

FRENCHTOWN CHARTER TOWNSHIP
CONSTRUCTION CODE ADMINISTRATION ORDINANCE
Ord. No. 228; Adopted September 11, 2018

An Ordinance for Frenchtown Charter Township, Monroe County, Michigan confirming its assumption of responsibility for enforcement and administration of State Construction Codes, designating the enforcing agencies to discharge those responsibilities and proscribed penalties and enforcement, under the provision of the State Construction Code Act, Act No. 230 of the Public Acts of 1972 as amended.

THE CHARTER TOWNSHIP OF FRENCHTOWN, MONROE COUNTY, MICHIGAN HEREBY ORDAINS:

Section 1. Title.

This Ordinance shall be known as the “Frenchtown Charter Township Construction Code Administration Ordinance.”

Section 2. Assumption of Responsibility.

Pursuant to the provisions of Section 8b of the Michigan State Construction Code Act, Act 230, of the Public Acts of 1972, as amended Frenchtown hereby confirms that it assumes responsibility for the administration and enforcement of said Act and the Codes promulgated under that Act throughout its territorial boundaries.

Section 3. Enforcement Official.

1. Agency Designated for Building Codes. Pursuant to the provisions of the Michigan Building Code and in accordance with Section 8b of Act 230 of the Public Acts of 1972 as amended the Building Official of Frenchtown Charter township is hereby designated as the enforcing agency to discharge the Building Code responsibility of Frenchtown Charter Township under Act 230 of the Public Acts of 1972, as amended, State of Michigan.

2. Agency Designated for Electrical Code. Pursuant to the provisions of the Michigan Electrical Code and in accordance with Section 8b of Act 230 of the Public Acts of 1972, as amended, the Building Official and his designated Electrical Official of Frenchtown Charter Township is hereby designated as the enforcing agency to discharge the Electrical Code responsibility of Frenchtown Charter Township under Act 230 of the Public acts of 1972, as amended, State of Michigan.

3. Agency Designated for Mechanical Code. Pursuant to the provisions of the Michigan Mechanical Code and in accordance with Section 8b of Act 230, of the Public Acts of 1972, as amended, the Building Official and his designated Mechanical Official of Frenchtown Charter Township is hereby designated as the enforcing agency to discharge the Mechanical

Code responsibility of Frenchtown Charter Township under Act 230 of the Public Acts of 1972, as amended, State of Michigan.

4. Agency Designated for Plumbing Code. Pursuant to the provisions of the Michigan Plumbing Code and in accordance with Section 8b of Act 230, of the Public Acts of 1972, as amended, the Building Official and his designated Plumbing Official of Frenchtown Charter Township is hereby designated as the enforcing agency to discharge the Plumbing Code responsibility of Frenchtown Charter Township under Act 230, of the Public Acts of 1972, as amended, State of Michigan.

Section 4. Penalties for Violation.

A. Pursuant to the authority granted by Section 23(3) of Act 230 of the Public Acts of 1972, as amended, violation of this Ordinance shall be deemed a municipal civil infraction and shall be punishable by the fine schedule set forth in the Municipal Penalty Civil Infraction Ordinance No. 225 as restated herein:

- a. First offense: \$100.00 plus costs.
- b. First repeat offense: \$250.00 plus costs.
- c. Second (or any subsequent) repeat offense: \$500.00 plus costs.

B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also institute an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce, compel compliance or interpret this Ordinance.

C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.

D. Any use of land or activity that is commenced or conducted in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se.

E. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Repeal.

All Ordinances in conflict with this Ordinance are to the extent of such conflict hereby repealed.

Section 7. Effective Date.

This Ordinance shall become effective thirty (30) days after its publication (or publication of a summary thereof) in a newspaper in general circulation within Frenchtown Charter Township.

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