Augusta Charter Township
8021 Talladay Road, Whittaker, 48190
Washtenaw County, Michigan

Resolution 26-23
A Resolution to approve an Annual Zoning Fee Schedule and An Escrow Fee Policy

Resolution adopted at a meeting of the Board of Trustees of Augusta Charter Township, Washtenaw County, Michigan, held at the Lincoln Golden Ages Senior Center, 8970 Whittaker Road, Ypsilanti, MI 48197, on October 27, 2026.

Whereas, the Augusta Charter Township Board is authorized by state statute and Township Zoning Ordinance to establish fees for the processing of various types of zoning applications. In order to properly place the cost of processing these applications primarily upon the applicant instead of the public at large, the Augusta Charter Township Board hereby adopts Annual Zoning Fee and Escrow Fee policy requiring the deposit of specified amounts into escrow to be held by the Township Clerk, which deposit shall be used to offset the zoning fees and costs incurred by the township in the processing of the application(s).

Whereas, the Augusta Charter Township Boards shall establish an Annual Zoning Fee Schedule by resolution, which fee schedule may be changed from time to time by resolution of the Township Board. The Township Board shall post a copy of the most recent fee schedule in a conspicuous place in the office of the Township Clerk and on the Township's website.

Whereas, the Annual Zoning Fee Schedule shall include an application fee which shall be a basic fee for the submission of an application and an escrow fee, which shall be a deposit upon which to draw for extraordinary expenses associated with each particular type of applications.

> **Basic Fee.** The basic fee shall approximate the basic costs to the Township for the processing of the application, which may include, the initial review by the Zoning Administrator, notices, publication, mailing, and copying costs and appearances at a single regularly scheduled meeting by the Township Attorney, Planning Consultant and/or Zoning Administrator. No portion of the basic fee is refundable.
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> **Special Meeting Fee**. The basic application fee shall be increased an amount set by the Township Board on its adopted fee schedule if the applicant requests that a special meeting be called for consideration of the application.
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> **Escrow Fee.** The escrow fee shall be a deposit in the amount specified by resolution of the Township Board for the particular type of application made.

Escrow Fee. Pursuant to the Township Annual Zoning Fee Schedule, the applicant shall make the required escrow fee deposit with the Township Zoning Administrator prior to consideration of the application and prior to required noticing and processing. All expenses not covered by the basic fee enumerated above shall be paid by the applicant from an escrow account established with the Township. These expenses include but are not limited to:

A. Review by Township Attorney.
B. Review by Township Planning Consultant.
C. Review by Township Engineer.
D. Beyond initial review by Zoning Administrator.
E. Review by special consultants.
F. Any additional public hearings, required mailing, legal notice and copies.

Deposit Required. The escrow fee amount shall be set by resolution of the Township Board in an initial amount dependent upon the type of application. The initial escrow deposit along with the basic application fee shall be paid to the Zoning Administrator at the time of the Application. The applicant shall also at the time of application review this policy and sign an Escrow Policy Affidavit in the form attached to this policy. The application will not be processed without any required escrow deposit and the signing of the Escrow Policy Affidavit.

Accounting of Costs and Maintenance of Balance. The Township Clerk or Clerk's designee shall maintain records of funds expended upon each application for which an escrow deposit has been collected. At no time prior to the Township's completion of review and processing of the application shall the escrow be exhausted. If an Escrow Account balance is exhausted, the Township Clerk, Clerk's designee or Zoning Administrator, shall notify the applicant that the application will not be further processed until additional amounts are deposited into escrow. If the Escrow Account balance is exhausted, the applicant shall make an additional deposit to restore the initial escrow fee to continue the review. Additional amounts above the initial escrow fee may be required upon recommendation of the Township Planning Consultant, Township Engineer, Township Zoning Administrator and/or Township Attorney indicating that such additional funds are required in order to complete the Township's review and action on the application.

Failure to Maintain Escrow. Any additional escrow amounts required shall be deposited into the escrow fee account in order for the Township to continue processing the application. Failure of the applicant to maintain an escrow balance as specified above shall be cause for the application to be removed from further Township consideration until the shortfall is eliminated. No further review or processing of the application shall occur until the escrow fee account has been re-established to the appropriate level. The Township Zoning Board of Appeals or Planning Commission is authorized to dismiss an application and require re-application after a period of 60 days after notification of need to supplement escrow without payment.

Appeal of Amount. In the event an applicant objects to the reasonableness or the amount of an escrow fee, the amount of additional deposits required, or how the Township has applied the funds from the escrow fee account, the aggrieved applicant may appeal the determination regarding the matter to the Township Board. All such appeals shall be in writing and shall be made not later than thirty (30) days after receipt of the disputed escrow determination. The Township Board shall establish a date and time to hear the appeal and shall permit the applicant or the applicant's agent to appear before the Township Board at a regularly scheduled Board meeting to object and to appeal the determination. The Township Board may affirm, modify, or reverse the determination. This provision applies only to a determination as to the reasonableness of the escrow fees and not to any other appeal.

Refund of Excess Escrow Funds. Any excess funds remaining in the Escrow Account after the application has been fully processed and reviewed or withdrawal of the application by the applicant, all invoices related to the application have been received and paid, and the final Township decision has been rendered regarding the project will be refunded to the applicant within sixty (60) days of permitting process completion with no interest to be paid to the applicant on any remaining funds.

No Occupancy Permit or Building Permit. No final approval, building permit, certificate of use and occupancy permit, or other similar approvals shall be issued or final Township zoning approval be deemed granted until the escrow funds are paid in full.

Withdrawal of Application and Noncompliance. Should the applicant withdraw its application or otherwise fail to complete all actions necessary for the Township to issue a final building permit or final zoning approval, the Township may seek reimbursement for its costs incurred in responding to the application. The Township shall be permitted to take any legal action to collect such costs and shall be permitted to assess all costs and legal fees incurred in the collection process. Interest shall accrue on such costs at 1% per month until paid in full.

Therefore be it resolved, that the Board of Trustees of Agusta Charter Township approves this Annual Zoning Fee Schedule and Escrow Fee Policy Resolution and Township Escrow Policy Affidavit Form.

Motion to adopt this Annual Zoning Fee Schedule and An Escrow Fee Policy Resolution and Township Escrow Policy Affidavit Form was offered by Gipfert, seconded by Gonczy.

Roll Call: AYES: Adams, Burek, Gipfert, Gonczy, Green, Waller.
NAYS: None
ABSENT: Prain

Resolution 26-23 Declared Adopted.

Todd Waller, Supervisor — Date 10-29-26

Kimberly Gonczy, Clerk — Date 10-31-2026

CERTIFICATE

I, Kimberly Gonczy, the elected and acting Clerk of Augusta Charter Township, hereby certify that the foregoing resolution was adopted by the Augusta Charter Township Board, as presented at the meeting of said Board held on October 27, 2026, at which meeting a quorum was present, by a roll call vote of said members as herein before set forth; that said resolution was ordered to take effect immediately.

Kimberly Gonczy, Clerk — Date 10-31-2026

AUGUSTA CHARTER
TOWNSHIP ESCROW POLICY
AFFIDAVIT

I have read and accept the Augusta Charter Township Annual Zoning Fee Schedule and Escrow Fee Policy and agree to abide by the same. I understand that the payment of the prescribed application and escrow fees is intended to cover the Township's costs associated with the processing and/or review of my zoning application and should not in any manner be construed as suggesting any particular outcome for the application. I agree that I shall be obligated to pay the fees prescribed under the policy regardless of whether my application is approved, denied, modified or withdrawn. In addition, I agree the Township shall be permitted to take any legal action to collect its fees and costs and shall be permitted to assess to me all costs and legal fees incurred in the collection process.

I understand that the Township may stop processing my application if the escrow fee drops below the parameters set forth in the Annual Zoning Fee Schedule and Escrow Fee Policy. It will be my responsibility to replenish the escrow fee to the amount required by the policy before processing my application resumes.

Name: _____

Signed: _____

Print Name: _____

Date: _____

Person/Company Responsible for Account (Billing Purposes)

_____

Address: _____

City: _____ State: _____ Zip: _____

Telephone number: _____ Fax or Email: _____