

**ORDINANCE NO. 17-04
TOWNSHIP OF KOCHVILLE
SAGINAW COUNTY, MICHIGAN**

INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 EDITION

An Ordinance of Kochville Township adopting the 2015 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in Kochville Township; providing for the issuance of permits and collection of fees therefore; repealing Ordinance 15-01 of Kochville Township and all other ordinances or parts of laws in conflict therewith.

The Board of Trustees of Kochville Township does ordain as follows:

Section 1.

That a certain document, three (3) copies of which are on file in the office of the Township Clerk of Kochville Township, being marked and designated as the *International Property Maintenance Code*, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of Kochville Township, in the State of Michigan, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of Kochville Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Title. Insert: These regulations shall be known as the Property Maintenance Code of Kochville Township (hereafter referred to as "this code").

Section 102.3. Application of Other Codes. Substitute Michigan Building Code for International Building Code. Substitute Michigan Rehabilitation Code for Existing Buildings for the International Existing Building Code, Substitute the Michigan Mechanical Code for the International Mechanical Code, Substitute the Michigan Plumbing Code for the International Plumbing Code, Substitute the Michigan Residential Code for the International Residential Code, Substitute the Kochville Township Zoning Ordinance for the International Zoning Code.

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Section 103.5. Fees. Fees, if any, shall be in accordance with a resolution or ordinance which may, from time to time, be adopted by the Kochville Township Board.

Section 106.3. Prosecution of Violation. Delete first sentence of Section and insert in its place the following: Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense.

Section 107.2 (5). For violations of sections 108, 109 or 110, inform the property owner of the right to appeal.

Section 111. Means of Appeal. Any person directly affected by the decision of the Code Official or a Notice or Order issued for violation of this code, shall have the right to appeal to the Kochville Township Zoning Board of Appeals. All appeal requests shall be in accordance with Kochville Township Zoning Ordinance, specifically Section 155.388(D). An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or the requirements of this Code are adequately satisfied by other means.

Delete Sections 111.1 through 111.8

Section 112.4. Insert: not less than \$250.00 dollars or more than \$500.00 dollars.

Section 201.3. Terms Defined in Other Codes. Replace section with: Where terms are not defined in this Code and are defined in the Michigan Residential Code, International Fire Code, Kochville Township Zoning Ordinance, Michigan Plumbing Code, Michigan Mechanical Code, Michigan Building Code, Michigan Rehabilitation Code for Existing Buildings and the Michigan Electrical Code, such terms shall have the meanings ascribed to them as in those codes.

Section 302.4. Weeds. Insert 10 inches. Add, at the end of the second paragraph the following sentence: The Township shall have a lien upon such property for such cost which shall be enforceable in the manner provided by the general laws of the State of Michigan for the enforcement of tax liens.

Section 304.14. Insect Screens. Insert May 1st to October 1st for dates.

Section 401.3. Alternative Devises. Substitute Michigan Building Code for International Building Code.

Section 602.2. Residential Occupancies. Substitute Michigan Plumbing Code for International Plumbing Code.

Section 602.3. Heat Supply. Insert September 1st to June 1st for dates. **Exceptions:** Substitute Michigan Plumbing Code for International Plumbing Code.

Section 602.4. Occupiable Work Spaces. Insert September 1st to June 1st for dates.

Section 702.3. Locked Doors. Substitute Michigan Building Code for International Building Code.

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Section 3. That Ordinance 15-01 of Kochville Township entitled the International Property Maintenance Code, 2015 Edition, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. That nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That this Ordinance shall become effective thirty (30) days after publication thereof.

Motion by Clerk Machata and seconded by Supervisor Loiacano to adopt Ordinance 17-04.

YEAS: Supervisor Loiacano, Clerk Machata, Treasurer Brewster, Trustee Ferrell and Trustee Thon

NAYS: None

ABSTAINS: None

ABSENT: None

James Loiacano, Supervisor
Kochville Township

KM - original signed.

Kevin Machata, Clerk
Kochville Township

CERTIFICATION

State of Michigan, County of Saginaw:

I, the undersigned Township Clerk for the Township of Kochville, Saginaw County, Michigan, certify that the above Ordinance No. 17-04, adopted by the Township Board of Trustees of the Township on the 15th Day of May, 2017, was recorded in full in the Minutes of Township Board of Trustees on said date. It was signed by the Supervisor and the Clerk of the Township.

Dated: May 15, 2017

Kevin Machata, Kochville Township Clerk

Date of Publication:

Newspaper: Township View