

**TOWNSHIP OF SOLON  
COUNTY OF KENT, MICHIGAN**

At a regular meeting of the Township Board of the Township of Solon, Kent County, Michigan, held at the Township Hall, 15185 Algoma Avenue, N.E., Cedar Springs, Michigan, on the 13<sup>th</sup> day of February, 2018, at 7:30 p.m.

PRESENT: Members: Robert Ellick, Fred Gunnell, Art Gerhardt, Mark Hoskins,  
Mary Lou Poulsen

ABSENT: Members: none

The following preamble and ordinance were offered by Member Ellick and seconded by Member Poulsen.

**ORDINANCE NO. 18-3-Z**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE  
OF THE TOWNSHIP OF SOLON**

**[Completion of Public and Private Streets]**

THE TOWNSHIP OF SOLON ORDAINS:

Section 1. Performance Guarantees and Time Deadlines. Section 3.26.E.5 Performance Guarantees and Time Deadlines of the Zoning Ordinance of the Township of Solon shall be amended to add the following sentence after the first two sentences of the section:

“If the performance guarantee is in the form of a bond, letter of credit or any other instrument, rather than cash, the instrument shall provide that it shall automatically renew and not expire until one year after written Township certification of completion of the project or until the performance guarantee is entirely withdrawn by the Township, whichever occurs first.”

Section 2. Building Permits. Section 3.26.G.7.b of the Township Zoning Ordinance is hereby amended to read in its entirety as follows:

“If a private street has not yet been completed and approved in accordance with this section and other applicable provisions of this Ordinance, but if the applicant has submitted to the Township a performance bond, with acceptable surety, or a letter of credit, in an amount satisfactory to the Township, conditioned upon the timely and full

completion of the private street in accordance with this section, then a building permit may nevertheless be issued for a dwelling or for other principal building, structure or use, the primary access to which is to be provided by the private street; provided, however, that no such permit shall be issued unless (i) the Building Inspector has verified that there are compelling reasons why the road, including finish/top coat, should not be completed on or before the issuance of the building permit, (ii) the applicant has committed in writing to a specific date by which the road shall be completed in its entirety, (iii) the Zoning Administrator has verified that the performance guarantee shall automatically renew and continue until one year after written Township certification that the street construction is completed or the Township has withdrawn the entire funds of the performance guarantee, whichever occurs first, and (iv) the Building Inspector has determined that persons and vehicles may traverse the incomplete private street in sufficient safety. In such a case, the further construction of a private street shall be pursued diligently to completion; but in no event shall completion be at a date later than nine (9) months after the initial building permit is issued. Further, no occupancy permit shall be issued under Section 3.26.G.8 of this ordinance until the road is fully completed, including Township approved application of the asphalt top coat or finish coat.”

Section 3. Performance Guarantee. Section 3.26.G.11 Performance Guarantee of the Township Zoning Ordinance is hereby amended so as to add the following sentence at the end of the section:

“Performance guarantees shall be subject to the conditions for total completion of the street as contained in this Section 3.26, including Section 3.26.G and the provisions of Section 18.05.”

Section 4. Publication; Effective Date. This Ordinance shall become effective seven (7) days after its publication or seven (7) days after publication of a summary of its provisions in a local newspaper of general circulation in the Township, as provided by law.

AYES: Members: Ellick, Gunnell, Gerhardt, Hoskins, Poulsen

NAYS: Members: none

ORDINANCE DECLARED ADOPTED.

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Mary Lou Poulsen, Clerk  
Township of Solon

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Solon 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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Mary Lou Poulsen, Clerk  
Township of Solon