

VILLAGE OF AUGUSTA

ORDINANCE NO. 116

Adopted: October 28, 1974

Effective: November 25, 1974

An Ordinance to adopt a nationally recognized model building code pertaining to the construction, structural alteration, demolition, occupancy and use of buildings and structures within the Village pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq); to exempt the Village from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance and building code by the Village through agreement or otherwise; to provide penalties for violations thereof; and to repeal existing Village building codes and building code ordinances or other ordinances in conflict therewith.

THE VILLAGE OF AUGUSTA

KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I

This Ordinance shall be known and cited as the Village Building Code Ordinance.

SECTION II

This Ordinance is enacted by the Village for the purpose of exempting the Village from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq), pursuant to Section 8 of said Act, by the adoption in this Ordinance of a nationally recognized model

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building code, which code shall be administered and enforced by the Village as provided for in this Ordinance and in said building code. The State Construction Code Commission and/or any agency of the County of Kalamazoo charged with the responsibility of enforcing said Act is hereby relieved of any right, authority or responsibility for the enforcement of any State Construction Code within the Village.

SECTION III

That certain document or booklet, official copies of which are on file in the office of the Village Clerk and which may be examined by the general public during regular business hours or by appointment, which is marked and entitled as "Uniform Building Code, 1973 Edition" including the index and chapters 13, 22, 35, 38, 48, 49, 51, 57, and 70 of the appendix thereto, as published by the International Conference of Building Officials, is hereby adopted by reference as if fully set forth herein as a part of this Ordinance for the purpose of regulating the erection, construction, enlargement, alteration, repair, conversion, occupancy, equipment, use, height and maintenance of all buildings and/or structures within the Village, each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be modified, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this Ordinance.

SECTION IV

The Village hereby assumes the right and authority to administer and enforce this Ordinance and the Uniform Building Code in the manner provided by law and by the said Uniform Building Code. The Village specifically reserves the right to provide by agreement or contract with any other Village, township, city or county for joint enforcement and administration of this Ordinance and the Uniform Building Code.

SECTION V

Any violation of this Ordinance or the Uniform Building Code or any part thereof shall be punishable by a fine not to exceed ONE HUNDRED (\$100.00) DOLLARS plus costs and/or confinement in the County Jail for a term not to exceed ninety (90) days. In addition, the Village specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and the said Uniform Building Code.

SECTION VI

Should any portion of this Ordinance or the Uniform Building Code adopted hereby be declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

SECTION VII

All Ordinances or parts or Ordinances in conflict herewith, including any building codes or building code ordinances previously adopted by the Village are hereby repealed and shall be of no further force and effect on the effective date of this Ordinance. However, building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal thereof, and in compliance with any previous Village Building Code under which the permit was issued. Any proceedings pending, including prosecutions for violations, or rights and liabilities acquired or incurred under any previous Ordinance or Village Building Code being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous Ordinances.

(Village Building Code No. 116 - continued)

SECTION VIII

This Ordinance shall take effect November 25, 1974.

CERTIFICATE

I, Marcea C. Schwartz, the Village Clerk of the Village of Augusta, Kalamazoo County, Michigan, do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Augusta Village Council held on October 28, 1974, at 8:00 o'clock in the P.M., at the Village Hall, within the Village of Augusta, at which the following members were present, the Council enacted and passed Ordinance No. 116, herein before recorded to become effective November 25, 1974, and that the members of said Council present at said meeting voted on the adoption of said Ordinance as follows:

McPeck - yes	Mendenhall - yes
Baxter - yes	Emmerson - yes
Cobb - yes	

I do further certify that I posted true and correct copies of said Ordinance in three public places within the Village and in addition that said Ordinance was published in the Argus, a newspaper printed in Galesburg, Michigan and circulated in the Village of Augusta on October 31, 1974, and further that said Ordinance No. 116 was recorded in said Ordinance Book on the 4th day of November, 1974.

DATED: October 29, 1974

Marcea C. Schwartz
AUGUSTA VILLAGE CLERK