

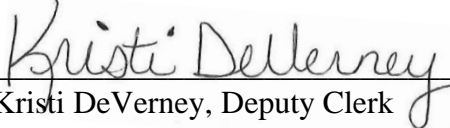
GRAND HAVEN CHARTER TOWNSHIP
NOTICE OF POSTING OF PROPOSED ORDINANCE

NOTICE IS HEREBY GIVEN that the following Ordinance has been proposed for adoption by the Charter Township of Grand Haven, Ottawa County, Michigan:

AN ORDINANCE TO AMEND ORDINANCE NO. 262, THE GRAND HAVEN CHARTER TOWNSHIP PRIVATE ROADS AND DRIVEWAYS ORDINANCE, TO AMEND AND STATE THE REQUIREMENTS FOR PRIVATE ROAD MAINTENANCE AGREEMENTS

The proposed Ordinance has been posted at the office of the Township Clerk, 13300 - 168th Avenue, Grand Haven, Michigan and on the Township's web site: www.ghmtmi.gov

The proposed Ordinance was first introduced at a regular meeting of the Township Board on January 27, 2025. Copies of the proposed Ordinance are available upon request at the office of the Township Clerk.



Kristi DeVerney, Deputy Clerk
Grand Haven Charter Township

Posted Legal Ad: February 1, 2025

ORDINANCE NO. _____

**AMENDMENTS TO PRIVATE ROADS AND DRIVEWAYS ORDINANCE, ORDINANCE
NO. 262**

**AN ORDINANCE TO AMEND ORDINANCE NO. 262, THE GRAND HAVEN
CHARTER TOWNSHIP PRIVATE ROADS AND DRIVEWAYS ORDINANCE,
TO AMEND AND STATE THE REQUIREMENTS FOR PRIVATE ROAD
MAINTENANCE AGREEMENTS**

THE CHARTER TOWNSHIP OF GRAND HAVEN ORDAINS:

Section 1. Private Road Maintenance Agreements. Section 4.3.J of Ordinance No. 262
is hereby amended so as to read in its entirety as follows:

- J. A private road maintenance agreement, signed by all owners of the lands served by the private road and other parties in interest, shall be recorded at the Ottawa County Register of Deeds as a condition of private road approval, and shall be provided to each subsequent purchaser of the property(ies) served by the private road. The private road maintenance agreement shall be approved by the Township attorney prior to recording. Once approved and recorded, a copy of the private road maintenance agreement shall be provided to the Community Development Director and Township Attorney before building permits are issued for any property served by the private road. The maintenance agreement shall include the following minimum provisions:
- (1) Provisions that assure that the private road will be maintained, repaired and snowplowed for the full width of the roadway in accordance with the standards of this Ordinance and in a manner to assure that the private road is safe for travel and accessible by emergency vehicles at all times.
 - (2) Provisions that assure that the costs of maintenance of the private road and its easement are paid for in an equitable manner.
 - (3) A legal description of the private road easement and a legal description of the individual parcels of land to be served by the private road. All properties served by the private road shall be subject to the private road maintenance agreement.
 - (4) It shall provide that, if the private road is not maintained to the requirements of this Ordinance, the Township Board may, in its sole discretion, improve and maintain the road so that it meets the requirements of this Ordinance, and that the Township Board can then charge the owners of all parcels that utilize or are benefited by the private road for the reasonable costs thereof, with such costs

secured by either placing a lien on the benefited properties or by placing the costs on the tax roll.

- (5) Provisions declaring that the private road maintenance agreement constitutes a restrictive covenant, running with the benefitted lands, and binding on all current and future owners and other parties in interest as to the respective obligations stated therein.
- (6) Provisions authorizing the Township, in its sole discretion, to enforce the terms of the private road maintenance agreement, by any lawful means, in addition to such enforcement by any of the owners of the lands served by the private road, or by another interested party.
- (7) Provisions to indemnify, save and hold the Township, and its officers, employees and agents, harmless from any and all claims for personal injury and/or property damage arising out of the failure to properly construct, maintain, repair or replace the private road.
- (8) It shall indicate that the owners of all properties benefited by the private road shall be jointly and severally liable and responsible for maintaining the entire length of the private road so that it is, at all times, in compliance with this Ordinance and all applicable Township standards and requirements.
- (9) It shall provide that, if the private road is not maintained to the requirements of this Ordinance, all of the owners of parcels utilizing or benefited by the private road shall be deemed to have consented to a special assessment district being created by the Township Board to maintain or upgrade the private road.

Section 2. Publication; Effective Date. The foregoing amendment to Grand Haven Charter Township Ordinance No. 262 was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on February 10, 2025, after a first reading of the amendment by the Township Board on January 27, 2025. This Ordinance shall be effective on _____, 202_, which date is 30 days after publication of the Ordinance, as is required by Section 4 of Public Act 246 of 1945, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Ordinance was adopted at a regular meeting of the Township Board held on February 10, 2025. The following members of the Township Board were present at that meeting: _____.

The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and members of the Board _____ voting in opposition. The Ordinance or a summary of the Ordinance was published in the *Grand Haven Tribune* on _____, 2025.

Laurie Larsen, Clerk
Grand Haven Charter Township