CHARTER TOWNSHIP OF WEST BLOOMFIELD

ORDINANCE NO. C-677-B

PROPERTY MAINTENANCE CODE ORDINANCE AMENDMENT


THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:

Section 1 of Ordinance

Sections 8-201 through 8-203 in Article VII, Property Maintenance, of Chapter 8, Buildings and Building Regulations, of the West Bloomfield Charter Township Code, are amended to read as follows.

ARTICLE VII. PROPERTY MAINTENANCE

Sec. 8-201. International Property Maintenance Code adopted.

The International Property Maintenance Code, 2009 Edition, as published by the International Code Council, be and is hereby adopted by reference as an ordinance and Property Maintenance Code of the township with the insertions and amendments in this article.

Sec. 8-202. Insertions.

The following sections of the International Property Maintenance Code, 2009 Edition, are completed by inserting the following information.

101.1 Title. Insert “Charter Township of West Bloomfield.”

103.5 Fees. Insert: “As adopted by Resolution of the Charter Township of West Bloomfield Board of Trustees.”

112.4 Failure to comply. Insert $100.00 and $500.00 as the minimum and maximum fines.

302.4 Weeds. Insert: “eight (8) inches.”

304.14 Insect Screens. Insert “May 1 to September 30”.

602.3 Heat Supply. Insert “September 30 to May 1”.

602.4 Occupiable work spaces. Insert: “September 30 to May 1”.
Sec. 8-203. Amendments.

The following sections of the International Property Maintenance Code, 2009 Edition, are amended, deleted and additional sections added as follows:

103.1 General. Amended to read.

The community development and fire departments shall constitute the department of property maintenance inspection, with the personnel in those departments authorized and designated to administer and enforce this code to each be known as a code official.

103.2 Appointment. Deleted.

103.2 Deputies. Deleted.

106.6 Enforcement options. Added to read.
In addition to or in lieu of the actions or proceedings authorized in this code, a code official may institute and utilize any other provisions of the West Bloomfield Township Code, when applicable.

106.7 Enforcement cost recovery. Added to read:
The jurisdiction's administrative and legal costs, fees and expenses that are incurred as a result of an unlawful act in violation of this code shall be a joint and several responsibility of, and be paid to the jurisdiction by, the owner of the real estate in violation and such other persons that are responsible for the violation. Costs under this section are in addition to the penalties under Section 106. Payment of penalties and costs shall be secured by a lien upon the real estate in violation, which may be assessed and collected as a delinquent special assessment on the tax rolls as provided by law.

110.5 Application of other ordinances. Added to read:
Demolition notices and orders based on this code may be included in notices, orders and proceedings under other ordinances of the jurisdiction.

111.2. Membership of the Board. Amended to read:
The construction board of appeals of the jurisdiction for purposes of the state construction code shall serve as the board of appeals for purposes of this code.

111.7 Court Review. Amended to read:
Any person having the right to appeal to the board of appeals shall have a limited right to appeal a decision of the board of appeals to the Oakland County Circuit Court, in the manner required by law, no later than 21 days after the date of the meeting at which the decision of the board of appeals is made. The scope of review on appeal is limited to correction of errors of law by the board of appeals.
Section 2 of Ordinance

Violation of this Ordinance and the Property Maintenance Code adopted by it is a municipal civil infraction, the fines, sanctions and penalties for which shall be as specified in Section 1-10(b) of the West Bloomfield Charter Township Code.

Section 3 of Ordinance

Should any section, subdivision, sentence, clause or phrase of this Ordinance, be declared by the Courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part as invalidated.

Section 4 of Ordinance

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 5 of Ordinance

The provisions of this Ordinance are hereby ordered to take effect immediately upon publication.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of West Bloomfield at a properly scheduled and noticed meeting held on July 19, 2010.

CHARTER TOWNSHIP OF WEST BLOOMFIELD

By: Catherine Shaughnessy, Clerk

INTRODUCED: June 7, 2010

ADOPTED: July 19, 2010

PUBLISHED: July 28, 2010