

ORDINANCE NO. 2019-2

**ALLENDALE CHARTER TOWNSHIP  
SUBDIVISION ORDINANCE AMENDMENT ORDINANCE**

AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE SUBDIVISION ORDINANCE OF ALLENDALE CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN (“THE SUBDIVISION ORDINANCE”), CONCERNING THE EXTENSION OF A MORATORIUM FOR CERTAIN SUBDIVISIONS IN RESIDENTIAL PLATS UNDER THE ALLENDALE CHARTER TOWNSHIP ZONING ORDINANCE, AND CONCERNING AN EFFECTIVE DATE OF THIS ORDINANCE.

**THE CHARTER TOWNSHIP OF ALLENDALE, COUNTY OF OTTAWA,  
STATE OF MICHIGAN, ORDAINS:**

**Section 1. Moratorium for Certain Residential Subdivisions.** On August 13, 2018, the Township enacted Ordinance Number 2018-8, which added Section 5.3(2) to the Subdivision Ordinance. The Section imposed a Moratorium on certain developments. Section 5.3(2) of the Subdivision Ordinance shall be amended to extend the Moratorium, and to state in its entirety as follows:

**Section 5.3(2). Moratorium for Certain Developments and Residential Plats.**  
By amending this Section to the Ordinance, and pursuant to the authority granted to the Township by the Land Division Act (formerly the Subdivision Control Act) or by any other means, the Township extends a Moratorium as described below:

(a) Based on the water study prepared by Michigan State University and presented by Ottawa County to both the Allendale Charter Township Board and the Allendale Charter Township Planning Commission, it is evident that the requirements under which residential developments must connect to public water and public sewer within the Township should be reviewed.

(b) The Moratorium therefore applies to all residential developments within the Township, established under the Allendale Charter Township Zoning Ordinance, specifically including, but not limited to site condominium developments, which will not be served by public water and public sewer.

(c) For purposes of this Ordinance, the Moratorium applies only to developments which have not received final approval as of the effective date of this Ordinance. This Moratorium will specifically not apply to the Fox Meadows Development, the Kennedy Lake Estates Development, the Trader's View Development, or any other Development which has received final approval as of the effective date of this Moratorium.

(d) The Moratorium shall continue in effect until June 1, 2019. During that period of time, the Township shall not accept or act upon any residential subdivision applications that will not connect to public water and sewer. On June 1, 2019, this Section shall expire according to its own terms.

(e) The purpose of extending a Moratorium by amending this Section to the Subdivision Ordinance is to give the Township an opportunity to consider amendments to the Allendale Charter Township Zoning Ordinance, and the Subdivision Ordinance. The Township has determined that it is important to consider these amendments in order to preserve and protect the public health, safety and welfare and to promote the purposes of the Zoning Ordinance and the Subdivision Ordinance.

**Section 2. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Township Board declares it would have passed this Ordinance, in each section, subsection, clause, or phrase, irrespective of the fact

that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 3. Effective Date.** This Ordinance was approved and adopted by the Township Board of the Allendale Charter Township, Ottawa County, Michigan, on February 11, 2019, after introduction and a first reading on January 28, 2019, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective on March 10, 2019.

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Adam Elenbaas, Supervisor

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Laurie Richards, Clerk

**CERTIFICATE**

I, the undersigned, the duly qualified and acting Township Clerk of the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of an amended Ordinance adopted by the Township Board at a regular meeting of the Township Board held on the 11th day of February, 2019. I further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by said Act.

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Laurie Richards,  
Allendale Charter Township Clerk