

TOWNSHIP OF CLINTON
LENAWEE COUNTY
MICHIGAN

ORDINANCE NUMBER 10-2017

POND

Definition of Pond

Any open and substantially earthen artificial, manmade, or natural impoundment of water created, altered, or enhances by, any excavation, cutting, stripping, grading, digging, filling, removal, or movement of any earth material, or by the installation of any dam, levy, or other retention device or structure which diverts the natural flow of water. A pond shall not include a swimming pool, landscaping pool or fountain comprised of an assemblage of materials (i.e., concrete, wood, plastic, vinyl, and/or masonry), whether permanent or temporary, portable or non-portable, above or below grade.

Pond Regulations

The regulations set forth in this section are designed to outline the parameters under which ponds may be developed. The regulations are intended to protect the health, safety, and welfare of the township residents and others,, as well as preserve ecological important features, and to prohibit development which, unregulated, may have an adverse impact on the existing township.

General Provisions

- A. It shall be unlawful for any person, firm, corporation, partnership, or other organization or entity to construct a pond within the township without first securing a site plan from the Planning Commission and a construction permit from the township building official.
- B. The pond shall be located on a parcel at least two (2) acres in total area.
- C. All ponds shall be considered accessory to the principal use.
- D. Ponds shall not exceed ten (10) percent of the total lot area on which they are situated or five (5) acres, whichever is less.
- E. The property owner will be required to excavate a test hole to determine the water table and appropriate depth of the pond. The property owner will contact the township building official to inspect the test hole within 48 hours of excavation to document the water table of the site.

Design Requirements

- A. The submerged slopes of the body of water shall not exceed one (1) foot vertical drop to each four (4) feet horizontal to a depth of six (6) to a maximum depth of 15 feet.
- B. If constructed, berms may not exceed six (6) feet in height, with slopes one (1) foot vertical incline to each four (4) feet horizontal or less severe. Escape ramps, contracted with flatter side slopes are required to provide a means for climbing out of the pond.
- C. Ponds located in Residential Districts that are deeper than 2' shall require a fence. Fence required must be 6 feet high for the protection of the general public.
 1. Appropriate lifesaving equipment such as ring buoys shall be placed near the pond and be easily seen and accessible for use during emergency, Appropriated warning signs will be provided and maintained.
- D. Ponds shall be a minimum of thirty-five (35) feet from property lines as measured from the property line to the beginning of the excavation nor one hundred fifty (150) feet from the front right-of-way, or closer than fifty (50) feet from the principal structure, or closer than one hundred (100) feet from any septic tank and/or septic field.
- E. Ponds shall be located at least thirty (30) feet from the edge of any easement.

- E. The requirements contained herein shall not relieve the applicant from complying with other land development or environmental standards established by the Township or by other public agencies have jurisdiction.

Soil Removal Provisions

- A. Excavated soil intended for removal from the property shall be removed within one hundred twenty (120) days after the excavation is complete.
- B. The applicant may apply to the Planning Commission for one (1) extension under extenuating circumstances (i.e. long period of bad weather, which may occur in the winter or spring months).
- C. Proof of liability insurance with Clinton Township listed.

REPEAL OF CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict herewith are hereby repealed. Any proceeding pending, including prosecutions for violations under any previous ordinance provision being repealed hereby, shall not be affected by this ordinance and may be continued pursuant to said previous ordinance provisions.

EFFECTIVE DATE

This ordinance shall take effect 30 days after publication following adoption.

This ordinance was offered for adoption by the Township Board Member James and was seconded by Township Board Member Gary, the vote being as follows:

YEAS: (5)

NAYS: (1)

ABSENT: (1)

A zoning regulating the development and use of land has been adopted by the legislative body of the township of Clinton to become effective November 18, 2017. A copy of the ordinance may be or inspected at the township hall during regular business hours.

Basil Greenleaf
Basil Greenleaf
Township Supervisor for the Township of Clinton

CERTIFICATION OF ADOPTION AND PUBLICATION

I, Cheryl Matzinger, duly elected Township Clerk, certify that the foregoing ordinance was properly enacted by the Township Board of the Township of Clinton, Lenawee County, Michigan on October 9, 2017 and that it was published in The Clinton Local on October 19, 2017.

Cheryl Matzinger
Cheryl Matzinger
Township Clerk for the Township of Clinton