

ARTICLE 1
TITLE, PURPOSE, SCOPE, AND LEGAL BASIS

1.01 TITLE

This ordinance shall be known and may be cited as the "City of Evert Zoning Ordinance".

1.02 PURPOSE

This ordinance is adopted for the purpose of regulating the use of land, buildings, and structures within the city to meet the needs of its residents for food, fiber, energy, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land; to ensure that uses of the land, buildings, and structures shall be situated in appropriate locations and relationships; to limit the inappropriate overcrowding of land and congestion of population and transportation systems and other public facilities; to facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility needs; and to otherwise promote the public health, safety, and welfare to the full extent authorized by Act 207 of the Public Acts of the State of Michigan of 1921, as amended and other applicable laws.

1.03 SCOPE AND INTERPRETATION

Except as otherwise expressly provided by this ordinance, this ordinance is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, ordinances, or regulations or with private restrictions placed upon property by covenant, deed, or other private agreements or with restrictive covenants running with the land to which the city is a party. Where this ordinance imposes greater restrictions, limitations, or requirements upon the use of buildings, structures, or land; the height of buildings or structures; lot coverage; lot areas; yards or other open spaces; or any other use of land that are imposed or required by such existing laws, ordinances, regulations, private restrictions, or restrictive covenants, the provisions of this ordinance shall control.

1.04 EFFECT OF ZONING

Zoning applies to every building, structure, and use within the city. No building, structure, or land shall be used or occupied; and no building or structure or part thereof shall be erected, moved, placed, reconstructed, extended, enlarged, or altered except in conformance with the ordinance.

1.05

LEGAL BASIS

This ordinance is enacted to protect the public health, safety, and general welfare of the residents of the City of Ewart pursuant to the provisions of the City or Village Zoning Act, Act No. 207 of the Public Acts of the State of Michigan of 1921, as amended.

1.06

RULES OF INTERPRETATION APPLYING TO THE TEXT

The following rules of interpretation shall apply to the text of this ordinance:

- A. The particular shall control the general.
- B. The title of an article, section, or subsection of this ordinance is for convenience only and shall not be considered to enlarge or restrict the terms and provisions of this ordinance in any way.
- C. The word "shall" is always mandatory and not discretionary. The word "may" be permissive.
- D. Unless the context clearly indicates to the contrary, words used in the present tense shall include the future tense; words used in the singular number shall include the plural number; and words used in the plural number shall include the singular number.
- E. A "building" or "structure" includes any part thereof.
- F. The word "person" includes a firm, association, partnership, joint venture, corporation, trust, or equivalent entity or a combination of any of them as well as a natural person.
- G. The words "used" or "occupied" as applied to any land, building, or structure shall be construed to include the words "intended", "arranged", or "designed to be used or occupied".
- H. Any word or term not defined herein shall have the meaning as defined in the Webster's New World Dictionary, second collegiate edition.