

Burt Township

Cheboygan, Michigan 49721

SUPERVISOR
Harold L. Koviak
4271 East Burt Lake Road
Cheboygan, Michigan 49721
Phone: (231) 238-9962

CLERK
Elmira L. Weaver
2374 West Burt Lake Road
Brutus, Michigan 49716
Phone: (231) 529-6339

TREASURER
Shirley A. Reimann
6681 West Birchwood Road
Cheboygan, Michigan 49721
Phone: (231) 238-7492

July 2, 2014

Ref: Commercial Timber Cut Plan Ordinance

Dear Burt Township Property Owner

This letter is a reminder that Burt Township has in existence an ordinance concerning commercial timber cuts:

Section 6.22 Commercial Timber Cut

1. A commercial timber cut shall maintain a minimum fifty (50) foot buffer from all water bodies, including streams and intermittent streams.
2. Activities associated with a commercial timber cut shall be conducted within the following hours: Monday through Saturday, 7:00 am to 8:00 pm.
3. **A Timber Harvest Plan shall be required for all commercial timber cuts and shall include the following:**
 - A. property boundaries (or portion pertaining to the commercial timber cut),**
 - B. area of the timber cut,**
 - C. any structures located within two hundred (200) feet of the timber cut,**
 - D. access route(s) to be used during the timber cut.**
4. Commercial timber cut in the General Residential (R-1) and Agricultural-Rural Residential (RR) zoning districts is permitted by right, based on a Timber Harvest Plan. It is recommended that the Timber Harvest Plan be prepared by a professional forester.
5. Commercial Timber Cut in the Conservation Recreation District (CR) is permitted subject to Special Use Permit, due to the size of the parcels and character of the area. Commercial Timber Cuts in this district shall be based on the recommendations of an approved Michigan Department of Natural Resources Forest Stewardship or Forest Management Plan, and the extent of the commercial timber cut shall be detailed in a Timber Harvest Plan.
6. Additional recommendations (compliance is encouraged, although not required by this ordinance):
 - Maintain a 25-foot buffer of trees around the property's perimeter
 - Utilize selective cut methods to maintain the scenic characteristics of the Township.
 - Clear cut method should be only done based on a professionally prepared forestry plan for the property.
 - Conduct timber cut activities during winter and s summer, avoiding spring and fall, to minimize damage and erosion risks.

If you have plans to harvest timber on your property, please review this ordinance and submit your plan to the Burt Township Zoning Administrator. There is no charge.

Avoidance of this request could result in penalties as follows:

Section 9.07.3 – Penalties

1. Any person, partnership, limited liability company, corporation, association or other entity who creates or maintains a nuisance per se or who violates or fails to comply with this Ordinance or any permit issued pursuant to this Ordinance shall be responsible for a municipal civil infraction and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Every day that such violation continues may constitute a separate and distinct offense under the provisions of this Ordinance. Nothing in this section shall exempt the offender from compliance with provisions of this Ordinance or prohibit the Township from seeking additional and/or equitable relief from any court to ensure compliance with the provisions of this ordinance.

2. The Township Zoning Administrator is hereby designated as the authorized Township official to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court. The Township Board may also designate from time to time other officials to issue municipal infraction citations on behalf of the Township in connection with alleged violations of this ordinance.

3. In addition to or in lieu of enforcing this Ordinance, as a municipal civil infraction, the Township may initiate proceedings in the any court of competent jurisdiction to abate, eliminate, or enjoin the nuisance per se or any other violation of this Ordinance.

4. Fee Recovery

A. If the Township initiates a proceeding to abate, eliminate or enjoin a nuisance per se or any other violation of this Ordinance, in addition to any remedies available to it in law or equity, the Township shall be entitled to collect all costs and attorney fees incurred by it in bringing such a suit.

B. If the Township enforces violations of this Ordinance as a municipal civil infraction, the Township shall be entitled to collect all costs and attorney fees incurred by it in such an enforcement action.

A complete copy of all Burt Township Zoning is available on their web site (BurtTownship.org). Thank you for your cooperation in this matter. Any questions should be directed to any member of the planning commission or the zoning administrator.

Sincerely

Burt Township Board

Burt Township Planning Commission

Burt Township Zoning Administrator