

CHARTER TOWNSHIP OF SOUTH HAVEN
VAN BUREN COUNTY, MICHIGAN

SOUTH HAVEN CHARTER TOWNSHIP ORDINANCE NO. 43

Adopted: February 14, 1996

Effective Date: March 22, 1996

**STATE CONSTRUCTION CODE ORDINANCE
(BUILDING, MECHANICAL AND ELECTRICAL)**

An Ordinance to assume responsibility for administration and enforcement of certain portions of the State Construction Code Act of 1972 (1972 PA 230), as amended, and the State Construction Code promulgated thereunder, within the political boundaries of the Charter Township of South Haven; and to provide for the designation of an enforcing agency to discharge the responsibilities of the Township hereunder, and to reserve the right to provide by agreement or contract with any other township, village, city or county for joint administration and enforcement hereunder; and to provide for the establishment of a fee schedule by the Township Board; and to provide for criminal penalties and civil remedies for the violation of this Ordinance or the portions of the Act or State Construction Code promulgated thereunder and adopted herein; and to repeal all existing Township ordinances in conflict herewith.

THE CHARTER TOWNSHIP OF SOUTH HAVEN
VAN BUREN COUNTY, MICHIGAN

ORDAINS:

SECTION I

TITLE

This Ordinance shall be known and may be cited as the Charter Township of South Haven State Construction Code Ordinance.

SECTION II

ASSUMPTION OF CERTAIN STATE CONSTRUCTION CODE/
ACT RESPONSIBILITIES BY TOWNSHIP

In accordance with and pursuant to Section 8 and Section 9 of the State Construction Code Act of 1972 (1972 Public Act No. 230; MCLA 125.1501 et seq), as amended, the Charter Township of South Haven hereby assumes responsibility for the administration and enforcement of portions of said Act within its political boundaries, and hereby adopts by reference portions of the State Construction Code currently in effect and as same may from time to time be modified or amended; specifically, the portions of said Act and State Construction Code constituting and pertaining to the Building Code, Mechanical Code, and Electrical Code of the State of Michigan, and all other administrative portions of said Act/State Construction Code pertinent thereto.

This Section shall be construed to reverse any previous actions of the Township exempting the Township from said specified

responsibilities of the Township under the portions of said Act and the State Construction Code promulgated thereunder and adopted herein, which shall be any person or persons qualified by experience or training to perform the duties associated with construction code administration and enforcement, and otherwise in accordance with the Building Officials and Inspectors Registration Act (1986 Public Act 54; MCLA 338.2301 et seq). The Board is further authorized to remove by resolution any such person(s) from said position, in the sole discretion of said Board. The Township specifically reserves the right to provide by agreement or contract with any other township, village, city or county in the State of Michigan for joint enforcement and administration of this Ordinance and the portions of the Act and the State Construction Code promulgated thereunder and adopted herein.

SECTION IV

ESTABLISHMENT OF FEE SCHEDULE

The South Haven Charter Township Board is hereby given the authority to establish by resolution at any public meeting a schedule of fees, rates and charges for the administration and enforcement of this Ordinance and the portions of the Act and the State Construction Code promulgated thereunder and adopted herein, and for the conducting of various activities authorized by said Act/Code and this Ordinance; provided that the same shall be reasonable and bear a reasonable relationship to the cost and expense of such administration, enforcement and activity. The Township Board shall further have the right to amend by resolution the aforementioned schedule from time to time within the foregoing limits of reasonableness.

SECTION V

VIOLATIONS/PENALTIES

Any violation of this Ordinance or the portions of the Act or the State Construction Code promulgated thereunder and adopted herein shall be a misdemeanor punishable upon conviction by a fine not to exceed \$500.00, plus costs, and/or imprisonment in the County Jail for a term not to exceed 90 days. Each day that a violation continues to exist shall constitute a separate offense. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Act and Code.

SECTION VI

SEVERABILITY

Should any portion of this Ordinance, or 1972 PA 230, as amended, or the State Construction Code promulgated thereunder and adopted herein be declared unconstitutional, illegal, or otherwise of no force or effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

in compliance with any such permits, or renewals thereof, and in compliance with any previous construction codes of the Township under which the permits were issued. Further, any pending proceedings, including prosecutions for violations, or rights and liabilities acquired or incurred under any previous ordinance or township construction code being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous ordinances and codes.

SECTION VIII

EFFECTIVE DATE

This Ordinance shall take effect 30 days following adoption and publication of the same.

Eleanor Zacsek, Clerk
South Haven Charter Township

First Review: January 10, 1996
First Published: January 17, 1996
Adopted: February 14, 1996
Published: February 21, 1996
Effective: March 22, 1996