

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NUMBER 191

**ORDINANCE FOR THE ADOPTION OF THE 2015 PROPERTY MAINTENANCE
CODE
WHICH REPEALS AND REPLACES ORDINANCE NUMBER 153 ADOPTION OF
THE 2000 PROPERTY MAINTENANCE CODE**

An Ordinance of the Charter Township of Superior adopting the 2015 edition of the International Property Maintenance Code, 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 repealing Ordinance Number 153 of the Charter Township of Superior and all other ordinances or parts of laws in conflict therewith.

The Board of Trustees of the Charter Township of Superior does ordain as follows:

Section 1. Adoption of International Property Maintenance Code. That a certain document, three (3) copies of which are on file in the office of the Clerk of the Charter Township of Superior, being marked and designated as the *International Property Maintenance Code, 2015* edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Charter Township of Superior, in the State of Michigan for regulating and governing the conditions and maintenance of all property, 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; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. Code Amendments. The following sections are hereby revised:

A. Section 101.1. Insert: Charter Township of Superior, Washtenaw County, State of Michigan

B. Section 103.5. Deleted and replace with the following:

The Township Board may establish by resolution a schedule of fees for activities and services performed by the department in carrying out its responsibilities under this code. Such schedule may be amended from time to time. Fee schedules shall be published in the manner as required by law and except as otherwise provide by law, shall be effective on the day after publication.

C. Section 106. Deleted and replace with the following:

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code official shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed responsible of a civil infraction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, collect or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

D. Section 112.4. Delete and replace with the following:

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 subject to fines and prosecution per sections 106.3 and 106.4.

E. Section 302.4. Delete and replace with the following:

Weeds. *Premises and exterior property* shall be maintained free from weeds or plant growth in accordance with the Charter Township of Superior Ordinance No. 179, Turf Grass, Weeds and Brush.

F. Section 304.14. Insert for the first “DATE” “April 1”. Insert for the second “DATE” “November 1”

G. Section 602.3. Insert for the first “DATE” “January 1”. Insert for the second “DATE” “December 31”

H. Section 602.4. Insert for the first “DATE” “January 1”. Insert for the second “DATE” “December 31”

Section 3. Repealer. That Ordinance Number 153 of the Charter Township of Superior entitled Ordinance for the Adoption of the 2000 Property Maintenance Code Ordinance Number 153 and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. Severability. That 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. The Charter Township of Superior Board of Trustees 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.

Sections 5. Preservation of Actions. That nothing in this legislation or in the Property Maintenance 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 3 of this law; nor shall any just of legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. Publication. That the Charter Township of Superior Clerk is hereby ordered and directed to cause this legislation to be published in the manner as required by law and except as otherwise provide by law, shall be effective on the day after final publication.