

CHARTER TOWNSHIP OF WEST BLOOMFIELD  
COUNTY OF OAKLAND  
STATE OF MICHIGAN

ORDINANCE NO. C-645-B

**FIRE PREVENTION CODE ORDINANCE AMENDMENT**

An Ordinance to amend the Fire Prevention Code adopted by reference in Chapter 11 of the West Bloomfield Charter Township Code to provide for conformity with State law requirements regarding cost recovery for environmental remediation.

**THE CHARTER TOWNSHIP OF WEST BLOOMFIELD ORDAINS:**

**Section 1 of Ordinance**

Chapter 11, "Fire Prevention and Protection," Article III, "Fire Prevention Code," Sec. 11-37, "Amendments", of the West Bloomfield Charter Township Code is hereby amended to amend the following subsection of the International Fire Code to read as follows:

**2703.3.1.4 Responsibility for cleanup.** The person, firm or corporation responsible for an unauthorized discharge shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the Township. When deemed necessary by the fire code official, cleanup may be initiated by the fire department or by an authorized individual or firm. The liability for and recovery of costs of the cleanup shall be governed by the Michigan Natural Resources and Environmental Protection Act (MCL 324.20101, et seq.) or any other that law preempts the cost recovery provisions of this Chapter, and the Township may pursue collection of such costs of the cleanup in a civil action, pursuant to said laws.

**Section 2 of Ordinance**

As provided by Section 109.3 of the Fire Prevention Code as amended in Section 11-37 of the West Bloomfield Charter Township Code, the sanction for violation of this Ordinance is as a misdemeanor with maximum penalties of a \$500.00 fine and/or 90 days imprisonment.

**Section 3 of Ordinance**

If one or more sections, provisions, phrases or words of this Ordinance are declared to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, this Ordinance is declared to be severable.

**Section 4 of Ordinance**

All ordinances, parts of ordinances or sections of the Code in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect. Such repeal shall not be construed to affect any lawsuit or proceeding pending in any Court, or any rights

acquired, or liability incurred, or any cause or causes of action acquired or existing under the repealed ordinance, which are saved and may be initiated, continued and consummated under the otherwise repealed ordinance. Sections and provisions of Chapter 11 not amended by this Ordinance shall continue in full force and effect.

**Section 5 of Ordinance**

This Ordinance shall take effect immediately upon publication.

**CERTIFICATION**

I hereby certify that this ordinance was adopted by Board of Trustees of the Charter Township of West Bloomfield at a meeting of the Board duly called and held on October 5, 2009.

**CHARTER TOWNSHIP OF WEST BLOOMFIELD**

By: *Catherine Shaughnessy*  
**CATHERINE SHAUGHNESSY, Township Clerk**

INTRODUCED: 09-14-09  
ADOPTED: 10-05-09  
PUBLISHED: 10-14-09