

ORDINANCE NO. 16-03

TOWNSHIP OF KOCHVILLE

SAGINAW COUNTY, MICHIGAN

An Ordinance of Kochville Township to amend Ordinance No. 14-09 with respect to Violation Penalties and non-emergency alarm activation as provided in the 2012 International Fire Code.

Board of Trustees of Kochville Township ordains as follows:

Section 1: The following sections of the 2012 International Fire Code, as enacted under Kochville Township Ordinance No. 14-09, are hereby revised:

Amend to read Section 109.4 Violation Penalties: Persons who shall violate a provision of this code or who shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or direction of the fire code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a municipal civil infraction. Unless otherwise stated in this code the referenced penalties and sanctions shall be those which are established under the Kochville Township Municipal Sanctions for Ordinance Violations Ordinance, as amended from time to time. The imposition of one (1) municipal civil infraction fine for any violation shall not excuse the violation or permit it to continue, and all persons who are violation shall be required to correct or remedy such violation or defects. Every day of noncompliance shall be deemed a separate violation.

Add Section 401.3.2.1-Non-emergency alarm activations – Contractors, service and maintenance personnel shall be responsible for notifying the fire alarm monitoring central station and the fire department prior to servicing or testing fire suppression and fire alarm equipment and systems. Alarm activations created or caused by systems service, maintenance, testing, or are a result of construction activities where measures were not taken to prevent fire alarm activations that result in a fire department response shall be unlawful. The person, firm or company responsible for failing to notify the alarm central station, the fire department, or taking preventative measures prior to conducting their work or generating an alarm shall be guilty of a civil infraction with a minimum fine of \$250.00.

Non-emergency alarm activations created by tenants or alarm system owners during testing or while conducting routine fire drills that result in the fire department response shall be unlawful. Any person responsible for said non-emergency alarm activations shall be guilty of a civil infraction. A notice of violation shall be issued to the tenant or alarm owner for the first fire department response in a calendar year; and the second non-emergency fire department response shall result in a civil infraction fine of \$150.00. The third and subsequent non-emergency alarm responses shall result in a civil infraction fine of \$250.00 for each such violation.

Section 2: Savings Clause.

Except as provided herein, the provisions of Ordinance 14-09 are hereby ratified and confirmed.

Section 3: Invalidity.

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 4: Pending Proceedings not Affected.

Nothing in this Ordinance or in the Fire Code adopted under Ordinance 14-09 shall be construed to affect a suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby modified as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.


Section 5: Township Publication.

The Township Clerk is hereby ordered and directed to cause this Ordinance to be published in summary in a newspaper of general circulation within Kochville Township.

Section 6: Effective Date.

That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 30 days from and after this date of its final passage and adoption.

This Ordinance is hereby declared to have been adopted by Kochville Township Board, County of Saginaw, State of Michigan, at a regular meeting held on the 15th day of February, 2016, and ordered to be given publication in the manner prescribed by law.


James Loiacano
Kochville Township Supervisor


Kevin Machata
Kochville Township Clerk

CERTIFICATION

Adopted:

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

NAYS: None

ABSENT: None

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. 16-03, adopted by the Township Board of Trustees of the Township on the 15th day of February, 2016, was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date. It was signed by the Supervisor and Clerk of the Township.

Dated: February 15, 2016



KEVIN MACHATA, Kochville Township Clerk

Date of Publication: _____, 2016

Newspaper: Township Times