

22.0300

**BUILDING CODE AND RESIDENTIAL CODE
ENFORCEMENT AGENCY ORDINANCE
TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 501 eff. October 24, 2011
(replaces ord. no. 454 eff. Nov. 13, 2008)
(replaces ord. no. 4 eff. Nov. 6, 1974)**

An Ordinance to designate an enforcement agency to discharge the building code and residential code responsibilities of the Township of Grand Haven under the provisions of the State Construction Code, being Act No. 230 of 1972, as amended.

THE TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN
ORDAINS:

22.0301

Sec. 1 AGENCY DESIGNATED

1. Pursuant to the provisions of the State Construction Code (the "Code"), in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended (the "Act"), Grand Haven Charter Township is designated as the enforcing agency to discharge the responsibility of Grand Haven Charter Township under the Act. The enforcement agency or the building official (or both) obligated to discharge responsibilities of Grand Haven Charter Township under the Act shall be designated from time to time by Township Board resolution.

2. Pursuant to the provisions of the State Construction Code, including the Michigan Building Code and the Michigan Residential Code, and in accordance with Section 8b(6) of the Act, the Township assumes responsibility for the administration and enforcement of the Act, including Appendix G of the Michigan Building Code, throughout the Township's geographical limits.

3. The fees for Building and Residential Code permits and the required inspections shall be established by the Township Board from time to time by resolutions.

4. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Ottawa County, Michigan (All Jurisdictions)" and dated December 16, 2011 and the Flood Insurance Rate Map (FIRM) panel numbers of 26139C; 0079E, 0085E, 0079E, 0087E, 0088E, 0089E, 0091E, 0093E, 0095E, 0180E, and 0185E and dated December 16, 2011 are adopted by reference for the purposes of administration of the Michigan Residential Code, and declared to be part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.
(amend. by ord. no. 501 eff. October 24, 2011)

22.0302

Sec. 2 CONSTRUCTION OF ORDINANCE

The headings of the titles, chapters or sections of this Ordinance are for convenience only and shall not be considered in any construction or interpretation of this Ordinance as enlarging or restricting the terms and provisions of this Ordinance in any respect.

22.0303 Sec. 3 SEVERABILITY

This Ordinance and its various parts, sections, subsections, paragraphs, sentences, phrases and clauses are declared severable. If any part, section, subsection, paragraph, sentence, phrase or clause is ruled unconstitutional or invalid, the remainder of this Ordinance shall not be affected by that ruling.

22.0304 Sec. 4 REPEAL

All resolutions, ordinances or orders, in conflict in whole or in part with any of the provisions of this Ordinance, are repealed to the extent of such conflict. However, nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court.

22.0305 Sec. 5 ADMINISTRATIVE LIABILITY

No officer, agent, employee, appointee, or member of the Township Board shall be personally liable for any damage that may occur to any person as a result of any act, decision or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.

22.0306 Sec. 6 PENALTY

Any person who violates a provision of this Ordinance or the Building and Residential Code or fails to comply with any of its requirements shall be responsible for a municipal civil infraction, subject to enforcement procedures as set forth in the Code/Ordinance Enforcement Ordinance adopted by the Township, and subject to a fine of fifty dollars (\$50.00), plus costs and other sanctions, for each infraction. Each day during which any violation continues after notice has been served shall be deemed a separate and distinct offense. Increased civil fines may be imposed for repeat violations. A repeat violation means a second or subsequent municipal civil infraction violation committed by a person within any 12 month period and for which a person admits responsibility or is determined to be responsible. An increased civil fine for repeat violations shall be as follows:

1. The fine for any offense which is a first repeat offense shall be two hundred fifty dollars (\$250.00), plus costs and other sanctions;

2. The fine for any offense which is a second repeat offense, or any subsequent repeat offense, shall be five hundred dollars (\$500.00), plus costs and other sanctions.

The Township Supervisor, Township Code Enforcement Officers, Township Building Officials, members of the Ottawa County Sheriff's Department assigned to the Township, members of the Ottawa County Sheriff's Department whose services are contracted for by the Township, and any other individuals who may from time to time be appointed by resolution of the Township Board are designated as the authorized Township Officials to issue municipal civil infraction citations (directing alleged violators to appear in Court).

22.0307 Sec. 7 EFFECTIVE DATE

This Ordinance was approved and adopted by the Township Board on October 13, 2008, after introduction and a first reading on September 22, 2008, and publication after such first reading as required by Public Act 359 of 1947, as amended. This Ordinance shall be effective on November 13, 2008, which date is at least 30 days after publication of this Ordinance.