

**TOWNSHIP OF BOSTON**  
**COUNTY OF IONIA, MICHIGAN**

Minutes of a regular meeting of the Township Board of the Township of Boston, Ionia County, Michigan, held at the Township Hall, 30 North Center Street, Saranac, Michigan, on the 12th day of February, 2014, at 7:00 p.m.

PRESENT: Members: Van Prooyen, Olson, Sitzer, Lamphere, Stuck

ABSENT: Members: Dunton, Ziesman

The following ordinance was offered by Member Van Prooyen and supported by Member Sitzer:

**ORDINANCE NO. 14-01**

**AN ORDINANCE TO AMEND THE BOSTON TOWNSHIP ORDINANCE  
PERMITTING THE DIVISION OF RECORDED PLATS AND REGULATING THE  
NUMBER OF DWELLINGS TO BE LOCATED ON PLATTED AND UNPLATTED LANDS**

THE TOWNSHIP OF BOSTON ORDAINS:

Section 1. **Number of Dwellings on a Parcel of Land.** Section 4 of Boston Township Ordinance No. 98-2, as amended, the Ordinance Permitting Division of Recorded Plats and Regulating the Number of Dwellings to be Located on Platted and Unplatted Lands, is hereby amended by the addition of the following paragraphs at the end of Section 4:

“Further, a dwelling legally in existence on a parcel may continue to be occupied as a temporary dwelling during the construction of a new replacement dwelling on the same parcel, and a building permit may be issued for construction of the replacement dwelling (despite the occupancy of the existing dwelling), if each of the following requirements are satisfied:

- (a) The applicant must obtain from the Township a temporary use permit, a copy of which permit shall be provided by applicant to the County as part of applicant’s request for a building permit. The applicant shall agree to comply with all requirements of this Section 4.
- (b) The continued use of the existing dwelling during construction shall be determined by the Township Supervisor to not be detrimental to adjacent lands during the permitted use period.

- (c) If the replacement dwelling is constructed on the parcel, the existing dwelling shall be removed (whether occupied or not) from the parcel and that portion of the parcel shall be restored and stabilized within 30 days of termination of the permitted use period. The permitted use period shall be that period of time during which construction of the replacement dwelling has commenced and is diligently pursued on a continuous basis, but not later than the date a certificate of occupancy is issued for the replacement dwelling; provided, however, the permitted use period shall not exceed two years unless the Township Board grants an extension. Extensions shall only be granted for one or more six-month periods upon a demonstration by the applicant that reasonably unforeseen events or circumstances prevented timely completion of construction of the replacement dwelling within the permitted time period.

Failure to remove the existing dwelling on a timely basis after termination of the permitted use period shall be a violation of this ordinance. The Township may require that, as a condition to the temporary use permit, the applicant shall provide a performance bond, with an acceptable surety, or a letter of credit, in a specified amount estimated to equal the cost of removal, site restoration and the township's costs, including estimated attorney's fees. The performance bond shall be for a term that continues automatically for not less than one year after termination of the permitted use period, unless released by the township on an earlier date. The bond or surety shall be payable to the township in the event the township submits a statement to the effect that the applicant has failed to complete the timely and faithful removal of the existing dwelling and associated site restoration under the terms of this Section 4."

Section 2.    **Publication/Effective Date.** This Ordinance shall become effective upon the publication of its terms or a summary of its terms in a newspaper of general circulation within the Township.

Upon motion made to adopt said Ordinance, a roll call vote was taken as follows:

AYES:            Members: Van Prooyen, Olson, Sitzer, Lamphere, Stuck

NAYS:            Members: None

ABSENT:        Members: Dunton, Ziesman

ORDINANCE DECLARED ADOPTED.

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Beth Van Prooyen, Township Clerk

STATE OF MICHIGAN     )  
  ) ss.  
COUNTY OF IONIA        )

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Boston at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

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Beth Van Prooyen, Township Clerk