

Article 22 INTERPRETATION, SEVERABILITY, VESTED RIGHT, REPEAL, and EFFECTIVE DATE

Section 22.1 Interpretation

A. Minimum Requirements: In interpreting and applying the provisions of this Ordinance, they shall be held to the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare.

B. Maintenance of Existing Law and Rules: Unless specifically provided for, it is not intended by this Ordinance to repeal, abrogate, annul or in any way to impair or interfere with the existing and unrepealed provision of law or ordinance or any rules, regulations or permits previously adopted or issued pursuant to law relating to the use of building or land, subject to subsection (C) of this Section.

C. Controlling Provisions: Where this Ordinance imposes a greater restriction upon the use of buildings or structures or land or upon the courtyards or other open spaces than are imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits, the provisions of this Ordinance shall control.

Section 22.2 Severability

Sections of this Ordinance and amendments thereto shall be deemed to be severable and should any section, paragraph, or provision thereof be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of this Ordinance as a whole or any other part thereof, other than the part so declared to be unconstitutional or invalid by court decree. Further, if any court shall declare invalid the application of any provision of this Ordinance to a particular lot, land, use, building or structure, such ruling shall not affect the application of said provision to any other lot, land, use, building or structure not specifically included in said ruling.

Section 22.3 Vested Right

A. General. Nothing in this Ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of any particular use, District, zoning classification or any permissible activities therein, and they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety, and welfare, except as otherwise provided in Article 6, Nonconforming Lots, Uses and Structures.

B. Construction in Progress. Nothing in this Ordinance shall be interpreted or construed to give rise to any permanent vested rights in the continuation of the construction of a building, structure or use unless and until all of the following occurs:

1. Any and all applicable Township zoning, building codes, and other applicable approvals and permits have been obtained.
2. Excavation and site plan preparation work have occurred, and the buildings and structures involved have been lawfully commenced and are at a point of substantial construction. If no building or substantial structure is involved, site preparation and excavation have occurred, and the use has been substantially and lawfully commenced.

Section 22.4 Repeal

The Lake Township Zoning Ordinance and zoning map which became effective on January 5, 2007, and amendments thereto, are hereby repealed as of the effective date of this Ordinance. The repeal of such ordinance and its amendments does not affect or impair any act done, offense committed or right accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time it was enforced, prosecuted or inflicted.

Section 22.5 Effective Date

This Ordinance shall take effect eight (8) days following adoption and upon publication of a notice of adoption in accordance with the provisions of the Michigan Zoning Enabling Act, PA 110 of 2006, as amended. Made and passed by the Township Board of the Township of Lake, Huron County, Michigan on November 16, 2020.