

VILLAGE OF AUGUSTA, MICHIGAN

ORDINANCE NO. 171

An Ordinance to adopt the BOCA National Building Code, Twelfth Edition, 1993, establishing minimum regulations governing the design, construction, alterations, enlargement, repair, demolition, removal, maintenance and use of all buildings and structures: providing for the issuance of permits, collection of fees, conduct of inspections; providing penalties for violation thereof; and repealing certain existing ordinances.

THE VILLAGE OF AUGUSTA, MICHIGAN, ORDAINS:

Section 1: The BOCA National Bolding Code, Twelfth Edition, 1993, Adopted.

Pursuant to the provisions of Section 8 of the Michigan State Construction Act (Act No. 230 of the Public Acts of Michigan of 1972, as amended) the BOCA National Building Code, Twelfth Edition, 1993, as published by the Building Officials and Code Administrators International, Inc. is hereby adopted by reference subject to the modifications contained in this ordinance.

Section 2: References in code.

References, if any, in the Boca National Building Code to "state" or "name of state" shall mean the State of Michigan; references to "jurisdiction" or "name of jurisdiction" shall mean the Village of Augusta; references to "local ordinances" shall mean the ordinances of the Village of Augusta.

Section 3: Amendments.

The following sections of the BOCA National Building Code are hereby amended or deleted as set forth and additional sections are added as indicated. The following section numbers refer to like numbers of the sections of the BOCA Code.

Section 101.1. Title. Insert Village of Augusta.

Section 104.1. Code Official. Modify to read as follows:

The Village Council shall appoint from time-to-time a Code Official who shall serve at the pleasure of the Council and who shall enforce the provisions of this Code.

Section 104.2. Appointment. Delete.

Section 104.3. Organization. Delete.

Section 104.4. Deputy. Delete.

Section 104.5. Restriction of employees. Delete.

Section 105.6. Rule-making authority. Delete.

Section 105.8. Annual Report. Delete.

Section 112.3 and 112.3.1. Fees. Modify to read as follows:

The Village Council shall from time-to-time adopt and revise a schedule of fees for plan examination, issuance of permits, conduction of inspections, and such other services as may be provided.

Section 116.4. Violation penalties. Insert the words "misdemeanor," "five hundred dollars (\$500)," and "ninety (90) days" in the locations where indicated.

Section 117.2. Unlawful continuance. Modify to read as follows:

No person shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition.

Section 121.2. Membership of board. Modify to read as follows:

The zoning board of appeals of the Village shall constitute the building board of appeals under this Code.

Section 121.1.1. Qualifications. Delete.

Section 121.2.2. Alternate members. Delete.

Section 121.4.1. Procedure. Delete.

Section 121.6.1. Resolution. Delete.

Section 3408.2. Applicability. Insert the words "the effective date of this ordinance" where indicated.

Section 4. Agency designated.

Pursuant to the provisions of section 9 of the Michigan State Construction Act (Act No. 230 of the Public Acts of Michigan of 1972, as amended), the Code Official of the Village of Augusta is hereby designated to discharge the responsibilities of the Village under the Act. The Village

hereby assumes responsibility for the administration and enforcement of the Act within the Village.

Section 5. Inconsistent ordinances repealed.

Ordinance No. 116, known as the Village Building Code Ordinance, is hereby repealed in its entirety. Any other ordinances inconsistent with this ordinance are also repealed.

Section 6. Savings clause.

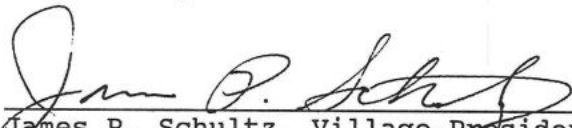
Nothing in this ordinance or in the building code adopted hereby shall be construed to affect any suit or proceeding pending in any court under any ordinance hereby repealed as cited in Section 5.

Section 7. Severability.

Should any part of this Ordinance or the Code adopted hereunder be invalidated by a court, the remainder of the Ordinance or Code shall not be affected thereby and shall continue in effect.

Section 8: Effective Date

This Ordinance shall take effect ninety (90) days after a certified copy of this ordinance is delivered to the Michigan State Construction Code Commission.


James P. Schultz, Village President


Kaye Mc Alear, Village Clerk

CERTIFICATE

I hereby certify that the foregoing Ordinance was adopted by the Village of Augusta at a meeting held on March 11, 1997, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, Public Act 267 of 1976, as amended, and was published as required by law.


Kaye Mc Alear, Village Clerk

March 11, 1997
Date