

TEXAS TOWNSHIP

ORDINANCE NO. 332

**AN ORDINANCE TO AMEND THE TOWNSHIP'S ZONING ORDINANCE
REGARDING TEMPORARY SINGLE FAMILY DWELLINGS**

The Charter Township of Texas ordains:

SECTION 1. AMENDMENT OF SECTION 2.2 "DEFINITIONS."

Section 2.2 of the Township's Zoning Ordinance entitled "Definitions" is hereby amended to add a definition for "Dwelling, Temporary" as follows:

Dwelling, Temporary, means a single-family dwelling on the same lot as another single-family dwelling for a temporary period no greater than one (1) year subject to the conditions and standards set forth in section 26-4.57 of this Ordinance and for the purposes set forth in said section.

**SECTION 2. ADDITION OF SECTION 36-4.57 OF ZONING ORDINANCE
ENTITLED "Temporary Single Family Dwellings."**

Section 36-4.57 entitled "Temporary Single Family Dwellings" is hereby added to the Township's Zoning Ordinance. The section shall read in its entirety as follows:

36-4.57 TEMPORARY SINGLE FAMILY DWELLINGS

A temporary, single family dwelling on the same lot as another single family dwelling is authorized, subject to the conditions below, in the following situations: (i) The owner of the property is constructing or reconstructing a new permanent dwelling on the same lot; or (ii) In cases of emergency as determined by the Township's Zoning Administrator (i.e. accidental destruction in part or in whole of a permanent dwelling on the same lot by fire, flood, wind or other natural disaster, which renders habitation of the existing dwelling impossible for a limited period of time).

1. The temporary dwelling is only authorized for a maximum period of one year and, for (i) above, only while a building permit for the new permanent dwelling remains active.
2. The owner must obtain a Certificate of Occupancy for the temporary dwelling pursuant to Section 36-7.8 of this Ordinance.
3. The owner must apply for and obtain a Temporary Use Permit from the Township's Zoning Administrator for the temporary dwelling.
 - a. The Temporary Use Permit may only be approved for a period of time not exceeding one year and only as long as those conditions necessitating the temporary dwelling exist on the property.

- b. Prior to issuance of the Temporary Use Permit, the applicant shall post a surety bond in an amount equal to 150% of the demolition costs or removal of the temporary dwelling.
4. The temporary dwelling shall comply with all regulations of the underlying zoning district, including, but not limited to, all building setbacks.
5. The temporary dwelling shall comply with all building code requirements and be approved by the Township's building official, the County Health Department or any other agency having jurisdiction over water and sewage disposal connections, as applicable.
6. The temporary dwelling shall be removed ten (10) days after the expiration of the Temporary Use Permit or, thirty (30) days after the completion of construction and issuance of a certificate of occupancy of the new permanent dwelling, whichever comes first.

SECTION 3. VALIDITY AND SEVERABILITY.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

SECTION 4. REPEALER.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall be published and take effect seven days after publication as provided by law.

Approved this 5th day of March, 2018.