

**BEAR CREEK TOWNSHIP
EMMET COUNTY, MICHIGAN**

**ORDINANCE FOR ADOPTION OF THE INTERNATIONAL FIRE CODE
ORDINANCE NO. 36-17**

An ordinance adopting the 2015 and superseding editions of the International Fire Code (“IFC”), regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Bear Creek Township; revising certain aspects of the IFC; providing for the issuance of permits and collection of fees therefor; and repealing all other ordinances or parts of local laws in conflict therewith.

The Bear Creek Township Board of Trustees hereby ordains as follows:

Section 1. Adoption of International Fire Code. A certain document, of which a copy is on file in the Bear Creek Township Hall, being marked and designated as the International Fire Code, 2015 or superseding edition, including Appendix Chapters B, C, D, E, F, G, H, and I, as published by the International Code Council, be and is hereby adopted as the Fire Code of Bear Creek Township, Michigan, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in Bear Creek Township are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. Revisions to IFC. The following sections of the IRC are hereby revised:

Section 101.1. Insert: Bear Creek Township

Section 109.3.1 Additional: It is acceptable for the notice to be sent electronically via email and shall serve as satisfying this section of the code

Section 109.4. Insert:

Persons who shall violate a provision of this ordinance or the underlying code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or

do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be responsible for a municipal civil infraction, for which the fine shall be not more than \$500.00, in addition to all other costs, damages, expenses, and other fees and remedies provided or allowed by law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

The issuance of a citation for a municipal civil infraction shall not in any way limit the township from seeking enforcement of this ordinance or the underlying code in any other manner, including, but not limited to, an action to abate any nuisance created by a violation of this ordinance or the underlying code and to recover any costs, expenses, damages, and fees, including attorney fees, that may be permitted or allowed by law in connection with such abatement and the enforcement of this ordinance and the underlying code.

Section 111.4. Insert: \$500.00; \$500.00

Section 3: Repealer. All other ordinances or parts of local laws in conflict herewith are hereby repealed.

Section 4: Severability. If any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. Bear Creek Township hereby declares that it would have passed this law, 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: Pending Actions. Nothing in this legislation or in the Fire 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 or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6: Publication. The Township Clerk is hereby ordered and directed to cause this ordinance or a summary thereof to be published.

Section 7: Effective Date. This law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days following publication of this ordinance or an ordinance summary.

This ordinance was offered for adoption by Township Board Member MAYS, and was seconded by Township Board Member NOWLAND, with the vote being as follows:

YEAS: KEISER, HOFFMAN, NOWLAND, Golding & MAYS

NAYS: 0

ABSTAIN/ABSENT: 0

ORDINANCE DECLARED ADOPTED: MOTION CARRIED



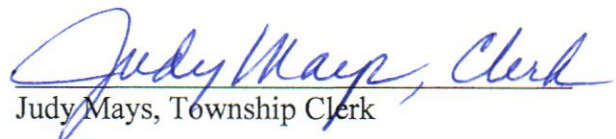
Dennis Keiser, Township Supervisor

CLERK'S CERTIFICATION

I hereby declare that the above is a true copy of an Ordinance adopted by the Bear Creek Township Board of Trustees at a regular board meeting held on OCT. 4, 2017, at the Bear Creek Township Hall, pursuant to the required statutory procedures.

I further certify that this ordinance, or a summary thereof, was published in the *Petoskey News-Review*, on _____, 2017.

Dated: _____



Judy Mays, Township Clerk

BEAR CREEK TOWNSHIP
EMMET COUNTY, MICHIGAN

Copy

RESOLUTION TO APPOINT CODE OFFICIAL AND
TO DESIGNATE BOARD OF APPEALS

WHEREAS, Bear Creek Township Ordinance No. 36-17 adopted and incorporated the International Fire Code ("IFC") as the fire code for the Township; and

WHEREAS, pursuant to Section 103.2 of the IFC, it is advisable for the Township to appoint a fire code official to help implement, administer, and enforce the IFC within the Township; and

WHEREAS, pursuant to Section 108 of the IFC, it is advisable for the Township to establish a board of appeals to hear and decide appeals relating to the application and enforcement of the IFC;

NOW, THEREFORE, BE IT RESOLVED, that the Fire Chief of the Resort-Bear Creek Fire Department is hereby designated as the fire code official within the Township.

BE IT FURTHER RESOLVED that the Deputy Fire Chief of the Resort-Bear Creek Fire Department is hereby designated as the fire code official within the Township in instances where the Fire Chief is unable to act in this capacity.

BE IT FURTHER RESOLVED that the Construction Code Board of Appeals for the Township is hereby designated as the fire code board of appeals for the Township.

CLERK'S CERTIFICATION

I hereby certify this Resolution was adopted by the Bear Creek Township Board of Trustees at its regular meeting held Oct. 4, 2017, and the vote was as follows:

For: KEISER, HOFFMAN, NOWLAND, GOLDING & MAYS

Against: 0

Resolution declared adopted.


Judy Mays, Clerk