

## **CHAPTER 1      TITLE AND PURPOSE**

### **SECTION 1.01      TITLE**

This Ordinance shall be known and may be cited as the “Big Prairie Township Zoning Ordinance.”

### **SECTION 1.02      PURPOSE**

This Ordinance is established for the following purposes:

- A.      To promote and protect the public health, safety, and general welfare.
- B.      To protect the stability of the agricultural economy, the rural character and open space in residential development, and the viability of nonresidential areas within Big Prairie Township and to promote the orderly and beneficial development of these areas.
- C.      To provide adequate light, air, privacy and convenience of access to property.
- D.      To regulate the intensity of use of land and lot areas and determine the area of open spaces surrounding buildings and structures necessary to provide adequate space and to protect the public health.
- E.      To lessen and avoid congestion on the highways and roads.
- F.      To prevent the overcrowding of land and undue concentration of buildings and structures, so far as possible and appropriate, in each zoning district, by regulating the use and bulk of buildings in relation to the land surrounding them.
- G.      To protect the environment and conserve the expenditure of funds for public improvements and services.
- H.      To conserve lands, waters and other natural resources for their most suitable purposes.
- I.      To reduce hazards to life and property from flooding, air, and water pollution.
- J.      To secure safety from fire and other dangers.
- K.      To facilitate economic development of educational, recreational and other public facilities; to ensure appropriate locations and relationships of land uses; to ensure proper development of housing and commerce; and to enhance the social and economic stability of Big Prairie Township.

### **SECTION 1.03      LEGISLATIVE INTENT**

Zoning districts and regulations in this Ordinance each have a defined purpose and are based on the Big Prairie Township Master Plan to provide a supporting foundation. While the regulations control the use of properties, the Ordinance is intended to provide landowners with a range of choices, flexibility, and options for development.

**SECTION 1.04        SCOPE AND COVERAGE**

- A.     Except as otherwise provided for in this Ordinance, every building and structure erected; every use of any lot, building, or structure; every structural alteration or relocation of an existing building or structure; and every enlargement of, or addition to, an existing use, building and structure occurring after the effective date of this Ordinance, shall be subject to this Ordinance.
  
- B.     In its interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, or general welfare. It is not intended by this Ordinance to impair or interfere with any other existing provision of law or ordinance. However, where this Ordinance imposes a greater restriction than is required by another ordinance or by rules, regulations, or permits, the provisions of this Ordinance shall control.
  
- C.     Except as otherwise noted in this Ordinance, nothing in this Ordinance shall be interpreted or construed to give rise to any permanent vested right in the continuation of any particular use, district, zoning classification, or any permissible activities therein; and all rights are hereby declared to be subject to such subsequent amendment, change or modification hereof as may be necessary for the preservation or protection of public health, safety, and welfare.
  
- D.     The right to continue a land use or activity or construct a building or structure which is either permitted by this Ordinance or established as a nonconformity shall be vested with the property rather than the owner. No rights shall be terminated solely for reasons of transfer of ownership. The right to continue a lawful land use or activity shall transfer automatically upon the conveyance of the property unless terminated under the provisions of this Ordinance.
  
- E.     All land development or use specifically listed as a “Permitted Use” in the Districts contained in this Ordinance shall be allowed when determined to be in accordance with the regulations of the District involved and also in compliance with all provisions of this Ordinance and all other applicable laws, regulations or ordinances having jurisdiction over the proposed use of land.
  
- F.     All land development or use specifically listed under the heading of “Special Land Use” in the Districts contained in this Ordinance shall also be conducted in accordance with the requirements of Chapter 14 of this Ordinance.
  
- G.     Uses, activities or structures not specifically mentioned are prohibited.