CHARTER TOWNSHIP OF OXFORD
COUNTY OF OAKLAND
STATE OF MICHIGAN

ORDINANCE NO. 129

SOIL EROSION AND SEDIMENTATION CONTROL

AN ORDINANCE TO AMEND CHAPTER 22 OF THE OXFORD CHARTER TOWNSHIP CODE OF ORDINANCES TO ADD ARTICLE VI: SOIL EROSION AND SEDIMENTATION CONTROL.

The Charter Township of Oxford ("Township"), Oakland County, Michigan, hereby ordains that Chapter 22 of the Oxford Charter Township Code of Ordinances is hereby amended by adding Article VI which shall read as follows:

Section 22-300 Adoption of Rules by Reference.

Part 91 Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act and the Administrative Rules promulgated under Part 91 are adopted by reference. A copy of Part 91 and the Rules shall be on file at the Building Department of the Charter Township of Oxford. Each and all of the regulations, provisions, penalties, conditions and terms of such rules and regulations are adopted and made part hereof as if fully set out in this chapter.

Section 22-301 Municipal Enforcing Agency.

The Building Department of the Township shall become the municipal enforcing agency in regard to Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 91) being 324.9101 et. seq. of the Michigan Compiled Laws and Administrative Rules promulgated by the Michigan Department of Environmental Quality as amended, within the municipal limits of the Township.

Section 22-302 Permit and Inspection Fees.

Soil erosion permit and inspection fees shall be established by the Board of Trustees of the Charter Township of Oxford and shall bear a reasonable relationship to the cost, including overhead, of the service or act. The following fee schedule is applied to soil erosion permit and inspection fees:

(1) Residential/Single Lot Permits
   a. Annual Plan Review and Inspection Fee: $250.
   b. Additional Inspections/Re-inspections: $100 per inspection.
   c. Bond: $500.

(2) Commercial Permits:

a. Plan Review Fee: $250.
b. Annual Inspection Fee: $1,500.
c. Additional Inspections/Re-Inspections: $100 per inspection.
d. Bond: $5,000.

Section 22-303 Fees and Bonds.

Fees for plan examination, permits and inspections and required bond amounts which may become due and payable under this chapter shall be determined by resolution of the Board of Trustees of the Charter Township of Oxford.

Section 22-304 Appeals.

Any applicant who is aggrieved by an administrative determination by the Building Department, pursuant to this chapter, may appeal such determination to the Township Supervisor or designee, which shall afford a hearing to the applicant within thirty (30) days following the written submission of such an appeal. The Township Supervisor or designee shall render its decision following such hearing, which decision shall be final.

Section 22-305 Penalty.

Whoever violates any provision of this chapter is responsible for a civil infraction and shall be subject to the provisions of a civil fine as provided for in Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, being 324.9121 et seq. of the Michigan Compiled Laws.

SEVERABILITY

The provisions of the Ordinance here within are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such Ordinance which shall continue in full force and effect.

EFFECTIVE DATE

This Ordinance shall take effect January 1, 2015. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.