

ORDINANCE NO. 134

AN ORDINANCE TO DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITIES OF THE VILLAGE OF DECATUR, MICHIGAN UNDER THE PROVISIONS OF THE STATE CONSTRUCTION CODE ACT (ACT 230 OF THE PUBLIC ACTS OF 1972, AS AMENDED [MSA 5.2949(1)]) - IN REGARD TO THE STATE BUILDING CODE.

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

Section 1: AGENCY DESIGNATED. Pursuant to the provisions of Section 9 of Act 230 of the Public Acts of 1972, as Amended, (State Construction Code), the Building Official of the Village of Decatur, Michigan is hereby designated as the enforcing agency to discharge the responsibilities of the Village of Decatur under Act 230 of the Michigan Public Acts of 1972, as Amended. The Village of Decatur hereby assumes responsibility for the administration and enforcement of said Act, in regard to the State Building Code, throughout its corporate limits.

Section 2: VIOLATIONS. Violations of said Act in regard to the State Building Code shall be a Municipal Civil Infraction, and any person, firm, association, partnership, limited liability company or corporation, including any officer, partner, member, director or employee thereof who:

- A. Knowingly violates said act or the State Building Code or a rule for the enforcement of said act or code;
- B. Knowingly constructs or builds a structure or building in violation of a condition of a building permit;
- C. Knowingly fails to comply with any order issued by an enforcing agency or a construction board of appeals;
- D. Knowingly makes a false or misleading written statement, or knowingly omits required information or a statement in an inspection report, application, petition, request for approval, or appeal to an enforcing agency or a construction board of appeals;
- E. Knowingly refuses entry or access to a building inspector lawfully authorized to inspect any premises, building, or structure pursuant to this act;
- F. Unreasonably interferes with an authorized building inspection;
- G. Knowingly issues, fails to issue, causes to be issued, or assists in the issuance of a certificate, permit, or license in violation of said act or a rule promulgated under said act or other applicable laws in regard to the State Building Code;
- H. Having a duty to report violations of said act or a rule promulgated under said act or other applicable laws in regard to the State Building Code knowingly conceals a violation;

shall be responsible for a civil infraction and subject to a civil fine not exceeding Five Hundred and 00/100 (\$500.00) Dollars, plus any costs, damages, expenses and other sanctions as authorized under Chapters 83 & 87 of Act No. 236 of the Michigan Public Acts of 1961 as amended, being MSA 27A.8302 and 27A.8701 et seq., respectively.

Section 3: REPEAL CLAUSE. All Ordinances or parts thereof of the Village of Decatur, Michigan in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4: SEVERABILITY. Sections of this Ordinance shall be deemed severable and should any section, clause or provision of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 5: **EFFECTIVE DATE.** This Ordinance shall become effective the 1st day of June, 2000.

Adopted by the Village Council of the Village of Decatur, Michigan on this 15th day of May, 2000.