

ORDINANCE #212

AN ORDINANCE TO RESTATE THE ADOPTION OF THE MICHIGAN BUILDING, ELECTRICAL, MECHANICAL AND PLUMBING CODE AND TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE.

THE VILLAGE OF SPRINGPORT ORDAINS:

This Ordinance restates the adoption of the Michigan Building, Electrical, Mechanical and Plumbing Code in accordance with 1921 PA 207 as amended. The Village of Springport is hereby designated as the enforcing agency to discharge the responsibility of the Village of Springport, State of Michigan for the administration and enforcement of said Act throughout its Corporate limits; and in so doing, adopt the 2006 Edition of the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Village of Springport; providing for the issuance of permits and collection of fees therefore; amending and replacing where appropriate Ordinances #54 and #200 of the Village of Springport and all other ordinances and parts any ordinances in conflict therewith.

The Village Council of the Village of Springport does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Clerk of the Village of Springport, being marked and designated as the International Property Maintenance Code, 2006 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Village of Springport in the State of Michigan for regulation and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village of Springport are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

Section 2. The following sections are hereby revised:

Section 101 – addition of 101.4 Severability

Section 104.8 Delete Coordination of Inspections
Section 106.3 Prosecution of violation – change of wording
Section 201.3 Terms defined in other codes – change of wording
Section 303.2 Swimming Pools, Spas and Hot Tubs – adding exception for spas and hot tubs with cover compliant with ASTM F1346.
Section 304.18.1 Doors – change of wording
Section 403.3 Cooking facilities- addition to exceptions to include coffee pots and microwave ovens are not cooking appliances
Section 404.4 Bedroom and Living room requirements – change of wording
Section 404.4.1 Room area requirements
Section 404.5 Overcrowding – change in wording
404.5.1 Deleted
404.5.2 Deleted
605.3 Electrical equipment – new wording to include luminaries
606.1 Elevators, Escalators and Dumb Waiters – change in wording.

Section 3. That Ordinance No 200 of the Village of Springport referring to an Ordinance to rescind Ordinances #7, #10, #17, #20, #23, #27, #37, #41 pursuant to the adoption of Ordinance #54 State Construction Codes and the International Property Maintenance Code
And all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Village of Springport hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause of causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this document.

Section 6. That the Clerk is hereby ordered and directed to cause this ordinance to be published and posted as required.

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately from and after the date of its final passage and adoption.

Adopted the ____th day of ____ 2010.

Effective the ____th day of _____, 2010

Reviewed By:

Village Clerk, Marci Pochyla

Village Attorney, Stuart Saunders

Village President, Gordon Webb

Village Manager, Rosalee Terpening