

BEAR CREEK TOWNSHIP  
EMMET COUNTY, MICHIGAN

STATE CONSTRUCTION CODE  
ENFORCEMENT ORDINANCE

Ordinance Number 24-06

An ordinance to designate an enforcing agency to discharge the responsibility of Bear Creek Township located in Emmet County, under the provisions of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, MCL 125.1501 et seq.

The Township of Bear Creek ordains:

**Section 1. AGENCY DESIGNATED**

Pursuant to the provisions of the Michigan Building, Electrical, Mechanical, and Plumbing Codes, in accordance with Section 8b(6) of 1972 PA 230, the Building, Electrical, Mechanical, and Plumbing Code Officials of Bear Creek Township are hereby designated as the enforcing agencies to discharge the responsibility of Bear Creek Township under 1972 PA 230, State of Michigan. Bear Creek Township assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

**Section 2. MUNICIPAL CIVIL INFRACTIONS**

Any person or entity that violates this Ordinance or the provisions of the Michigan Building, Electrical, Mechanical, and Plumbing Codes enforced pursuant to this ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punished by a civil fine determined in accordance with the following schedule:

	<u>Minimum</u>	<u>Maximum</u>
1st Offense within 3-year period*	\$ 75.00	\$ 500.00
2nd Offense within 3-year period*	150.00	500.00
3rd Offense within 3-year period*	325.00	500.00
4th or More Offense within 3-year period*	500.00	500.00

\* Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Bear Creek Township has been put in connection with the municipal civil infraction. Each day that a violation exists shall constitute a separate offense.

The Building Official and the Township Supervisor are each authorized to issue municipal civil infraction citations for violations of this ordinance.

**Section 3. AVAILABILITY OF OTHER ENFORCEMENT OPTIONS**

Nothing in this Ordinance shall require the Township to pursue violations of this ordinance or the Michigan Building, Electrical, Mechanical, and Plumbing Codes as municipal civil infractions

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As to each violation the Township may, at its sole discretion, proceed with the issuance of a municipal civil infraction citation and/or may pursue any other enforcement action that is authorized by law or equity, including but not limited to criminal charges.

**Section 4: REPEALS**

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed. This includes any inconsistent provisions of prior Building Code Ordinance #6, Plumbing Code Ordinance #10, Electrical Code Ordinance #2-96, and Mechanical Code Ordinance #18-03.

**Section 5: EFFECTIVE DATE**

This ordinance shall take effect thirty (30) days after publication of the ordinance or an ordinance summary in the manner provided by law.

**CLERK'S CERTIFICATION**

I hereby certify this ordinance was adopted by the Bear Creek Township Board at a regular meeting held on December 6, 2006, and that the vote was as follows:

FOR: Keiser, Hoffman, Notestine, Mays

AGAINST: none

I further certify this Ordinance or, a summary thereof, was published in the *Petoskey News-Review* on December 12, 2006.

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Judy Mays, Clerk  
Bear Creek Township