

**Article I:
Purpose and Authority**

Preamble

An Ordinance to establish zoning districts in the unincorporated portion of Hayes Township, Charlevoix County, Michigan, and to provide for the regulation, government, and administration thereof, in accordance with the provisions of the Michigan Zoning Enabling Act, Act 110 of the Public Acts of 2006, as amended.

The Township of Hayes ordains:

Article I: Short Title and Purpose

SECTION 1.01 - TITLE

This Ordinance shall be known as the "Hayes Township Zoning Ordinance", and will be referred to herein as "this Ordinance".

SECTION 1.02 - PURPOSE

The purpose of this Ordinance is to:

- A. Promote the public health, safety and general welfare;
- B. Encourage the use of lands in accordance with their character and adaptability and to limit the improper use of land;
- C. Control sprawl and maintain rural character;
- D. Control congestion on the public roads;
- E. Facilitate adequate provisions for a system of transportation, sewage disposal, safe and adequate water supply, education, recreation and other public requirements and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties;
- F. Consider the character of each district, its suitability for particular uses, the existing property values and natural resources, and the general and appropriate trend and character of land, building and population development.

SECTION 1.03 – AUTHORITY

This Ordinance is ordained and enacted into law pursuant to the provisions and in accordance with the Michigan Zoning Enabling Act, Act 110 of the Public Acts of 2006, as amended.

SECTION 1.04 – VALIDITY

This Ordinance and various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section, subsection, phrase or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this Ordinance shall not be affected thereby. The Township Board hereby declares that it would have passed this Ordinance and each part, section, subsection, phrase, sentence and clause thereof irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

SECTION 1.05 – REPEAL

The prior Hayes Township Zoning Ordinance, adopted by the Hayes Township Board, and effective on July 1, 1974 and all amendments thereto are hereby repealed in their entirety.

SECTION 1.06 – SAVINGS

The repeal of the prior Hayes Township Zoning Ordinance, as provided in Section 1.05 of this Ordinance, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder or actions involving any provisions of the zoning ordinance or parts thereof. The prior Hayes Township Zoning Ordinance repealed is hereby continued in force and effect after the passage, approval and publication of this Ordinance for the purpose of such rights, fines penalties, forfeitures, liabilities and actions therefor.