ORDINANCE NO. 177

AN ORDINANCE TO DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITIES OF THE VILLAGE OF DECATUR, MICHIGAN LOCATED IN VAN BUREN COUNTY, UNDER THE PROVISIONS OF THE STILLE-DeROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT, 1972 PA 230, AS AMENDED.

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

Section 1: **AGENCY DESIGNATED**. Pursuant to the provisions of the Michigan Mechanical Code and in accordance with Section 8b (6) of Pubic Act 230 of 1972, as Amended, (Stille-DeRossett-Hale Single State Construction Code Act, MCL 125.1501) the Mechanical Code 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, Michigan assumes responsibility for the administration and enforcement of said Act, in regard to the State Mechanical Code, throughout its corporate limits.

Section 2: **VIOLATIONS.** Violations of said Act in regard to the State Mechanical 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 Mechanical 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, a construction board of appeals, or the State Construction Code Commission, pursuant to this act;

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, a construction board of appeals or the State Construction Code Commission;

E. Knowingly refuses entry or access to a mechanical code official/inspector lawfully authorized to inspect any premises, building, or structure pursuant to this act;

F. Unreasonably interferes with an authorized mechanical 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 Mechanical 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 Mechanical 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 MCL 600.8302 et seq. and MCL 600.8701 et seq., respectively**.** With respect to subsection 2 C, a person is guilty of a separate offense for each day that said person fails to comply with a stop construction order validly issued by an enforcing agency and for each week that said person fails to comply with any other order validly issued by an enforcing agency.

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 after the approval of the State Construction Code Commission, and upon the publication of this Ordinance.

Adopted by the Village Council of the Village of Decatur, Michigan on this 4th day of

August, 2008.