

VILLAGE ORDINANCE NO. 121

ADOPTED: May 12, 1975EFFECTIVE: June 15, 1975

An Ordinance to adopt a nationally recognized model plumbing code with the Village pursuant to Act No. 230 of the Public Acts of 1972, as amended, (MCIA 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 the Plumbing Code by the Village through agreement or otherwise; to provide penalties for violations thereof; and to repeal existing Village Plumbing Codes and Plumbing 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 Plumbing Code Ordinance.

Section II

This Ordinance is enacted by the Village for the purpose of continuing the exemption of the Village from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972, as amended (MCIA 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 plumbing code, which code shall be administered and enforced by the Village as provided for in this Ordinance and in said Plumbing 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 or State Plumbing Code within the Village.

Section III

A certain document of 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 "BOCA Basic Plumbing Code, 1970 Edition", including accumulative supplement dated 1973, as published by the Building Officials and Code Administrators, International, Incorporated, of Chicago, Illinois, is hereby adopted by reference as if fully set forth herein as a part of this Ordinance for the purpose of regulating the installation, enlargement, alteration, repair, or maintenance of plumbing fixtures, plumbing facilities, plumbing appliances and plumbing devices 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 BOCA Basic Plumbing Code in the manner provided by law and by the said Plumbing Code. The Village specifically reserves the right to provide by agreement or contract with any other township, village, city, county or with the State of Michigan for the joint enforcement and administration of this Ordinance and the Uniform Plumbing Code.

Section V

Any violation of this Ordinance or the Plumbing Code or any part thereof shall be punishable for 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 Plumbing Code.

(Model Plumbing Code Ordinance No. 121 continued)

Section VI

Should any portion of this Ordinance or the Uniform Plumbing 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 ordinance or parts of ordinances in conflict herewith, including any plumbing codes or parts of plumbing code ordinances previously adopted by the Village are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance. However, any plumbing 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 plumbing 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 plumbing code being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous ordinances.

Section VIII

This Ordinance shall take effect June 15, 1975.


Gerald P. Hollaway, President


Marcea C. Schwartz, Clerk

I hereby certify that the attached is a true and complete copy of an Ordinance duly adopted by the Village Council of the Village of Augusta, County of Kalamazoo, State of Michigan, at a regular meeting held on May 12, 1975, and that said Ordinance has been published in the

(Model Plumbing Code Ordinance No. 121 continued)

the Argus, and posted in the U.S. Post Office, Baxter's Pharmacy and the Village Hall bulletin board.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Village and such recording has been authenticated by the signatures of the President and Village Clerk.

Marcea C. Schwartz
Marcea C. Schwartz, Clerk