

**CITY OF GREENVILLE
MONTCALM COUNTY, MICHIGAN
ORDINANCE NO. 24-12**

At a regular meeting of the City Council for the City of Greenville held at City Hall on August 6, 2024 at 7:00 p.m., the following Ordinance was offered for adoption by Council Member Lehman and was seconded by Council Member Johnson:

AN ORDINANCE TO REPEAL CHAPTER 8, ARTICLE I, SECTION 8-2 ENTITLED “INTERNATIONAL EXISTING BUILDINGS CODE” AND ENACT A NEW CHAPTER 8, ARTICLE IV ENTITLED “CONSTRUCTION CODE” OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE

THE CITY OF GREENVILLE (“CITY”) ORDAINS:

Section 1 – Repeal of Chapter 8, Article I, Section 8-2. Chapter 8, Article I, Section 8-2 of the Code of Ordinances of the City of Greenville, Montcalm County, Michigan entitled “International Existing Buildings Code” is hereby deleted in its entirety.

[note to codifier, this ordinance deletes the substantive portion of the above-referenced section, and the section should be listed as “reserved”, and Sections 8-65 through 8-80 are to be listed as “reserved”]

Section 2 – A new Chapter 8, Article IV Entitled “Construction Code” is hereby enacted to read in its entirety as follows:

Article IV. – Construction Code

Sec. 8-81 - Adoption, administration, and enforcement of State Construction Code.

(a) For the purposes of this article, the following words, terms, and phrases shall have the meanings ascribed to them in this subsection:

(1) *Act* means the State Construction Code Act, as amended (Act No. 230 of the Public Acts of Michigan of 1972, as amended, being MCL 125.1501 et seq.).

(2) *Construction Code* means the state construction code promulgated from time to time by the director of the department of consumer and industry services pursuant to section 4 of the Act consisting of the State Building Code, the State Residential Code, the State/Uniform Energy Code, the State Electrical Code, the State Mechanical Code, and the State Plumbing Code.

(b) Pursuant to the provisions of section 8a and 8b of the Act, the city hereby adopts by reference the Construction Code. The city assumes responsibility for the administration and enforcement of the Construction Code and the Act within the city.

(c) The city shall be the "enforcing agency" of the Construction Code within the city pursuant to the Act, shall be responsible for the administration and enforcement of the Construction Code and the Act, and shall be responsible for reviewing permit applications and issuing permits pursuant to the Construction Code.

Sec. 8-82 Construction board of appeals.

A construction board of appeals, consisting of five members and two alternates, is created.

Sec. 8-83 Violations.

(a) Unless otherwise provided in this chapter, any person, firm or corporation who violates any provision of the Construction Code, the Act, or this chapter, is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$100.00, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to the increased fines as provided by this section. As used in this section, "repeat offense" means a second (or any subsequent) violation of the same requirement or provision of the Construction Code or the Act: (i) committed by a person within any 90-day period and (ii) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under the Construction Code or the Act shall be as follows: (1) The fine for any offense which is a first repeat offense shall be not less than \$250.00, plus costs, and (2) The fine for any offense which is a second repeat offense, or any subsequent repeat offense, shall be not less than \$500.00 each, plus costs.

(b) Each day on which any violation of the Construction Code or the Act occurs or continues constitutes a separate offense subject to separate sanctions. The city's building official, or designee, is hereby designated as the authorized official to issue municipal civil infraction citations for violations of the Construction Code or the Act.

(c) Any person, firm, or corporation who knowingly fails to comply with, or removes or defaces, a "stop work" or other written order or directive issued by an enforcing agency, construction board of appeals, a board or the state construction code commission pursuant to Public Act No. 230 of 1972 (MCL 125.1501 et seq.) is guilty of a criminal misdemeanor pursuant to Section 1-7 of this code.

Section 3. Emergency Ordinance. The City Council declares this to be an emergency ordinance pursuant to Section 7.3 of the City Charter of the City of Greenville.

Section 4. Conflict. Nothing in this Ordinance is to be construed to conflict with existing City ordinances except as otherwise stated herein. Nothing in this Ordinance is to be construed to conflict with any other law of the State of Michigan.

Section 5. Repealer. All ordinances or parts of ordinances in conflict with this Ordinance are repealed.

Section 6. Savings Clause. The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason, such declaration does not void any or render inoperable any other part or portion of this Ordinance.

Section 7. Effective Date. This Ordinance is effective 20 days after its publication in the manner required by law.

The vote to adopt the above Ordinance was as follows:

YEAS: (7) Councilmember Scoby, Johnson, Lehman, Moss, Barrus, Cunliffe, and Linton.

NAYS: (0) None

ABSENT/ABSTAIN: (0) None

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the City Council of the City of Greenville at the time, place and date as specified above, pursuant to the required statutory procedures.

Respectfully submitted,

By _____
Krissi Brott
City of Greenville Clerk