

TOWNSHIP OF ARCADIA
DANGEROUS BUILDINGS AND BUILDING MAINTENANCE CODE
ORDINANCE NO. 1303

An ordinance to establish minimum regulations governing the conditions and maintenance of all property, building and structures; to provide the standards for supplied utilities and facilities essential to ensure that structures are safe, sanitary and fit for occupation and use; to provide for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; to accomplish that by adopting by reference the Michigan State Construction Code and International Property Maintenance Code; to repeal the prior Building Code Ordinance 209.1, the Dangerous Building Ordinance No. 800, and the Building, Mechanical, Electrical, and Plumbing Code Enforcement Ordinance No. 1301; and implement penalties and sanctions for violations of this Ordinance.

THE TOWNSHIP OF ARCADIA ORDAINS:

Section 1. Adoption of the Michigan State Construction Code

Arcadia Township assumes and shall be responsible for administering and enforcing the Stille-DeRossett-Gale Single State Construction Code Act, Public Act No. 230 of 1972, as amended (MCL 125.1504), and the Michigan State Construction Code, as amended, which consists of the Michigan Residential Code; the Michigan Building Code; the Michigan Electrical Code; the Michigan Mechanical Code; the Michigan Plumbing Code; as well as the Michigan Uniform Energy Code and the Premanufactured Unit Rules, as updated and promulgated by the State of Michigan within the boundaries of the Township of Arcadia.

Section 2. Adoption of the Property Maintenance Code.

The Township hereby adopts the *International Property Maintenance Code*, 2018 edition, published by the International Code Council, as modified and amended herein.

Section 3. Definitions.

- a. Code Official shall mean the Township Building Official, or any designee of the Township Building Official.
- b. Jurisdiction or Township shall mean the Township of Arcadia.
- b. Structure shall mean any building or structure for which a permit must be obtained for construction under any ordinance or code of the Township.

Section 4. Modifications and Amendments to Code.

The following sections and subsections of the International Property Maintenance Code are deleted and replaced with the following:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the Township of Arcadia, referred to as the Code.

101.2 Scope. The provisions of the Code shall apply to all existing and future structures in the Township and shall constitute minimum requirements and standards for such premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance, the responsibility of owners, operators and occupants, the occupancy of existing structures and premises, and for administration, enforcement and penalties.

102.3 Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan State Construction Code, as amended, which consists of the Michigan residential Code; the Michigan Building Code; the Michigan Electrical Code; the Michigan Mechanical Code; the Michigan Plumbing Code; as well as the Michigan uniform Energy Code and the Premanufactured Unit Rules, as updated and promulgated by the State of Michigan within the boundaries of the Township of Arcadia.

103.5 Fees and Fines. The fees for activities and services performed by the department in carrying out its responsibilities under this Code and the fines charged for failure to comply with this Code shall be those adopted by resolution of the Township Board and may be amended from time to time by the Township Board of Trustees.

302.4 Weeds. This section is deleted. See Ordinance No. 302 for provisions regarding weeds, grasses and brush.

304.14 Screens. Insert May 1 through October 31.

602.3 Heat Supply. Insert October 1 through April 30.

Section 5. Conflict with Other Ordinances.

When a provision of the Michigan State Construction Code or International Property Maintenance Code is in conflict with a provision of any other ordinance currently existing or hereafter enacted by the Township, to the extent permitted by law, the provision which establishes the highest standard for the promotion and protection of the health, safety and welfare of the citizens of the Township shall prevail.

Section 6. Violations, Penalties and Sanctions.

(1) Any responsible party who does not maintain his property in accordance with the provisions of the Code or this ordinance, or who fails to comply with any notice of violation issued thereunder, shall be deemed responsible for a municipal civil infraction and the penalties specified in Ordinance No. 2100.

(2) Any person who violates a provision of the Code or this ordinance or fails to comply with any of the requirements contained in them, may be prosecuted within the limits provided by state and local law. Each day that a violation continues to exist shall be deemed a separate offense.

(3) In addition to any other penalty or remedy available by law, a violation of the Code or this ordinance shall constitute a nuisance per se subject to abatement in a court of competent jurisdiction.

Section 7. Repealed.

The Township hereby repeals, in their entirety, the following:

- (a) the former Building Code Ordinance known as No. 209.1;
- (b) the Dangerous Building Ordinance No. 800;
- (c) the Building, Mechanical, Electrical, and Plumbing Code Enforcement Ordinance No. 1301.

Section 8. Effective Date.

This ordinance shall become effective immediately upon publication.

This ordinance was certified and adopted at a regular meeting of the Board of Trustees of the Township of Arcadia held on March 8, 2022 and was published in the Lapeer County Press on the 1st day of April 2022.