

STATE OF MICHIGAN

BEFORE THE CITY COUNCIL FOR THE CITY OF ECORSE, COUNTY OF WAYNE

ORDINANCE NO. 14.01

ADOPTION OF THE INTERNATIONAL CODE COUNCIL, INC.

2012 INTERNATIONAL PROPERTY MAINTENANCE CODE

An Ordinance to Amend the Chapter 7, Article VI of the Code of Ordinance of the City of Ecorse, Wayne County, Michigan, Building and Building Regulations, by the repeal of the existing Chapter 7, Article VI, §§7.116 through 7.118, both inclusive, and all ordinance provision in conflict therewith, and the enactment of a new Chapter 7, Article VI, International Property Maintenance Code, by reference.

Recitations

WHEREAS, the City of Ecorse is a Michigan municipal corporation organized and existing pursuant to the Michigan Home Rules Cities Act, M.C.L.A. § 117.1 ET. SEQ.; and

WHEREAS, M.C.L.A. § 117.3 (k) specifically authorizes the adoption of the International Property Maintenance Code, by reference; and

WHEREAS, it is reasonable and necessary to the public health, safety and welfare, of the City of Ecorse for it to establish and enforce minimum standards for the use and maintenance of buildings ( both private and non-private properties) and to provide authority and limits of authority for the municipal building official charged with the enforcement of this code to assure compliance with all constitutional and regulatory principals, and to insure the fair and equal treatment of all parties by requiring that all corrective actions and procedures mandated by this ordinance be accomplished in a constitutional manner, and by establishing limitations of the exercise of municipal police power in accordance with established law; and

WHEREAS, there may exist, either now or in the future, within the corporate boundaries of the City of Ecorse, properties which are dilapidated, unsafe, dangerous, unsanitary, and or a menace to the health, safety and welfare of the community and its citizens.

BE IT THEREFORE, ORDAINED BY THE City Council for the City of Ecorse, Wayne, County, State of Michigan, as follows:

**Section 7-116: Adoption of International Property Maintenance Code of 2012.**

The 2012 Edition of the International Property Maintenance Code promulgated by the International Code Council, Inc. (ICC) is hereby adopted as the Property Maintenance Code of the City of Ecorse, by reference, and together with all of its provisions, both procedural and substantive, related to its regulation of buildings and structure, both private and non-private, and all terms and conditions contained therein, including the provisions for penalties, the same as fully set forth herein together with all additions,

insertions, deletions, and amendments prescribed herein, all in accordance with the standards-set-forth-in-said-Code.

May be revised by simple majority vote of the Mayor and Council at anytime.

#### **Section 7-117: Repeal of Inconsistent Ordinances.**

All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby deemed to be repealed, unless otherwise preserved herein.

#### **Section 7-118: Revisions, Amendments, Additions and Insertions.**

The 2012 Edition of the International Property Maintenance Code is amended and revised, as follows:

**IPMC §101.1. Title. City of Ecorse.**

**IPMC §102.3 Application of Other Codes. Revise to read as follows:**

“Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan Building Code, Michigan Residential Code, Michigan Plumbing Code, Michigan Mechanical Code, Michigan Electrical Code, 2009 International Fire Code, City of Ecorse Zoning Ordinance, and the Fuel and Gas Code. Nothing in this case shall be construed to cancel, modify or set aside any provision of the City of Ecorse Zoning Ordinance.”

**IPMC §106.1 Unlawful Acts. “Each day that the violation exists shall be considered as a separate infraction.”**

**IPMC §106.3 Prosecution of Violation.**

“(1) Any person failing to comply with a notice of violation or order served in accordance with Section 107, and said action is a first offense, shall be responsible for a municipal civil infraction for which the civil penalty shall not be less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00).”

“(2) For second and subsequent violations, any person failing to comply with a notice of violation or order served in accordance with Section 107, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) and/or incarceration for a period of not to exceed ninety (90) days.”

**IPMC § 107.5 Penalties. This provision shall be amended to substitute “Section 106.3” for Section “106.4”**

**IPMC §201.3 Terms defined in other codes. Where terms are not defined in this code, and are defined in the Michigan Building Code, Michigan Residential Code, Michigan Plumbing Code, Michigan Mechanical Code, Michigan Electrical Code, 2009**

International Fire Code, City of Ecorse Zoning Ordinance, and the Fuel and Gas Code.  
~~Nothing in this case shall be construed to cancel, modify or set aside any provision of the~~  
City of Ecorse Zoning Ordinance.

IPMC §302.4 Weeds. Insert 6 inches.

**Section 7.119: Publication.**

This ordinance shall become immediately effective upon publication of a summary of the ordinance, approved by the International Code Commission, L.L.C., and published in accordance with the laws of the State of Michigan and the Code of Ordinances for the City of Ecorse. The summary shall fairly and fully summarize the ordinance and its provisions and shall give notification that complete copies of the International Property Maintenance Code are available in the Office of the City Clerk for purchase or review.

It shall be the duty of the City Clerk for the City of Ecorse to obtain as many copies of the ordinance and the International Property Maintenance Code as are reasonably required and that he/she will make code books available to the public as mandated by law.

Enacted this 2<sup>nd</sup> day of February, 2014

Ayes: Sammors, Agee, Bank, Miller, Tidwell, Elem, Heller

Nays: NONE

Abstentions: NONE

First Publication: February 27, 2014

Second Publication: March 13, 2014