



**105.7 Liability.** The building official, any board of appeals member, and any employee charged with the enforcement of this code, while acting for the Township in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not be civilly or criminally liable personally and are relieved from personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit brought against the building official, officer, or employee because of such act or omission performed by the building official, officer, or employee in the lawful discharge of duties and enforcement of any provision of this code or other codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the Township shall be afforded all the protection provided by the Township's liability insurance, immunities, and any immunities and defenses provided by other applicable state and federal laws; they shall be defended by legal representative of the Township until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuit of the provisions of this code.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the Township, its officers, or employees be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

**108.1 Membership of board.** The board of appeals for purposes of this code shall be the Township's Construction Board of Appeals or a separate board of appeals appointed by the Township Board for purposes of this code (referred to as the "board of appeals" for purposes of this code).

**108.2 Compensation of members.** Compensation of members of the board of appeals shall be established by the Township Board.

**108.3 Open hearing.** All hearings before and meetings of the board of appeals shall be open to the public. The appellant, the appellant's representative, the building official, and any person whose interests are affected shall be given an opportunity to be heard.

**108.4 Limitation on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board of appeals shall have no authority to waive requirements of this code.

**109.2 Notice to person responsible.** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in accordance with Section 111.4 to the person responsible for the violation as specified in this code.

**201.3 Terms defined in other codes and ordinances.** Where terms are not defined in this code and are defined in other codes and ordinances adopted or enforced by the state or the Township, such terms shall have the meanings ascribed to them as stated in those codes or ordinances.

**302.4 Weeds.** [Deleted in its entirety and reserved for future use.]

**302.8 Motor vehicles.** [Deleted in its entirety and reserved for future use.]

**304.2 Protective treatment.** All materials, colors, and product applications used in or for exterior repairs, including boarded up windows or doors, roofing, ceilings, soffits, fascia, decks, landings, porches, and similar repairs, shall be installed in a workmanship manner, consistent with generally accepted construction practices and in accordance with the product manufacturers recommendations. All repairs shall be exterior weather protected and sealed tightly. The materials, products, color, and general design of the repair shall be the same as that of the existing structure.

**304.14 Insect screens.** During the period from April 1<sup>st</sup> to October 31<sup>st</sup>, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption is processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

**307.1 General.** Every existing exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface that is more than 30 inches above the floor or grade below shall have *guards*. Handrails shall be not less than 30 inches in height or more than 42 inches in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Existing guards shall be not less than 30 inches in height above the floor of the landing, balcony, porch, deck, stair nosing ramp, or other walking surface and shall not have openings that allow passage of a sphere greater than six inches in diameter.

**Exceptions:**

1. All new guardrails and handrails installed after the adoption of this Ordinance shall be installed in accordance with the state's Building Code.
2. Guards shall not be required where exempted by the state's Building Code.

**308.2.2 Refrigerators.** [Deleted in its entirety and reserved for future use.]

**309.2 Owner.** Shall be amended and restated in its entirety to read as follows:

**309.2 Owner.** The owner of any structure shall be responsible for pest elimination within the structure prior to renting, leasing, or otherwise allowing occupancy of the structure. If the code official has reason to believe the structure is insect, pest, or rodent infested, the code official shall have the authority to require the owner to eliminate the infestation and submit a written statement from an approved pest control agency stating that the structure has been treated and is free from insects, pests, or rodents, as the case may be, prior to a certificate of compliance issued and before inspection and occupancy of the structure is permitted. If infestation is caused by failure of the occupant to prevent such infestation, the occupant and owner shall be responsible for pest elimination. Where the infestations of any structure are caused by defects in the structure, the owner shall be responsible for pest elimination.

**309.3 Single occupant.** [Deleted in its entirety and reserved for future use.]

**309.4 Multiple occupancy.** [Deleted in its entirety and reserved for future use.]

**309.5 Occupant.** [Deleted in its entirety and reserved for future use.]

**403.1 Habitable spaces.** Every habitable space shall have not less than one openable window. The total openable area of the window in every room shall be equal to not less than 45 percent of the glazed area of the window.

**403.3 Cooking facilities.** All dwelling units shall include a kitchen that at a minimum includes a cooking appliance and a refrigerator. For purposes of this Section, devices such as coffee pots and microwave ovens and similar appliances shall not be considered cooking appliances.

**Exception:** A cooking appliance shall not be permitted to be present in a rooming unit or dormitory unit.

**503.1 Privacy.** Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all bathrooms and toilet rooms in a dwelling.

**503.4 Floor surface.** Every toilet room and bathroom floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

**505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet, or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs, and showers shall be supplied with hot or tempered and cold running water in accordance with the state's Plumbing Code.

**602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F in all habitable rooms, bathrooms, and toilet rooms based on the winter outdoor design temperatures for the Township. Cooking appliances shall not be used, nor shall portable unvented fuel-burning or electric space heaters be used, as a means to provide required heating.

**Exception:** In areas where the average monthly temperature is above 30°F, a minimum temperature of 65°F shall be maintained.

**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases, or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from October 1<sup>st</sup> to May 31<sup>st</sup> to maintain a minimum temperature of 68°F in all habitable rooms, bathrooms, and toilet rooms.

**Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the Township, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the Township shall be as indicated in the state's Plumbing Code.
2. In areas where the average monthly temperature is above 30°F, a minimum temperature of 65°F shall be maintained.

**602.4 Occupiable workspaces.** Indoor occupiable workspaces shall be supplied with heat during the period from October 1<sup>st</sup> to May 31<sup>st</sup> to maintain a temperature of not less than 65°F during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions; and
2. Areas in which persons are primarily engaged in vigorous physical activities.

**603.1 Mechanical appliances.** Functioning mechanical appliances, fireplaces, solid fuel-burning appliances, furnaces, and water heating appliances shall be properly installed and maintained in a safe working condition and shall be capable of performing the intended function. For all dwelling units, all gas fired mechanical appliances shall be inspected by a State of Michigan licensed mechanical contractor and a report of the findings shall be submitted prior to the issuance of a certificate of compliance. The report shall include a part per million reading of carbon monoxide and such reading shall be taken from the clear breathing zone in the interior of the dwelling.

**604.3 Electrical service hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle or lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard. Electrical cords shall not be the permanent source of connection serving appliances or installed in such a manner that impairs, obstructs, or hinders in any way the path of egress or could result in the electrical cord becoming a trip hazard.

**605.2 Receptacles.** Every habitable space in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle. In addition, all receptacles in laundry areas in the basement must include a ground fault circuit interrupter. Every bathroom shall contain not less than one receptacle. Any bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets within 6 feet of a water appliance such as sinks, laundry tubs, bathtubs, showers, and similar such appliances shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

**704.2.3 Power source.** Single station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. All hard-wired smoke alarms shall only be replaced with hard wired smoke alarms. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than is required for overcurrent protection.

**Exceptions:**

1. In existing dwellings, where no construction is taking place, and where smoke alarms are required, smoke alarms are permitted to be factory warrantied 10 year sealed solely battery operated.
2. Smoke alarms are permitted to be factory warrantied 10 year sealed solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be factory warrantied 10 year sealed solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.

**705.1 Carbon monoxide alarms.** Carbon monoxide alarms shall be provided in all dwelling units where either or both of the following conditions exist.

1. The dwelling unit contains a fuel fired appliance.

2. The dwelling unit has an attached garage with an opening that communicates with the dwelling unit.

**705.1.1** Carbon Monoxide alarms shall be installed in accordance with their listing and the Michigan Residential Building Code in effect at the time of installation of the carbon monoxide detector.

**22.0803      Sec. 3            EFFECTIVE DATE**

This Ordinance was approved and adopted by the Township Board on January 9, 2023, after its introduction and first reading on December 12, 2022, and after its publication in the manner provided by Public Act 359 of 1947, as amended. This Ordinance shall take effect 30 days after its publication following adoption.