

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN
ORDINANCE NO. 2018- 01

PROPERTY MAINTENANCE CODE ORDINANCE

AN ORDINANCE TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH REVISIONS; TO REGULATE AND GOVERN THE CONDITIONS AND MAINTENANCE OF ALL RESIDENTIAL RENTAL PROPERTY, BUILDINGS AND STRUCTURES WITHIN THE TOWNSHIP; TO PROVIDE STANDARDS FOR SUPPLIED UTILITIES, FACILITIES AND OTHER PHYSICAL ASPECTS AND CONDITIONS WHICH ARE ESSENTIAL TO INSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPATION AND USE; TO PROVIDE FOR THE CONDEMNATION AND DESTRUCTION OF BUILDINGS AND STRUCTURES IN THE TOWNSHIP; TO PROVIDE FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; TO REPEAL CONFLICTING ORDINANCES; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE CHARTER TOWNSHIP OF FLUSHING, COUNTY OF GENESEE,
STATE OF MICHIGAN ORDAINS:

Section 1. Purpose and Intent.

The 2015 edition of the International Property Maintenance Code, copies of which are on file with the office of the Charter Township of Flushing (the "Township"), as published by the International Code Counsel, is hereby adopted as the Property Maintenance Code of the Township, for regulating and governing the conditions and maintenance of all residential rental property, buildings, and structures. By authority granted the Township, MCL 42.23, each and all of the regulations, provisions, penalties, conditions and terms of the Property Maintenance Code are referred to, adopted and made part of this Ordinance, as if fully set forth in this Ordinance, with the additions, insertions, deletions and changes stated in Section 2 of this Ordinance.

Section 2. Revisions.

The following Sections are revised as follows.

Section 101.1. Insert "the Charter Township of Flushing."

Section 103.1. Replace the existing text with "The Department of Property Maintenance Inspection (the department) is hereby created and shall include the Code Enforcement Officer who shall be designated the code official.

Section 103.5. Replace the existing text with "The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as determined by the Board and established by resolution adopted and amended from time to time.

Section 106.3. Replace "misdemeanor or civil infraction as determined by the local municipality" with "civil infraction."

Section 109.6. Replace "appeals board" with "Construction Board of Appeals."

Section 111.1. Replace "the Board of Appeals" with "the Construction Board of Appeals." Replace "within 20 days" with "within 14 days."

Section 111.2. Delete the entire Section including all subsections.

Section 11.4. Replace "liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars" with "subject to a civil infraction and liable for fines as provided in the Township's Municipal Civil Infractions Ordinance.

Section 201.3. Insert "All references to the International Building Code shall mean the Michigan Building Code; all references to the International Zoning Code shall mean the Flushing Charter Township Zoning Ordinance; all references to the International Plumbing Code shall mean the Michigan Plumbing Code; all references to the International Mechanical Code shall mean the Michigan Mechanical Code; all references to the International Existing Building Code shall mean the Chapter of the Michigan Building Code pertaining to existing structures; and all references to the ICC Electrical Code shall mean the National Electrical Code."

Section 202. After the definition of "COST OF DEMOLITION OR EMERGENCY REPAIRS" insert "the CONSTRUCTION BOARD OF APPEALS for the City of Flushing, which by agreement serves as the Construction Board of Appeals for the Charter Township of Flushing."

Section 304.14. Insert: "May 1," and "November 1."

Section 602.3. Insert "September 1" and "June 1."

Section 602.4. Insert "September 1" and "June 1."

Section 3. Repeal.

All Ordinances, resolutions, orders or parts thereof in conflict, in whole or in part, with any of the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this Ordinance. The Township Board declares it would have passed this Ordinance, in each

section, subsection, clause, or phrase, irrespective of the fact that any one or more sections, subsections, senses, clause, and phrases be declared unconstitutional.

Section 5. Pending Suits and Rights.

Nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or 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 Ordinance.

Section 6. Immunity.

No officer, agent, employee, or member of the Township shall be personally liable for any damage that may occur to any person or entity as a result of any act or decision performed in the discharge of his or her duties and responsibilities pursuant to this Ordinance or to the Property Maintenance Code hereby adopted.

Section 7. Effective Date.

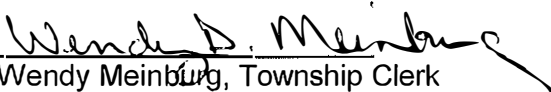
This Ordinance shall be immediately effective upon introduction, reading, approval and publication in accordance with requirements of MCL 42.22

PASSED AND APPROVED BY THE CHARTER TOWNSHIP OF FLUSHING BOARD ON THE
12 DAY OF July, 2018.



Frederick Thorsby, Supervisor

Attest:


Wendy Meinburg, Township Clerk

First reading: June 14, 2018
Adopted: July 12, 2018

