outside the City shall not be less than twice the charge applied within the City to defray the invested value and other general costs incurred by the City as a whole in providing such facilities.

2.3. NEW SUBDIVISIONS. All subdivision plats shall meet the requirements of the Ordinances of the City of Carson City and the Michigan Subdivision Control Act of 1967, as amended. Utility services to any new lot or lots created in the City or in the surrounding area after adoption of this Ordinance will be provided only for lots platted in conformity with the provisions herein.

2.4. METES AND BOUNDS SUBDIVISIONS. After the effective date of this Ordinance no new lot or parcel shall be created within any Primary, Secondary or Industrial Service Area within the City unless the provisions of Article IV, Section 4.1 are complied with. The City Assessor shall report all metes and bounds transfers not complying with Article IV, Section 4.1 to the City Council for appropriate remedy or action.

land which can be described.

(10) "Partial Utility Subdivision" shall mean any subdivision in which arrangements have been made for either public water service or sewage disposal by a public utility system, but not both, and for other improvements required by this Ordinance.

(11) "Plat" means a map or chart of a subdivision of land.

(12) "Potential Utility Subdivision" shall mean any subdivision in which required public water and sewage disposal by public utility systems cannot be provided by the City at the time of platting, but where the other improvements required by this Ordinance are provided.

(13) "Preliminary Plat" means a map showing the salient features of a proposed subdivision submitted to an approving authority for purposes of preliminary consideration.

(14) "Private Service Subdivision" shall mean a subdivision located in an area in which neither public water nor sewage disposal by a public utility system is furnished or contemplated.

(15) "Public Sewer" means a sewerage system as defined in Act No. 98 of the Public Acts of 1913, as amended, being Sections 325.201 to 325.214 of the Compiled Laws of 1948.

(16) "Public Water" means a waterworks system, as defined in Act 98 of the Public Acts of 1913, as amended.

(17) "Subdivide" or "Subdivision" means the partitioning or dividing of a parcel or 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 of 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, or 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.

(18) "Surveyor" means either a land surveyor who is registered in this State as a registered land surveyor or a

#### ARTICLE IV - PROCEDURE

4.1. SKETCH PLAT FOR MINOR SUBDIVISION. Before making a Minor Subdivision any owner of land or his agent shall submit three copies of a Sketch Plat of the proposed subdivision for approval by the City Planning Commission. Said Sketch Plat shall be drawn to scale in ink and shall show the original parcel of land of which such subdivision is a part, the new parcel to be created and any building located on or within twenty feet of such new parcel. Dimensions to the nearest foot shall be shown on all lot lines.

The Planning Commission shall review the proposed Minor Subdivision and, if it complies with the provisions of the Ordinances of the City of Carson City, it shall approve the subdivision and the Chairman shall affix his signature and a notation of approval to the Sketch Plat. If approval is denied, the Planning Commission shall return the Sketch Plat to the subdivider with written reasons for rejection and requirements for approval. When approved, the Planning Commission shall forward one signed and approved copy to the Assessor and return the signed original to the owner or his agent. In conformity with the Subdivision Control Act of 1967, as amended, no more than four new parcels shall be created by a Minor Subdivision from any parcel of land within a ten-year period without complying with the requirements for a Major Subdivision. The Planning Commission may designate any Minor Subdivision as a Major Subdivision if it deems a new street to be necessary or that the intent of this Ordinance requires such designation.

4.2. SKETCH PLAT FOR MAJOR SUBDIVISION. Before making a Major Subdivision any owner of land or his agent may submit three copies of a Sketch Plat of the proposed subdivision to the City Planning Commission prior to the preparation or submission of a Preliminary Plat. The Sketch Plat is designed to enable the Planning Commission and the applicant to discuss principles involved before the developer incurs the expense of completing engineering drawings. The Planning Commission will review such plat and if satisfactory, give Sketch Plat approval. This approval will not be binding but will enable the applicant to proceed on a reasonable, sound basis. Sketch Plat approval shall not carry the authority to proceed with construction or to sell or transfer property. If approval is denied, the Planning Commission shall return the Sketch Plat to the applicant with written reasons for rejection and requirements for approval.

4.3. PRELIMINARY PLAT FOR MAJOR SUBDIVISION.

(1) Submission. Before filing with the City Council the

received the Preliminary Approval of the Planning Commission, the Preliminary Plat shall be submitted to the City Council for Tentative Approval. The subdivider shall also submit final plans for sewer, water, storm drains, streets, street profiles and other required improvements for approval of the Director of Public Works.

(a) If the Preliminary Plat and all final plans are satisfactory, the City Council shall grant Tentative Approval of the Plat and the City Comptroller shall affix his signature to the Plat with the notation that it has received Tentative Approval and the Plat shall be returned to the subdivider for compliance with Final Approval requirements.

(b) If approval is denied, the City Council shall return the Preliminary Plat to the subdivider with written reasons for rejection and requirements for approval.

(5) Tentative Guarantees. Tentative Approval by the City Council shall give the applicant the following rights for a one year period from the date of approval:

(a) That the general terms and conditions under which Tentative Approval was granted will not be changed by the City.

(b) That the applicant may submit on or before the expiration date, the whole or parts of the tentatively approved Preliminary Plat for Final Approval.

(6) Final Submissions. Where appropriate, due to jurisdiction the applicant shall forward the indicated number of copies of the Preliminary Plat to the following agencies for final approval:

(a) County Road Commission - 3 copies

(b) County Drain Commission - 3 copies

(c) State Highway Department - 3 copies

(d) State Department of Natural Resources - 2 copies if land is on a lake, stream, channel or lagoon

(e) State Water Resources Commission - 2 copies if land is in a flood plain serving an area of more than two square miles

er by posting a surety bond in favor of the City and acceptable to it sufficient in amount to cover the subdivider's share of the costs of said improvements, or by suitable contract between the subdivider and the City.

4.4 FINAL PLAT. Within two years from the date of Final Approval of the Preliminary Plat, four copies of a Final Plat of all or part of the Preliminary Plat shall be submitted to the City Comptroller at least ten days prior to a regular meeting of the Planning Commission. A fee of \$3.00 for each lot within the Plat shall be paid to the City at the time of filing the Final Plat for Final Approval. The Final Plat shall conform to all requirements of the Subdivision Control Act of 1967 and of the Ordinances of the City of Carson City.

(1) Review. The Comptroller shall forward one copy of the Final Plat to the Director of Public Works at least five days prior to the Planning Commission meeting for review. Before recommending Final Approval, the Planning Commission shall ascertain that: the subdivider has installed or made arrangements with the City for the installation of the services and improvements required by Article VII of this Ordinance; that the recommendations of the Director of Public Works have been complied with; and that the conditions and requirements of the Preliminary Plat have been met. If the Final Plat is in all respects satisfactory to the Planning Commission, it shall recommend approval by the City Council in writing. If approval is denied, the Planning Commission shall return the Plat to the subdivider with written reasons for rejection and requirements for approval.

(2) Approval. After the Final Plat has received the approval of the Planning Commission pursuant to paragraph 4.4 above, the subdivider shall file the signed original and five copies on cloth or mylar together with certifications, signatures and statements required by law from any agency having jurisdiction in Tentative Approval of the Preliminary Plat, with the City Council. If, in the opinion of the City Council, the Final Plat meets the requirements of the Subdivision Control Act of 1967 and of the Ordinances of the City of Carson City, and if all required surety bonds are posted or contracts signed, it shall give Final Approval and a notation to that effect shall be made on each plat signed by the City Comptroller. If approval is denied, the City Council shall return the Plat to the subdivider with written reasons for rejection and requirements for approval.

ARTICLE V - PLAT DETAILS

5.1 PRELIMINARY PLAT. The Preliminary Plat shall be designed in compliance with the provisions of the Ordinances of the City of Carson City, shall be drawn to a scale of not more than 100 feet to the inch and shall show or be accompanied by the following information:

- (1) Preliminary plans of proposed utility systems showing connections to any existing or proposed utility systems. In the event no public sewage disposal system is available or planned, percolation tests shall be made as directed by the Mid-Michigan Health Department. The results shall be submitted with the Preliminary Plat.
- (2) The proposed use of the lots in the platted area.
- (3) The lot line dimensions to the nearest foot and the area of the individual lots and easements.
- (4) Topographical map sufficient to show basic terrain features, tentative street profiles, natural features, the location of test holes and trees with a trunk diameter of 8 inches or more.
- (5) The names of the owner, subdivider, surveyor, adjacent property owners and proposed street names.

5.2. FINAL PLAT. The Final Plat shall be prepared as required by the Subdivision Control Act of 1967 and the Ordinances of the City of Carson City.



ARTICLE VII - REQUIRED IMPROVEMENTS IN MAJOR SUBDIVISIONS

7.1 COMPLETE UTILITY SUBDIVISION. Prior to the granting of Final Approval for a Complete Utility Subdivision, the subdivider and the City shall have installed or have agreements for the installation of the following improvements:

- (1) Pavement and Curbs. A graded street of not less than 30 feet between curb faces, surfaced according to City specifications with asphalt or an equally satisfactory surfacing with concrete curbs and gutters as approved by the City.
- (2) Water. A public water supply of a size specified by the City available at the property line of each lot within the subdivision, together with leads for the installation of fire hydrants by the City.
- (3) Sewers and Drainage. Adequate provisions approved by the City for culverts, catch basins, storm sewers and sanitary sewers properly connected to, or provisions made for connection to, existing systems.
- (4) Topsoil. No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed and stabilized by seeding or planting as specified by the City and the Soil Erosion and Sedimentation Control Ordinance of Montcalm County.
- (5) Monuments. Monuments shall be placed and be of such material, size and length as set forth in the Subdivision Control Act of 1967.

7.2 PARTIAL OR POTENTIAL UTILITY SUBDIVISION IN PRIMARY SERVICE AREA. The same improvements called for in Section 7.1 shall be required. Arrangements shall be made at the time of Final Plat Approval for the future installation of public water or sewage disposal systems. Performance or cash bonds may be required to insure compliance.

- (1) If a public utility water system is not available, individual wells may be used provided samples are submitted and approved by the Mid-Michigan Health Department.
- (2) If the services of a public utility sanitary sewer system are not available, private disposal systems may be used, provided they are approved by the Mid-Michigan Health Department, and further provided, that a percolation test of each lot is made and found to be sat-

ARTICLE VIII. - GENERAL PROVISIONS FOR ALL SUBDIVISIONS

8.1 MASTER PLAN. All subdivisions shall conform to the provisions and conditions of the Master Plan and Zoning Map for future development of the City and surrounding area, the Subdivision Control Act of 1967 and the Ordinances of the City of Carson City.

8.2 STREETS. All streets shall conform in width, direction and alignment with the Major Street Plan of the City Master Plan and shall connect with existing streets without jogs or sharp angles. Curving streets shall have a minimum inside radius of 100 feet and the minimum width of street easements shall be 66 feet. In case of streets which may be required for major use, a greater width easement shall be required by the Planning Commission.

8.3 DEAD END STREETS. Dead end streets shall not exceed 800 feet in length unless a paved outlet street is provided to adjacent property. There shall be a turn-around roadway with a minimum outside curb radius of 50 feet at the closed end, unless the Planning Commission approves the use of a "T" or "Y" shaped turning area. All stub streets to adjacent properties shall be fully improved as part of the subdivision.

8.4 BLOCK LENGTHS. No block shall exceed 1,000 feet in length. Outlets or streets may be required at a lesser interval if deemed necessary by the Planning Commission. Twelve foot pedestrian crosswalks or utility easements may be required by the Planning Commission.

8.5 RESERVE STRIPS. No subdivision showing reserve strips controlling access to streets shall be approved except where the control and disposal of such land has been placed with the City.

8.6 STREET GRADES. No street grade shall be less than one-half of one percent, nor greater than seven percent.

8.7 SUITABILITY. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as soil formations, flood conditions, high water table or similar circumstances, the Planning Commission shall, after adequate investigation, withhold approval of such lots. Such lots shall be combined with other lots in such manner as to prohibit future re-subdivision.

8.8 EASEMENTS. Where a subdivision is traversed by a water course, drain or stream, there shall be provided a storm wa-

ter easement, or drainage right-of-way conforming substantially with lines of the water course with such further width for construction and maintenance as deemed adequate by the Planning Commission, in no case less than 20 feet in width. The Planning Commission may require a 20 foot easement along the interior rear lot lines of a block for future utility facilities.

8.9 PUBLIC SITES AND OPEN SPACES. Where a proposed park, playground, school or other public use shown in the Master Plan is located in whole or in part in a subdivision, the Planning Commission shall bring the same to the attention of the platter and the City Council and discuss the question of acquiring such areas by dedication, reservation or payment.

8.10 BUSINESS AND INDUSTRIAL SUBDIVISIONS. Where land is subdivided to be used for business or industrial purposes permitted by the Zoning Ordinance, the services and improvements to be required shall be fixed by the Planning Commission with reference to the use and density of the subdivided area and the type of business or industrial activity to be carried on in the subdivided area in accordance with the provisions of Section 7.1.

8.11 STREET NAMES. All names will be subject to approval of the City Council.

8.12 VOTED ACTION. Action of approval or disapproval with recommendations for changes shall be taken by the City Council within ninety days of filing. Where action of disapproval is taken, no refiling is required if the applicant resubmits new maps to the Planning Commission within sixty days of such action. Such resubmittal shall be deemed a new filing date and no additional fees shall be required.

8.13 PERFORMANCE GUARANTEES. The City Council may require the posting of a bond or other surety sufficient to guarantee the proper installation and performance of required improvements.

8.14 LAW. The requirements, procedures, regulations and powers set forth in the Subdivision Control Act of 1967 shall apply unless modified by greater requirements, procedures, regulations and powers by this Ordinance.

ARTICLE X - VALIDITY, ADMINISTRATION AND PENALTIES

10.1 ADMINISTRATION. This Ordinance shall be administered by the Planning Commission and the City Council. The rules, regulations and standards imposed by this Ordinance shall be considered to be minimum requirements for the protection of the public health, safety and welfare of the citizens of the City, and in interpreting and applying them, primary consideration shall be given to these factors.

10.2 RECORDS. The Planning Commission and the City Council shall keep a complete record of findings in the review and approval of all plats and subdivisions, including the reasons for decisions to approve or disapprove a plat, a statement summarizing any discussions or consultations held in the review process, the attendance or absence of each member of the Planning Commission and the City Council and the vote of each member on the final decision.

10.3 VALIDITY. If any Article, Section, Subsection, sentence clause or phrase of this Ordinance is for any reason held to be unconstitutional, or invalid, such decision shall not affect the remaining portions of this Ordinance.

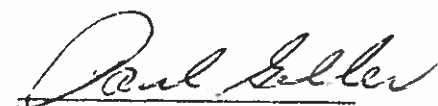
10.4 PENALTY. Any person, firm or corporation who transfers or sells, or agrees to sell as owner or agent, any land without complying with the regulations of this Ordinance shall be guilty of a misdemeanor and subject to a fine not to exceed One Hundred Dollars (100.00) or imprisonment for not more than thirty (30) days or both such fine and imprisonment, and each parcel, plot or lot so disposed of shall be deemed a separate violation.

10.5 REPEALING OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances other than the Zoning Ordinance of the City which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

10.6 EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after adoption by the City Council.

This Ordinance shall take effect and be in force from and after  
3-22 1984

Passed and Adopted by the City Council of Carson City, Michigan on  
3-21 1984

  
Paul Geller, Mayor

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Planning Commission  
Carson City, Michigan  
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- 1.2. INTERPRETATION. In their interpretation and application the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of public health, safety, convenience and general welfare. It shall be administered to insure orderly growth and development, to protect and conserve and adequately provide for circulation, utilities and services in the City and its surrounding urbanizing area.
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- 1.4. SERVICE AREAS. The density of all future subdivision development shall be directly related to Service Areas shown on the Service Areas Map as Primary, Secondary, Private and Industrial Service Areas. Said Map is incorporated into and made a part of this Ordinance. Primary Service Areas are those areas of the City which are provided with, or where the City agrees it will provide public sewer and public water services. Secondary Service Areas are those areas of the Township adjacent to the City where the City agrees it could provide public water services but not public sewer services. Private Service Areas are those areas where neither public water or public sewer are provided and where there are no agreements

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2.1. UTILITY SERVICE REQUESTS. Request for public water, public sanitary sewers, public storm sewers or public street improvements shall be made to the City Planning Commission. If the Planning Commission finds the property or building conforms to this Ordinance, the Zoning Ordinance and adopted Master Plan, the Planning Commission shall forward the request and report of approval to the City Council for consideration and action.

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#### ARTICLE IV - PROCEDURE

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The Planning Commission shall review the proposed Minor Subdivision and, if it complies with the provisions of the Ordinances of the City of Carson City, it shall approve the subdivision and the Chairman shall affix his signature and a notation of approval to the Sketch Plat. If approval is denied, the Planning Commission shall return the Sketch Plat to the subdivider with written reasons for rejection and requirements for approval. When approved, the Planning Commission shall forward one signed and approved copy to the Assessor and return the signed original to the owner or his agent. In conformity with the Subdivision Control Act of 1967, as amended, no more than four new parcels shall be created by a Minor Subdivision from any parcel of land within a ten-year period without complying with the requirements for a Major Subdivision. The Planning Commission may designate any Minor Subdivision as a Major Subdivision if it deems a new street to be necessary or that the intent of this Ordinance requires such designation.

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ARTICLE V - PLAT DETAILS

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- (2) The proposed use of the lots in the platted area.
- (3) The lot line dimensions to the nearest foot and the area of the individual lots and easements.
- (4) Topographical map sufficient to show basic terrain features, tentative street profiles, natural features, the location of test holes and trees with a trunk diameter of 8 inches or more.
- (5) The names of the owner, subdivider, surveyor, adjacent property owners and proposed street names.

5.2. FINAL PLAT. The Final Plat shall be prepared as required by the Subdivision Control Act of 1967 and the Ordinances of the City of Carson City.

ARTICLE VII - REQUIRED IMPROVEMENTS IN MAJOR SUBDIVISIONS

7.1 COMPLETE UTILITY SUBDIVISION. Prior to the granting of Final Approval for a Complete Utility Subdivision, the subdivider and the City shall have installed or have agreements for the installation of the following improvements:

- (1) Pavement and Curbs. A graded street of not less than 30 feet between curb faces, surfaced according to City specifications with asphalt or an equally satisfactory surfacing with concrete curbs and gutters as approved by the City.
- (2) Water. A public water supply of a size specified by the City available at the property line of each lot within the subdivision, together with leads for the installation of fire hydrants by the City.
- (3) Sewers and Drainage. Adequate provisions approved by the City for culverts, catch basins, storm sewers and sanitary sewers properly connected to, or provisions made for connection to, existing systems.
- (4) Topsoil. No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed and stabilized by seeding or planting as specified by the City and the Soil Erosion and Sedimentation Control Ordinance of Montcalm County.
- (5) Monuments. Monuments shall be placed and be of such material, size and length as set forth in the Subdivision Control Act of 1967.

7.2 PARTIAL OR POTENTIAL UTILITY SUBDIVISION IN PRIMARY SERVICE AREA. The same improvements called for in Section 7.1 shall be required. Arrangements shall be made at the time of Final Plat Approval for the future installation of public water or sewage disposal systems. Performance or cash bonds may be required to insure compliance.

- (1) If a public utility water system is not available, individual wells may be used provided samples are submitted and approved by the Mid-Michigan Health Department.
- (2) If the services of a public utility sanitary sewer system are not available, private disposal systems may be used, provided they are approved by the Mid-Michigan Health Department, and further provided, that a percolation test of each lot is made and found to be sat-

ARTICLE VIII. - GENERAL PROVISIONS FOR ALL SUBDIVISIONS

8.1 MASTER PLAN. All subdivisions shall conform to the provisions and conditions of the Master Plan and Zoning Map for future development of the City and surrounding area, the Subdivision Control Act of 1967 and the Ordinances of the City of Carson City.

8.2 STREETS. All streets shall conform in width, direction and alignment with the Major Street Plan of the City Master Plan and shall connect with existing streets without jogs or sharp angles. Curving streets shall have a minimum inside radius of 100 feet and the minimum width of street easements shall be 66 feet. In case of streets which may be required for major use, a greater width easement shall be required by the Planning Commission.

8.3 DEAD END STREETS. Dead end streets shall not exceed 800 feet in length unless a paved outlet street is provided to adjacent property. There shall be a turn-around roadway with a minimum outside curb radius of 50 feet at the closed end, unless the Planning Commission approves the use of a "T" or "Y" shaped turning area. All stub streets to adjacent properties shall be fully improved as part of the subdivision.

8.4 BLOCK LENGTHS. No block shall exceed 1,000 feet in length. Outlets or streets may be required at a lesser interval if deemed necessary by the Planning Commission. Twelve foot pedestrian crosswalks or utility easements may be required by the Planning Commission.

8.5 RESERVE STRIPS. No subdivision showing reserve strips controlling access to streets shall be approved except where the control and disposal of such land has been placed with the City.

8.6 STREET GRADES. No street grade shall be less than one-half of one percent, nor greater than seven percent.

8.7 SUITABILITY. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as soil formations, flood conditions, high water table or similar circumstances, the Planning Commission shall, after adequate investigation, withhold approval of such lots. Such lots shall be combined with other lots in such manner as to prohibit future re-subdivision.

8.8 EASEMENTS. Where a subdivision is traversed by a water course, drain or stream, there shall be provided a storm wa-

ter easement, or drainage right-of-way conforming substantially with lines of the water course with such further width for construction and maintenance as deemed adequate by the Planning Commission, in no case less than 20 feet in width. The Planning Commission may require a 20 foot easement along the interior rear lot lines of a block for future utility facilities.

8.9 PUBLIC SITES AND OPEN SPACES. Where a proposed park, playground, school or other public use shown in the Master Plan is located in whole or in part in a subdivision, the Planning Commission shall bring the same to the attention of the platter and the City Council and discuss the question of acquiring such areas by dedication, reservation or payment.

8.10 BUSINESS AND INDUSTRIAL SUBDIVISIONS. Where land is subdivided to be used for business or industrial purposes permitted by the Zoning Ordinance, the services and improvements to be required shall be fixed by the Planning Commission with reference to the use and density of the subdivided area and the type of business or industrial activity to be carried on in the subdivided area in accordance with the provisions of Section 7.1.

8.11 STREET NAMES. All names will be subject to approval of the City Council.

8.12 VOTED ACTION. Action of approval or disapproval with recommendations for changes shall be taken by the City Council within ninety days of filing. Where action of disapproval is taken, no refiling is required if the applicant resubmits new maps to the Planning Commission within sixty days of such action. Such resubmittal shall be deemed a new filing date and no additional fees shall be required.

8.13 PERFORMANCE GUARANTEES. The City Council may require the posting of a bond or other surety sufficient to guarantee the proper installation and performance of required improvements.

8.14 LAW. The requirements, procedures, regulations and powers set forth in the Subdivision Control Act of 1967 shall apply unless modified by greater requirements, procedures, regulations and powers by this Ordinance.

ARTICLE X - VALIDITY, ADMINISTRATION AND PENALTIES

10.1 ADMINISTRATION. This Ordinance shall be administered by the Planning Commission and the City Council. The rules, regulations and standards imposed by this Ordinance shall be considered to be minimum requirements for the protection of the public health, safety and welfare of the citizens of the City, and in interpreting and applying them, primary consideration shall be given to these factors.

10.2 RECORDS. The Planning Commission and the City Council shall keep a complete record of findings in the review and approval of all plats and subdivisions, including the reasons for decisions to approve or disapprove a plat, a statement summarizing any discussions or consultations held in the review process, the attendance or absence of each member of the Planning Commission and the City Council and the vote of each member on the final decision.

10.3 VALIDITY. If any Article, Section, Subsection, sentence clause or phrase of this Ordinance is for any reason held to be unconstitutional, or invalid, such decision shall not affect the remaining portions of this Ordinance.


10.4 PENALTY. Any person, firm or corporation who transfers or sells, or agrees to sell as owner or agent, any land without complying with the regulations of this Ordinance shall be guilty of a misdemeanor and subject to a fine not to exceed One Hundred Dollars (100.00) or imprisonment for not more than thirty (30) days or both such fine and imprisonment, and each parcel, plot or lot so disposed of shall be deemed a separate violation.

10.5 REPEALING OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances other than the Zoning Ordinance of the City which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

10.6 EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after adoption by the City Council.

This Ordinance shall take effect and be in force from and after  
3-22 1924

Passed and Adopted by the City Council of Carson City, Michigan on  
3-21 1924

  
Paul Geller, Mayor