

**Port Huron Charter Township
Property Maintenance Code
Ordinance # 229**

An amendment to the Code of Ordinances, Chapter 8. BUILDINGS AND BUILDING REGULATIONS, by the addition of Article V. Property Maintenance Code, to adopt the current version of the International Property Maintenance Code as referenced in the State Construction Code Act, Public Act No. 230 of 1972 (MCL 125.1501 et seq.) as amended and to provide for the designation and processing of violations of this act.

The Charter Township of Port Huron, St. Clair County, State of Michigan, ordains:

SECTION 1: TITLE

This Ordinance shall be known and cited as the Charter Township of Port Huron "Property Maintenance Code" Ordinance. (Code of Ordinances: Chapter 8 BUILDING AND BUILDING REGULATIONS, Article V. Property Maintenance Code).

SECTION 2: PURPOSE OF THIS ARTICLE (Section 8:91)

The purpose of this article is for the adoption of the International Property Maintenance Code for 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 as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provision, penalties, conditions and terms of said Property Maintenance Code.

SECTION 3: ADOPTION (Section 8:92)

Such code is to be kept on file in the office of the Charter Township of Port Huron and is 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 3 of this ordinance.

SECTION 4: REVISION (Section 8:93)

The following sections of the 2009 Property Maintenance Code and its subsequent versions and applicable sections, as referenced in the current codes enforced under the State Construction Code Act, Public Act No. 230 of 1972 (MCL 125.1501 et seq.) as amended, are hereby revised to read as follows:

SECTION 101.1 INSERT: the Charter Township of Port Huron

SECTION 103.5 INSERT: All fees shall be as determined by resolution of the Township Board from time to time.

SECTION 112.4 REVISED TO READ: Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for the issuance of a Municipal Civil Infraction including any fine as set forth by resolution and any other legal remedies as may be provided for by Federal, or State Law or Local Ordinance.

SECTION 302.4 THE 1ST PARAGRAPH IS REVISED TO READ: It shall be the duty of all owners or agent having charge of land upon which weeds, as defined in this ordinance, are growing, either:

- 1) Within platted subdivisions in which buildings have been erected upon 60 percent or more of the lots, or
- 2) On parcels of land along improved streets in common usage within the township, to a depth of one hundred sixty five (165) feet or the depth of the ownership, whichever is the lesser,

to destroy said weeds before they reach a seed-bearing stage, and to prevent said weeds from perpetuating themselves and from becoming a detriment to public health.

In addition to any other remedy provided in this section, the violation of the terms of this Ordinance shall constitute a public nuisance per se.

All noxious weeds shall be prohibited. Weeds shall also be defined as all grasses, annual plants and vegetation other than trees or shrubs that exceed a height of 6 inches: provided however this term shall not include cultivated flowers and gardens or fields devoted to growing any small grain crops such as wheat, oats, barley, or rye.

The 2nd PARAGRAPH TO REMAIN AS IS:

SECTION 304.14 INSERT: (DATE = March) (DATE = October)

SECTION 308.2.1 REVISE: Rubbish storage facilities. The *owner* or responsible agent of every occupied premises shall supply approved covered containers for rubbish, and/or shall be responsible for the removal of *rubbish*.

SECTION 701.2 REVISE: Responsibility. The owner or responsible agent of the premises shall provide and/or maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

SECTION 602.3 INSERT: (DATE = September) (DATE = May)

SECTION 602.4 INSERT: (DATE = October) (DATE = April)

SECTION 5: VIOLATIONS (Section 8:94)

- (a) A violation of this article is deemed to be municipal civil infraction pursuant to MCL 42.21, and any person or entity violating this article is responsible for a municipal civil infraction and subject to the fines and costs to be levied in accordance with the schedule of municipal civil infraction fines determined by the Township Board, as amended from time to time, and which shall be posted at the Municipal Ordinance Violations Bureau located at the Port Huron Township Hall, 3800 Lapeer Rd., Port Huron, MI.
- (b) A violator of this article shall also be subject to such additional civil fines, costs, damages, expenses or judicial orders as may be authorized under MCL 600.8701 et seq.
- (c) Each day a violation of this article continues to exist constitutes a separate violation.

SECTION 6: REPEALS.

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

SECTION 7: SEVERABILITY

Should any provision or part of the Ordinance within be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION 8: PUBLICATION

This ordinance shall be effective after legal publication and in accordance with the provisions of the Act governing same.

The above Ordinance was offered for adoption by Township Board Member _____, and was seconded by Township Board Member _____, the vote being as follows:

YEAS:

NAYS:

ABSTAIN/ABSENT:

ORDINANCE DECLARED ADOPTED:

By: Benita Davis, Township Clerk
Charter Township of Port Huron

CERTIFICATION

I hereby declare that the above is a true copy of an Ordinance adopted by the Charter Township of Port Huron Board at a board meeting held on _____, at the Charter Township of Port Huron Hall, pursuant to the required statutory procedures.

Dated: _____

By: Benita Davis, Township Clerk
Charter Township of Port Huron