

ORDINANCE NO. 156

An Ordinance to designate an enforcing agency to discharge the responsibilities of the Village of Augusta under the provisions of the State Construction Code Act (Act 230 of the Public Acts of 1972, as amended.)

The Village of Augusta ordains:

Sec. 1. Agency Designated. Pursuant to the provisions of the Michigan Plumbing Code, in accordance with Act 230 of the Public Acts of 1972, as amended, the plumbing inspector official of the Village of Augusta is hereby designated as the enforcing agency to discharge the responsibilities of the Village of Augusta under Act 230 of the Public Acts of 1972, as amended, State of Michigan. The Village of Augusta hereby assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

Sec. 2. All ordinance inconsistent with the provisions of this Ordinance are hereby repealed.

Sec. 3. This Ordinance shall be effective after legal publication and in accordance with provisions of the Act governing same.

Adopted: April 26, 1982

This Ordinance duly adopted on April 26, 1982 at a regular meeting of the Board of Trustees, Village of Augusta and will become effective May 15, 1982.

Eleanor W. Baxter
Eleanor W. Baxter, Clerk

CERTIFICATE

I, Eleanor W. Baxter, Clerk of the Village, hereby certify that Ordinance #156 was offered by Daniels, seconded by Beatty, and voting on said ordinance were the following: Baetty, Curry, Daniels, Eldridge, Makowski and Mowrey.

I further certify that I did post notice of said ordinance at the following public places in the village: Village Hall, U.S. Post Office, and Baxter's Pharmacy and did cause to have published in the Galesburg Argus.

Eleanor W. Baxter
Eleanor W. Baxter, Clerk

9. The dwelling complies with all pertinent building and fire codes including, in the case of mobile homes, the standards for mobile home construction as contained in the United States Department of Housing and Urban Development (HUD) regulation entitled Mobile Home Construction Safety Standards Effective June 15, 1976, as amended.

10. The foregoing standards shall not apply to a mobile home located in a licensed mobile home park in the "R-3" Mobile Home District, except to the extent required by State and Federal law.

The definition of "dwelling" shall be amended to read as follows:

"Dwelling: A building or a portion thereof containing one or more dwelling units as defined herein and arranged or designed to provide living facilities for one or more families."

All prohibitions in the various zoning classifications which exclude mobile homes shall be eliminated so that if the mobile home meets these regulations, including the double-wide standards, it may go any place that a custom built home is allowed.

In the R-3 Mobile Home District, in Section 8.52 the permitted uses would be stated as follows:

"Mobile Home Parks, including mobile homes not meeting the definition of a dwelling unit, and those uses customarily incidental to the principle use"

CERTIFICATE

I, Eleanor W. Baxter, Clerk of the Village, hereby certify that Ordinance #155 was offered by Daniels, supported by Curry and voting on said ordinance were the following: Beatty, Curry, Daniels, Eldridge, Makowski, and Mowrey.

I further certify that I did post notice of said ordinance at the following public places in the village: U.S. Post Office, Village Hall and Baxter's Pharmacy. This ordinance was passed at a regular meeting on April 12, 1982 and is effective on April 28, 1982.

Eleanor W. Baxter
Clerk
Village of Argusville

ORDINANCE NO. 155

DEFINITION OF DWELLING UNIT
Amending Zoning Ordinance #139- Village of Augusta

"Dwelling Unit": A building containing not more than one dwelling unit designed for residential use, complying with the following standards:

1. It complies with the minimum square footage requirements of this ordinance for the zone in which it is located.
2. It has a minimum width across any section of 20 feet and complies in all respects with the Village Building Code or, as to mobile homes, with federal regulations referred to below and the State Mobile Home Commission regulations; requirements for minimum heights for habitable rooms shall be met.
3. It is firmly attached to a permanent foundation constructed on the site in accordance with the Village Building Code and coextensive with the perimeter of the building, which attachments shall also meet all applicable building codes and other state and federal regulations.
4. It does not have exposed wheels, towing mechanism, undercarriage or chassis.
5. The dwelling is connected to a public sewer and water supply or to such private facilities approved by local health department.
6. The dwelling contains storage area either in a basement located under the dwelling, in an attic area, in closet areas or in a separate structure being of standard construction similar to or of better quality than the principal dwelling. Such storage shall be equal to not less than ten percent of the minimum square footage requirement of this ordinance for the zone in which the dwelling is located.
7. The dwelling is aesthetically compatible in design and appearance with other residences in the vicinity, with either a roof overhang of not less than six inches on all sides, or alternatively, with window sills and roof drainage systems concentrating roof drainage along the sides of the dwelling; with not less than two exterior doors with one being in the front of the dwelling and the other being in either the rear or side of the dwelling, contains permanently attached steps connected to said door areas where a difference in elevation requires the same. The compatibility of design and appearance shall be determined in the first instance by the Village Zoning Inspector upon review of the plans submitted for a particular dwelling unit subject to appeal by an aggrieved party to the Zoning Board of Appeals within a period of 15 days from the receipt of notice of said Zoning Inspector's decision. Any determination of compatibility shall be based upon the standards set forth in the definition of "Dwelling" as well as the character of residential development outside of the mobile home parks within 2,000 feet of the subject dwellings where such areas are developed with dwellings to the extent of not less than 20% of such area. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from common or standard designed home.
8. The dwelling contains no additions or rooms or other areas which are not constructed with similar materials and which are similar in appearance and which have similar quality of workmanship as the original structure. Including the above described foundation and permanent attachment to the principal structure.

- L. The Administrator shall assure that the flood carrying capacity with the altered or relocated portion of any watercourse is maintained.
- M. The Administrator shall require that all mobile homes to be placed within Zone A of the Village's Flood Hazard Boundary Map shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:
1. over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, excepting that mobile homes less than 50 feet in length shall be required to have only one additional tie per side;
 2. frame ties be provided at each corner of the home with five additional per side at intermediate points, excepting that mobile homes less than 50 feet in length shall be required to have only four additional ties per side;
 3. all components of the anchoring system be capable of carrying a force of 4,800 pounds; and
 4. any additions to the mobile homes be similarly anchored.
- N. Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give this ordinance its most reasonable application:
1. (See definitions on page 65 Section XVIII of Ordinance 153)
 0. See Section XXI of Ordinance 153.
 - P. See Section XXII Ordinance 153.

CERTIFICATE

I, Eleanor W. Baxter, Clerk of the Village, hereby certify that Ordinance #154 was offered by Beaty, seconded by Daniels and the voting on said ordinance were the following: Beaty, Curry, Daniels, Eldridge, Makowski, and Mowrey.

I further certify that I did cause to be published in the Galesburg Argus and did post notice of said Ordinance at the following public places in the Village: U.S. Post Office, Village Hall, and Baxter's Pharmacy. This Ordinance was passed at a regular meeting on April 12, 1982 and is effective on April 28, 1982.

Eleanor W. Baxter, Clerk
VILLAGE OF AUGUSTA

- D. The Administrator shall review all permit applications to determine whether proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall:
1. be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure.
 2. be constructed with materials and utility equipment resistant to flood damage; and
 3. be constructed by methods and practices that minimize flood damage.
- E. The Administrator shall review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other new development is in a flood-prone area, and such proposals shall be reviewed to assure that:
1. all such proposals are consistent with the need to minimize flood damage within the flood-prone area;
 2. all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 3. adequate damage is provided to reduce exposure to flood hazards.
- F. The Administrator shall require ^{within} flood-prone areas new and replacement water systems to be designed to minimize or eliminate infiltration of flood waters into the systems.
- G. The Administrator shall require within flood-prone areas:
1. new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood waters, and
 2. on-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.
- H. The Administrator shall obtain, review and reasonably utilize and base flood elevation data available from a Federal, State or other source until such other data has been provided by the Administrator, as criteria for requiring that:
1. all new construction and substantial improvements to residential structures have the lowest floor (including basement) elevated to or above the base flood level, and
 2. All new construction and substantial improvements of non-residential structures have the lowest floor (including basement) elevated or flood-proofed to or above the base flood level.
 3. to be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in Section J.
- I. The Administrator shall require that all subdivision proposals and other proposed new developments include with such proposals base flood elevation data.
- J. For the purpose of the determination of applicable flood insurance risk within Zone A of the Village of Augusta's Flood Hazard Boundary Map, the Administrator shall:
1. obtain, or require the applicant to furnish, the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain abasement.
 2. obtain, or require the applicant to furnish, if the structure has been flood-proofed, the elevation (in relation to mean sea level) to which the structure was flood-proofed; and maintain the flood-proofing certifications required in Section H; and
 3. maintain a record of all such information.
- K. The Administrator shall notify, in rivering situations, adjacent communities and the State Coordinating Office prior to an alteration or relocation of a water course, and submit copies of such notifications to the Federal Insurance Administration.

ORDINANCE No. 154

Amending Village of Augusta's Zoning Ordinance#139

SECTION 8.9 "FP" Flood Hazard District

SECTION 8.91 Description of District

The Village of Augusta wishes to establish eligibility in the National Flood Insurance program and in order to do so must meet the requirements of 60.3 of the Federal Insurance Administration regulations. As a result, the areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the Village of Augusta", dated March 15, 1982, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway maps is hereby adopted by reference and declared to be part of this ordinance and are designated on the zoning map incorporated by reference herein as the "FP" Flood Hazard District. The Flood Insurance Study is on file at the Augusta Village Hall.

SECTION 8.92 Permitted Uses

- A. All permitted uses allowed in the "A" Agricultural Zoning District classification and the "R-1" Residential District, Single Family and Two-Family Zoning District Classification.
- B. Residential supportive uses such as lawns, gardens, parking areas or play areas.
- C. Boat landings or docks for pleasure use.
- D. Parks and Playgrounds.
- E. Parking lots, loading areas and storage areas for equipment or machinery easily moved or not subject to flood damage.
- F. Golf Courses.
- G. Nature Preserves, arboretums, picnic areas and natural recreation areas.

SECTION 8.93 Special Exception Uses

- A. All special exception uses designated in the "A" Agricultural District zoning classification and the "R-1" Residential, Single Family and Two-Family District zoning Classification.

SECTION 8.94 Permit Requirements, Lot, Yard and area Requirements and General Regulations

No person shall erect, construct, enlarge, alter, repair, improve, move, or demolish any building or structure without first obtaining a separate permit for each building or structure from the designated responsible person. No man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations, shall be commenced until a separate permit has been obtained from the designated responsible person for each change. No mobile home shall be placed on improved or unimproved real estate without first obtaining a separate permit for each mobile home from the designated responsible person.

A. Application: To obtain a permit, the applicant shall first file a permit application on a form furnished for that purpose. The form must be completed and submitted to the designated responsible person, along with a fee of \$5.00 before issuance of a permit will be considered.

B. Review of Application: The Village Zoning Administrator is the designated responsible person for receiving applications and examining the plans and specifications for the proposed construction and development. After reviewing the application the Administrator shall require any additional measures which are necessary to meet the minimum requirements of this document.

C. The Administrator shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.