

**TOWNSHIP OF CHIKAMING
BERRIEN COUNTY, MICHIGAN**

ORDINANCE NO. 129
Adopted: February 12, 2009

AN ORDINANCE TO DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITY OF THE TOWNSHIP OF CHIKAMING LOCATED IN BERRIEN COUNTY, UNDER THE PROVISIONS OF THE STATE CONSTRUCTION CODE ACT BEING ACT 230 OF THE PUBLIC ACTS OF 1972, AS AMENDED.

THE TOWNSHIP OF CHIKAMING, BERRIEN COUNTY, MICHIGAN ORDAINS:

SECTION 1

AGENCY DESIGNATED. Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Building Officials of the Township of Chikaming is hereby designated as the enforcing agency to discharge the responsibility of the Township of Chikaming under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The Township of Chikaming assumes responsibility for the administration and enforcement of said Act throughout its corporate limits, specifically including administration and enforcement of the Michigan Building Code, Michigan Residential Code, Michigan Uniform Energy Code, Michigan Electrical Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Mechanical Code, and Michigan Plumbing Code.

SECTION 2

CODE APPENDIX ENFORCED. Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the Township of Chikaming.

SECTION 3

DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled Flood Insurance Study Berrien County, Michigan and Incorporated Areas (FIS #26021CV001) and dated April 17, 2006 and the Flood Insurance Rate Maps (FIRMS) panel numbers of 26021C0194C, 0213C, 0214C, 0330C, 0332C, 0335C, 0351C, 0352C, and 0355C, and dated April 17, 2006 are adopted by reference and declared to be part of Section 1612.3 of the Michigan Building Code.

SECTION 4

ENFORCEMENT. Pursuant to the provisions of the state construction code, in accordance with Section 23(3) of Act 230, of the Public Acts of 1972, as amended, a violation by any person of Section 23(1) or 23(2) of said Act, is a municipal civil infraction, subject to payment of a civil fine of not less than Fifty (\$50.00) Dollars or more than Five Hundred (\$500.00) Dollars, plus costs and other sanctions, for each infraction.

Repeat offenses shall be subject to an increased civil fine as follows:

(1) The fine for any offense which is a first repeat offense shall be not less than Two Hundred Fifty (\$250.00) Dollars, plus costs and other sanctions.

(2) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall not be less than Five Hundred (\$500.00) Dollars, plus costs and other sanctions.

A repeat offense means a second (or any subsequent) violation of this Ordinance (I) committed by a person within any six (6) month period and (ii) for which the person admits responsibility or is determined to be responsible.

Each day on which any violation of this Ordinance continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.

In addition, the Township specifically reserves the right 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.

SECTION 5

REPEALS. All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 6

ENACTMENT AND PUBLICATION. This ordinance was enacted on the 12th day of February, 2009, by the Chikaming Township Board and ordered to be published in the Harbor Country News on 26th day of February, 2009, being within thirty (30) days of its enactment and ordered to be made effective on the 1st day of April, 2009, being thirty (30) days after publication thereof.

Elizabeth K. Bohac, Clerk
Township of Chikaming

Attest:

Jeanne S. Dudeck, Supervisor
Township of Chikaming