

PINCONNING TOWNSHIP ORDINANCE NO. 75-3

An ordinance to adopt by reference "the BOCA National Property Maintenance Code of 1993; the BOCA National Building Code of 1993; and the BOCA Fire Code of 1993 pursuant to Act No. 320 of Public Acts of 1972 (MCLA 125.1501, et seq.; MSA 5.2949(1), et seq.); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this ordinance by the Township through agreement or otherwise; to permit the Township Board to set fees by resolution of said Township Board; to provide for penalties for violation hereof; and to repeal existing ordinances in conflict herewith.

THE BOARD OF TRUSTEES OF THE TOWNSHIP OF PINCONNING,
BAY COUNTY, MICHIGAN, HEREBY ORDAINS:

SECTION I: TITLE

This ordinance shall be known and cited as the Pinconning Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That a certain document entitled "The BOCA National Building Code/1993 Edition," issued by the Building Officials and Code Administrators International, Inc., 4051 West Floosmoor Road, Country Club Hills, Illinois 60478-5795, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this ordinance.

B. That a certain document entitled "The BOCA National Property Maintenance Code/1993 Edition," issued by the Building Officials and Code Administrators International, Inc., 4051 West Floosmoor Road, Country Club Hills, Illinois 60478-5795, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this ordinance.

C. That a certain document entitled "The BOCA Fire Code/1993 Edition," issued by the Building Officials and Code Administrators International, Inc., 4051 West Floosmoor Road, Country Club Hills, Illinois 60478-5795, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this ordinance. Each and all of the regulations and provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be

deemed adopted and made a part hereof by this reference as if fully set forth in this ordinance.

SECTION III: FEES

The Township Board is hereby given the authority to establish by resolution, at any regular or special public meeting, a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned resolution from time to time within the foregoing limits of reasonableness. Similarly, the Township Board shall have the authority to establish fees for any Construction Board of Appeals to defray the cost of hearing appeals and to reimburse expenses as may be incurred in retaining professional consultants or otherwise incurred by said Board.

SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof, which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501, et seq.; MSA 5.2949(1), et seq.), shall be administered and enforced by the Township as provided for in this ordinance and in said codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any right, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide, by agreement or contract with any other township, village, city, or county in the State of Michigan, for doing enforcement and administration of this ordinance and the codes adopted herein.

SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said codes, they are hereby deemed to mean the Supervisor of the Township.

SECTION VI: VIOLATIONS AND PENALTIES

Any violation of this ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00), plus costs and/or confinement in the County Jail for a term not to exceed ninety (90) days, or both. In addition, the Township specifically reserves the

right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this ordinance and said code. Each day that a violation continues to exist shall constitute a separate offense.

SECTION VII: SEVERABILITY

Should any part of this ordinance or any code adopted hereby be declared unconstitutional, illegal, or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

SECTION VIII: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this ordinance.

SECTION IX: EFFECTIVE DATE

This ordinance shall take effect thirty (30) days from date of publication, and a certified copy of this ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this ordinance shall not be invalidated by this ordinance; and the construction may be completed in compliance with said permit, or renewal thereof, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION X: PUBLICATION

A copy of this ordinance shall be published in a newspaper circulated within the Township of Pinconning, Bay County, Michigan, within ten (10) days following the adoption thereof.

Donald H Moore

DONALD MOORE

Pinconning Township Clerk

AUTHENTICATION OF RECORD

WE, SHARON STALSBERG, Supervisor, and DONALD MOORE, Clerk, for the Township of Pinconning, Bay County, Michigan, hereby authenticate the following relative to the foregoing ordinance:

1. That the same was adopted by the Pinconning Township Board on the 14 day of NOVEMBER, 1995.
2. That the following members of the Township Board voted "yes" in favor of said Ordinance: MOORE, CARRUTHERS, STALSBERG, PRINDLE.
3. That the following members of the Township Board voted "no" against said Ordinance: NONE.
4. That the following members of the Township Board were absent: ANTCLIFFE.

Sharon Stalsberg
SHARON STALSBERG
Pinconning Township Supervisor
Dated: 12-26-95

Donald H Moore
DONALD MOORE
Pinconning Township Clerk
Dated: 12-26-95

CERTIFICATE

I, DONALD MOORE, as Clerk for the Township of Pinconning, Bay County, Michigan, hereby certify the following relative to the foregoing Ordinance:

1. That the same was introduced by the Pinconning Township Board on the 14 day of NOVEMBER, 1995.
2. That the same was published in the PINCONNING JOURNAL on the 22 day of NOVEMBER, 1995.
3. That the same was adopted by the Pinconning Township Board on the 12 day of DECEMBER, 1995.
4. That the same was published in the PINCONNING JOURNAL on the 20 day of DECEMBER, 1995.

DATED: 12-26-95

Donald H Moore
DONALD MOORE, Clerk

Sharon Stalsberg
SHARON STALSBERG SUPERVISOR
PINCONNING TOWNSHIP

Donald H Moore
DONALD MOORE CLERK
PINCONNING TOWNSHIP

ROLL CALL VOTE:

AYES:

Sharon Stalsberg
Donald Moore
Scott Smith
Mary Ann Antcliff
Wendy Rindler

NAYS:

ABSENT: 0

EXCUSED: 0

MOTION: _____

STATE OF MICHIGAN) DM
COUNTY OF BAY)
CLERK'S CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND COMPLETE COPY OF A
RESOLUTION OFFERED AND ADOPTED BY THE PINCONNING TOWNSHIP BOARD AT A
REGULAR MEETING HELD ON THE 12 DAY OF DECEMBER, 1995

Donald H Moore
DONALD MOORE CLERK
PINCONNING TOWNSHIP
1751 CODY ESTEY RD.
PINCONNING, MI 48650