

Amendment No. 196. An Amendment to revise Section 4.3 of the Peninsula Township Zoning Ordinance to read as follows:

Section 4.3 Escrow

If the Director of Planning or Zoning Administrator, or any Township Commission or Board determines that the fees will not cover the costs of the application review, then the applicant will deposit with the Township Treasurer additional fees in an escrow account. The additional fees will be an amount equal to the costs as estimated by the Director of Planning or the Zoning Administrator. The additional fees may include the review of the application, Zoning Board of Appeals review, services provided by qualified professional planners, engineers, attorneys, other professionals, or other Township costs related to the project.

The additional fees will be held in escrow in the applicant's name and will be used solely to pay these additional costs. If the amount held in escrow becomes less than twenty (20%) of the initial escrow deposit and review of the application or decision on the appeal is not completed, then the Director of Planning or Zoning Administrator may require the applicant to deposit additional fees into escrow in an amount equal to the costs as estimated to complete the review or decide the appeal.

Failure of the applicant to make any required escrow deposit under this Ordinance shall be deemed to make the application incomplete or the appeal procedurally defective, thereby justifying the denial of the application or the dismissal of the appeal.

Any development or construction on a property with an existing escrow for services directly related to the oversight of the project that allows an escrow to become deficient in monies may be issued a Cease and Desist order until the escrow is replenished to an amount which is satisfactory to cover the cost associated with the expenditures paid by the Township Treasurer.

Any cost incurred by the Township in addition to the amount held in escrow will be billed to the applicant and shall be paid by the applicant prior to the issuance of any permit or the release of a final decision on an appeal.

Any unexpended funds held in escrow will be returned to the applicant following final action on the application or the final decision on the appeal.