

CHARTER TOWNSHIP OF MONTROSE
Ordinance No. 150

Ordinance to Acknowledge Applicability of the International Property Maintenance Code and Enforcement Thereof in and by the Charter Township of Montrose

An ordinance of the Charter Township of Montrose adopting the 2003 edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing standards essential to ensure that all property, buildings and 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 the Charter Township of Montrose.

THE CHARTER TOWNSHIP OF MONTROSE ORDAINS:

Section 1: Acknowledgement of the International Property Maintenance Code; Designation of Enforcing Agency.

- A. That a certain document, a copy of the International Property Maintenance Code, as published by the International Code Council which is kept on file in the Office of the Township Clerk, be and is hereby adopted as the Property Maintenance Code of the Charter Township of Montrose, in the County of Genesee, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing standards 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 therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the Office of the Clerk are hereby referred to adopted, and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any prescribed in Section 2 of this Ordinance.
- B. The Township Building Inspector and/or the Code Enforcement Officer, if any, designated by the Township Board shall be responsible for administering and enforcing the property maintenance code within the Township. Such official(s) may be provided with the assistance of such other persons as the Township Board may direct.

Section 2. The Following Sections are Hereby Revised:

Section 101.1 Insert “Charter Township of Montrose

Section 103.5 Change to read, “The fees for activities and services performed by the Building Department in carrying out its responsibilities under this code shall be so adopted from time to time by resolution of the Township Board.”

Section 111.2 Change to read, “Membership of Board. The board of appeals shall consist of the same membership and conduct its hearings in the same manner as required by the board of appeals as described in the Zoning Ordinance of the Township, known as Ordinance No. 99.

Section 111.2.1 – 111.2.5, Delete

Section 111.3 – 111.7, Delete

Section 302.4 Insert “twelve (10) inches

Section 304.14 Insert “spring to fall

Section 602.3 Change and insert to read, “shall supply heat when necessary to maintain a temperature of not less than 68”

Section 602.4 Change and insert to read, “shall supply heat when necessary to maintain a temperature of not less than 65”

Section 3. Conflicts with Other Acts, Ordinances or Regulations

This ordinance is not intended to repeal, abrogate, annul, impair or interfere with existing provisions of other laws or ordinances, except those repealed by this ordinance. Any provisions of this ordinance that imposes more stringent requirements or limitation upon the property maintenance of all property, buildings and structures than are imposed or required by the provisions of any other law or ordinance, or any said rules and regulations, than the provisions of this ordinance shall govern.

Section 4. Penalties

Any person, firm, or corporation who violates any provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than five (\$500) hundred dollars and/or imprisonment for not more than 90 days. Each day that a violation shall continue shall constitute a separate offense. The foregoing penalty shall be in addition to the other rights of the Township to proceed at law or equity with other appropriate and proper remedies.

Section 5. Validity

Should any section, clause or provision of this Ordinance be declared by the courts to be unconstitutional, illegal or of no force the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional and or illegal.

Section 6. Effective Date and Publication

This Ordinance shall take effect at 12:01 a.m. on the 31st day of January 2007, which is 30 days after publication in the Tri-County Citizens.

ON MOTION DULY MADE BY: G. Keller and seconded by K. Yuhos.

YEAS: 7

NAYS: 0

MADE AND PASSED by the Charter Township of Montrose on the 19th day of December, 2006 by a vote of seven yeas and zero nays.

Mark Emmendorfer, Supervisor

Kelly Yuhos, Township Clerk

I Kelly Yuhos, Clerk for the Charter Township of Montrose do hereby certify that the foregoing Ordinance No. 150 was duly adopted at a regular meeting of the Charter Township of Montrose held on the 19th day of December 2006 at the Township Hall at 139 S. Saginaw St, Montrose, Michigan 48457.

Kelly Yuhos, Township Clerk