

**ORDINANCE NO. 2000-12****AMENDED CONSTRUCTION CODE ORDINANCE**

AN ORDINANCE to amend the Construction Code Ordinance adopted by the Township, by which the Township accepted responsibility for the administration and enforcement of the State Construction Code, including the State Building Code, the State Electrical Code, the State Mechanical Code, and the State Plumbing Code, as promulgated by the Bureau of Construction Codes, Department of Consumer and Industry Services; providing for the collection of fees; providing penalties for the violation of the State Codes; and repealing all ordinances and parts of ordinances in conflict with the State Codes.

THE CHARTER TOWNSHIP OF ALLENDALE, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. ACCEPTANCE OF RESPONSIBILITY FOR ENFORCING THE STATE CONSTRUCTION CODES. Pursuant to the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended, the Township accepts responsibility for the administration and enforcement of the State Construction Codes as established by the Act and promulgated by the Bureau of Construction Codes, Department of Consumer and Industry Services. The Township shall be responsible for administering and enforcing the State Building Code, the State Electrical Code, the State Mechanical Code, and the State Plumbing Code within the Township. The Township hereby designates the Township Building Inspector, the Township Electrical Inspector, the Township Mechanical Inspector, and the Township Plumbing Inspector as the enforcing agency to discharge the responsibilities of the Township under the Act and each respective Code.

Section 2. FEES. The Township Board shall establish by resolution the fees to be charged and collected by the Township for purposes of administering and enforcing each of the State Construction Codes (the State Building Code, State Electrical Code, the State Mechanical Code and the State Plumbing Code), including permit and inspection fees. All such fees may be established and adjusted by resolution of the Township Board.

Section 3. PENALTY. Any person who violates, disobeys, omits, neglects or refuses to comply with or resist enforcement of the State Construction Code within the boundaries of the Township shall be responsible for a municipal civil infraction, subject to enforcement procedures as set forth in the municipal civil infraction ordinance adopted by the Township, and a fine of \$50.00, plus costs and other sanctions, for each infraction. Each day during which any violation continues after due notice has been served shall be deemed as a separate and distinct offense. Increased civil fines may be imposed for repeated violations, which means a second or subsequent

municipal civil infraction violation committed by a person within any twelve month period and for which a person admits responsibility or is determined to be responsible. The increased civil fine for a repeat violation shall be as follows:

- (A) The fine for any offense which is a first repeat offense shall be \$250.00, plus costs and other sanctions;
- (B) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$500.00, plus costs and other sanctions.

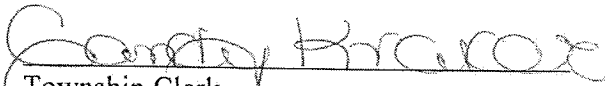
The Township Building Inspector, the Township Zoning Inspector, members of the Ottawa County Sheriff's Department assigned to the Township, members of the Ottawa County Sheriff's Department whose services are contracted by the Township, and any other individuals who may from time to time be appointed by resolution of the Township Board, are hereby designated as the authorized Township officials to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction notices (directing alleged violators to appear at the Allendale Township Municipal Ordinance Violations Bureau) as provided in the Municipal Civil Infraction Ordinance adopted by the Township.

Section 4. ADMINISTRATIVE LIABILITY. No officer, agent, employee or member of the Township Board shall render himself or herself personally liable for any damage which may accrue to any person as the result of any act, decision or other consequence or occurrence arising out of the discharge of his or her duties and responsibilities pursuant to this Ordinance.

Section 5. REPEAL. All ordinances or parts thereof in conflict in whole or in part with any of the provisions of this Ordinance or the State Construction Codes, are, to the extent of such conflict, are hereby repealed.

Section 6. EFFECTIVE DATE. This Ordinance was approved and adopted by the Allendale Township Board, after introduction and a first reading on April 24, 2000, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective immediately upon publication on May 16, 2000, in Advance Newspapers, a newspaper having general circulation in the Township.

  
Township Supervisor

  
Township Clerk

CERTIFICATE

We, James Beelen and Candy Kraker, the Supervisor and Clerk, respectively, for the Charter Township of Allendale, Ottawa County, Michigan, do hereby certify that the foregoing Allendale Charter Township Ordinance was adopted at a regular meeting of the Allendale Charter Township Board held on May 8, 2000. The following members of the Township Board were present at the meeting: Beelen, Kraker, Roon, Knoper, Mohr and Tanis. The following members of the Township Board were absent: Sall. The Ordinance was adopted by the Township Board with members of the Board, Beelen, Kraker, Roon, Knoper, Mohr and Tanis, voting in favor and members of the Board, none, voting in opposition. This Ordinance was published in the Advance Newspapers on May 16, 2000.

James Beelen  
Township Supervisor

Candy Kraker  
Township Clerk