

VILLAGE OF AUGUSTA

ORDINANCE NO. 117

ADOPTED: October 28, 1974

EFFECTIVE: January 2, 1975

An Ordinance to amend the Village Building Code Ordinance and the Village Building Code by the adoption herein of the National Electrical Code, the Uniform Mechanical Code, and the State Plumbing Code 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 by the Village through agreement or otherwise; to amend certain provisions of the Uniform Building Code previously adopted by the Village; to provide for penalties for violations thereof; and to repeal existing Ordinances in conflict therewith.

THE VILLAGE OF AUGUSTA

KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I

The Village Building Code Ordinance previously enacted by the Village for the purpose of exempting the Village from the operation and effect of Act #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 VIII thereof, is hereby amended by the addition thereto and the adoption herein of the following:

A. That certain document known as the **National Electrical Code** of 1971, official copies of which are on file in the office of the Village Clerk, setting forth standards adopted by the National Fire Protection Association of Boston, Massachusetts, is hereby adopted by

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reference as part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may be hereafter amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

B. That certain document entitled the Uniform Mechanical Code, 1973 Edition, Volume 2, issued by the International Association of Plumbing Mechanical Officials, of Los Angeles, California, and by the International Conference of Building Officials, or Whittier, California, official copies of which are on file in the office of the Village Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document being entitled the Michigan State Plumbing Code, being rules and regulations of the State Plumbing Board of Michigan, pertaining to the licensing of plumbers, the supervision and inspection of plumbing and the adoption and enforcement of uniform minimum standards governing the construction, installation, inspection and maintenance of plumbing and drainage, which code is known as the 1966 Edition, adopted by the Michigan State Plumbing Board with the concurrence of the Advisory Council of Health, under the provisions of Act #266 of the Public Acts of 1929, as amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

SECTION II

The codes set forth in Section I hereof which are adopted as an addition to the Village Building Code Ordinance shall be administered and enforced by the Village as provided for in this Ordinance and in said codes. 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 such code within the Village. The Village specifically reserves the right to provide by agreement or contract with any other Village, Township, City or County

in the State of Michigan for joint enforcement and administration of this Ordinance and the Codes adopted herein.

SECTION III

Whereever the words "city", "village", "municipality", or "municipal corporation" appear in the Uniform Building Code, 1973 from the operation and effect of Act #230 of the Public Acts of 1972, such words are hereby deemed to mean the Village.

Wherever the words "mayor" or "president" appear in the Uniform Building Code, 1973 Edition, which was previously adopted by the Village to exempt itself from the operation and effect of Act #230 of the Public Acts of 1972, such words are hereby deemed to mean the president of the Village.

SECTION IV

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or confinement in the County Jail or a term not to exceed 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 said code. Each day that a violation continues to exist shall constitute a separate offense.

SECTION V

Should any portion of this Ordinance or any 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 effect the validity of any other part or portion thereof.

SECTION VI

All Ordinances or parts of Ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance. This Ordinance

(Amendment to Ordinance 116 - 117 continued)

shall take effect sixty (60) days after adoption hereof, and sixty (60) days after a certified copy of this Ordinance is delivered to the Michigan State Construction Code Commission. 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.

Marcea C. Schwartz
VILLAGE CLERK

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. 117, herein before recorded, to become effective January 2, 1975, 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 further that said Ordinance No. 117 was recorded in said Ordinance Book on the 4th day of November, 1974.

DATED: October 29, 1974

Marcea C. Schwartz
Augusta Village Clerk