

TOWNSHIP OF THETFORD
COUNTY OF GENESEE

ORDINANCE NO. 68

2015-06-68

POND ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE APPLICATION FOR AND ISSUANCE OF A PERMIT BEFORE A POND MAY BE DUG OR CONSTRUCTED, TO PROVIDE FOR INSPECTION AND ENFORCEMENT AND TO PROTECT THE SAFETY, HEALTH AND WELFARE OF THE RESIDENTS OF THETFORD TOWNSHIP.

THE TOWNSHIP OF THETFORD ORDAINS:

SECTION 1

No person, firm or corporation shall commence the digging, altering, enlargement, or construction of any type of pond in Thetford Township before making application for and receiving a permit from the Thetford Township Building Department.

SECTION 2

Such application shall contain a general plan of the requested pond including the specific location of the pond, location of safety stations, its intended use, its general size and depth, the method to be used to assure its cleanliness, whether it is to be stream, spring, surface run-off, or well fed, and any other reasonable information requirements the Building Department may request.

SECTION 3

In addition to the requirements of Section 2 above, the applicant shall supply the Building Department with a written approval or clearance from the Genesee County Drain Commissioner's Office, the Consumers Power Company and the Michigan Bell Telephone Company, if required, and should the pond be stream fed, a written approval or clearance from the Michigan Department of Natural Resources, if required.

SECTION 4

As a condition precedent to the issuance of the permit, the applicant shall indemnify and hold harmless Thetford Township, its officials, agents and employees and all other Township residents from all matter of liability whatsoever, that may arise as a result of such pond construction. Also, the applicant shall have the duty and obligation to stop work and promptly notify the Thetford Township Building Department at any time during such pond construction of any underground electrical line or conduit, telephone line, water line, drain tile or drain line, or any unidentified line, tile or conduit, and shall continue such work stoppage until an inspection or same can be made by said Building Department personnel.

SECTION 5

A minimum of three acres of land shall be required for the construction of a pond in the Township.

SECTION 6

The drainage area above the pond must be protected against erosion, and grading shall be maintained as to not cause undo surface run-off or flooding of adjacent land owners.

SECTION 7

Ponds must be located a minimum of 50 feet from all property lines, easements, streets, roads, right-of-ways, septic fields and dwellings

SECTION 8

A safety station shall be located within 25 feet of all ponds having water depths exceeding 3 feet: Minimum requirements for this rescue station shall be:

- (a) A post 2 inches by 4 inches or larger, approximately 6 feet long and set about 2 feet into the ground.
- (b) A new inner tube or ring buoy.
- (c) A 40 foot length of rope securely tied to the inner tube or ring buoy.
- (d) A pole at least 12 feet long.

SECTION 9

Should the Building Department refuse to issue the permit required in this Ordinance, it shall provide its reasons for such denial in writing to the applicant, and the applicant may appeal such denial to the Thetford Township Board of Appeals, under the provisions of Article XII, Section 20.272 of the Thetford Township Zoning Code.

SECTION 10

The Building Inspector of the Township shall be and is designated as the enforcement officer for this Ordinance.

SECTION 11

Any person, firm or corporation who violates the Ordinance shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not to exceed \$500.00 and the cost of prosecution or in default of payment thereof, by imprisonment in the County Jail for not to exceed ninety (90) days or by both such fine and imprisonment in the discretion of the Court.

SECTION 12

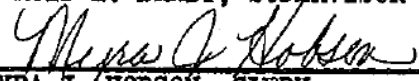
This Ordinance and the various parts, section and sub-sections are hereby declared to be severable and if any part, section or sub-section is adjudged unconstitutional or invalid, it is hereby declared that the remainder of the Ordinance shall not be affected thereby. Conflicting laws of a restrictive nature are not affected or repealed by this Ordinance. The provisions of this Ordinance shall be considered a minimum and such conflicting laws of a more restrictive nature shall supersede the provisions of this Ordinance. Conflicting laws of less restrictive nature, or those conflicting in other ways than degrees of restrictiveness are hereby repealed.

This Ordinance shall be effective 30 days after publication.

We, the undersigned, Supervisor and Clerk of the Township of Thetford, Genesee County, Michigan, do hereby certify that the above Ordinance was adopted by the Township of Thetford on the 13th day of August, A.D., 1984.



HAROLD L. BRADY, SUPERVISOR



MYRA J. HOBSON, CLERK

PUBLISHED: August 22, 1984

State of Michigan }
County of Genesee } ss.

I, Roy M. Hogan, Jr. being duly sworn, deposes and says that he is the publisher of The Ohio Messenger, a newspaper published in said County of Genesee, that the annexed printed notice has been duly published in said newspaper at least once each week for 7 successive weeks, and that the first insertion of said notice in said newspaper was on the 15 day of August A.D. 1984, and that the last insertion was on the 15 day of August, 1984.

Signed: Roy M. Hogan Jr.
Subscribed and sworn to before me this 15 day of August A.D. 1984.

Lisa A. Wright
Notary Public

LISA A. WRIGHT
Notary Public, Oakland County, Michigan
Acting in Genesee County, Michigan
My Commission Expires March 27, 1985

My commission expires _____, 19 _____

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Harold L. Brady, Supervisor

Wynne J. Hobson, Clerk

Witnessed August 15, 1984.