

## CHAPTER 150: BUILDING REGULATIONS

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#### Cross-reference:

Adoption of codes by reference, see Charter § 5.15

## GENERAL PROVISIONS

### § 150.01 HOUSE NUMBERING.

(A) Marking of premises required. From and after the date hereof, all buildings and improved property shall be conspicuously marked with a premises number placed in accordance with the provisions of this section.

(B) Numbering system. The numbering system for the city is established by the Grand Haven Board of Light and Power or Consumers Power Company. Anyone wishing to establish the number of a premises shall contact one of these agencies.

(C) Required marking of property. All buildings and improved property shall be marked with a number as follows:

(1) It shall be the responsibility of the owner to contact the appropriate agency to procure the correct number for each premises.

(2) The numbers used shall be at least three inches high and shall be made of durable material. Arabic numbers must be used. Numbers written out shall not be used to replace the arabic numbers.

(3) The numbers shall be placed near the front entrance, clearly visible from the street. In cases where the numbers will not be visible from the street, an additional set of numbers shall be placed at the street, at least five feet off the side of the driveway and at least 42 inches above the ground.

(D) Administration.

(1) The Building Inspector shall administer this section.

(2) No building permit shall be issued for any building until the owner has procured a premises number from the Grand Haven Board of Light and Power or Consumers Power Company.

(3) No occupancy permit shall be issued until the numbers are in the approved place.

(4) It shall be the duty of all city police officers and firefighters to report violations of this section.

(5) The Building Inspector, upon notification of violation, shall give written notice within ten days to comply from the date of notice. If there is not compliance within the ten days, a summons shall be issued requiring appearance at the District Court and imposing fines as designated under § 150.99.

(Ord. 54, passed 8-9-78) Penalty, see § 150.99

STANDARD CODES

§ 150.10 [RESERVED].

§ 150.11 [RESERVED].

§ 150.12 [RESERVED].

§ 150.13 [RESERVED].

§ 150.14 [RESERVED].

§ 150.15 INTERNATIONAL PROPERTY MAINTENANCE CODE.

(A) Adoption of International Property Maintenance Code. The International Property Maintenance Code, 2003 Edition, as published by the International Code Council, is hereby adopted by reference, subject to the modifications contained in this section. A complete copy of the code is made available to the public at the office of the Ferrysburg City Clerk.

(B) Amendments to International Property Maintenance Code, 2003 Edition. The International Property Maintenance Code, 2003 Edition, is amended to read as follows:

SECTION 101.1 Title. Insert:

City of Ferrysburg.

SECTION 103.6 Fees. Amend to read:

The fees for activities and services performed by the department carrying out its responsibilities under this Code shall be established by the City Council by resolution.

SECTION 106.3 Penalties. Amend to read:

A violation of this Code shall be a civil infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six-month period. The civil fine for a first offense is \$50. The civil fine for the first repeat offense is \$250. The civil fine for the second repeat offense is \$500. The city shall also be entitled to equitable relief to abate the violations and to such other relief as may be available to the city pursuant to Chapters 83 and 87 of the Michigan Revised Judicature Act, as amended at the present time or in the future. Each day of a violation shall be a separate offense.

Issuance of civil infraction citations. Police officers, Building Inspectors, and the City Manager are authorized to issue municipal civil infraction citations for violations of this Code.

SECTION 302.4 Weeds. Delete section.

SECTION 303.14 Insert Screens. Insert:

April 1 until October 1.

SECTION 602.3 Heat Supply. Insert:

October 1 until April 1.

SECTION 602.4 Occupiable Work Spaces. Insert:

October 1 until April 1.

(Ord. 98, passed 5-28-86; Am. Ord. 154, passed 1-15-96; Am. Ord. 162, passed 1-20-97; Am. Ord. 191, passed 5-20-02; Am. Ord. 235, passed 10-2-06)

§ 150.16 INTERNATIONAL FIRE CODE.

(A) International Fire Code, 2003 Edition. The International Fire Code, 2003 Edition, and all appendices thereto, is hereby adopted in the City of Ferrysburg subject to the revisions contained in this section. The complete copy of the code is available to the public at the office of the Ferrysburg City Clerk.

(B) Amendments to Code. The International Fire Code, 2003 Edition, is amended to read as follows:

SECTION 101.1 Insert:

City of Ferrysburg

SECTION 109.3 Penalties. Amend to read:

With the exception of violations described in Section 111.4, a violation of this Code shall be a civil infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six-month period. The civil fine for a first offense is \$50. The civil fine for the first repeat offense is \$250. The civil fine for the second repeat offense is \$500. The city shall also be entitled to equitable relief to abate the violations and to such other relief as may be available to the city pursuant to Chapters 83 and 87 of the Michigan Revised Judicature Act, as amended at the present time or in the future. Each day of a violation shall be a separate offense.

Issuance of Civil Infraction Citations. Police officers, the Fire Chief, and the City Manager are authorized to issue municipal civil infraction citations for violations of this Code.

SECTION 111.4 Failure to Comply with Stop Work Order. Amend to read:

Any person who shall continue any work after having been served with a stop work order, except as the person may be directed to perform for the purpose of abating or removing a violation, shall be guilty of a misdemeanor with a penalty of not more than \$500 and 90 days in jail.

SECTION 4-105. Penalties is amended to read:

SECTION 4-105. Penalties.

Any person who shall violate a provision of this Code or shall fail to comply with any requirements thereof or who shall work in violation of an approved plan or direction of the Fire Official, or of a permit or certificate issued under provisions of this Code, shall be guilty of a Civil Infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six-month period. The civil fine for the first offense is \$50. The civil fine for the first repeat offense is \$250. The civil fine for the second repeat offense is \$500. The City shall also be entitled to equitable relief to abate the violation and to such other relief as may be available to the city pursuant to chapters 83 and 87 of the Michigan Revised Judicature Act, as amended, being M.C.L.A. §§ 600.8301 et seq. and 600.8701 et seq. Each day that a violation continues shall be deemed a separate offense.

(Ord. 88, passed 2-22-84; Am. Ord. 153, passed 1-15-96; Am. Ord. 235, passed 10-2-06)

Cross-reference:

Burning, see Ch. 92

#### § 150.17 STATE CONSTRUCTION CODES ADOPTED.

Pursuant to the Stille-Derossett-Hale Single State Construction Code Act, Act 230 of the Public Acts of 1972, being M.C.L.A. §§ 125.1501 et seq., as amended, the city assumes responsibility for the administration and enforcement of the Michigan State Construction Code throughout its corporate limits including the Michigan Building Code, the Michigan Electrical Code, the Michigan Plumbing Code, Michigan Mechanical Code, Michigan Existing Buildings Code, and all other subordinate codes, additions, modifications, and amendments thereto as the Director of the Department of Consumer and Industry Services, or an authorized representative of the Director may determine. The Building Inspector of the city is designated as the enforcing agent to discharge the responsibilities of the city.

(Ord. 206, passed 10-20-03)

#### § 150.18 CONSTRUCTION BOARD OF APPEALS.

(A) A Construction Board of Appeals for the city shall be created consisting of not less than three nor more than seven members, as determined by resolution of the City Council. The members of the Board of Appeals shall be appointed for two-year terms by the City Council. A member of the Board of Appeals shall be qualified by experience or training to perform the duties of members of the Board of Appeals. If an inspector refuses to grant an application for a building permit, or if an inspector makes any other decision pursuant or related to this Act, or the code, an interested person, or the person's authorized agent, may appeal in writing to the Board of Appeals. The Board of Appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the inspector from whom the appeal was taken not more than 30 days after submission of the appeal. Failure by the Board of Appeals to hear an appeal and file a decision within the time limit is a denial of the appeal for purposes of authorizing the institution of an appeal to the Construction Code Commission. A copy of the decision and statement of the reasons for the decision shall be delivered or mailed, before filing, to the party taking the appeal.

(B) The business which the Board of Appeals may perform shall be conducted at a public meeting of the Board of Appeals held in compliance with Act No. 267 of the Public Acts of 1976, being M.C.L.A. §§ 15.261 et seq. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

(C) A record of decisions made by the Board of Appeals, properly indexed, and any other writing prepared, owned, used, in the possession of, or retained by the Board of Appeals in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being M.C.L.A. §§ 15.231 et seq.

(Ord. 206, passed 10-20-03)

Cross-reference:

Creation of boards and commissions, see Charter § 4.25

## PERMITS

### § 150.25 PERMIT REQUIRED.

If the building code adopted by the city requires a building permit for a specified activity, no person, firm, or corporation shall erect or construct, or repair or improve or enlarge, or move or demolish any building or structure in the city, or cause the same to be done, without first obtaining a building permit, and, if applicable, an electrical permit, a plumbing permit, and a mechanical permit for each such building or structure from the Building Inspector.

(Ord. 164, passed 5-5-97) Penalty, see § 150.99

### § 150.26 RESIDENTIAL RENTAL PROPERTY PERMITS.

(A) All rental dwellings shall be registered with the city on an annual basis. The owner of any rental dwelling shall register the rental dwelling prior to allowing occupancy. Application for registration shall be made on a form prepared by the city.

(B) The owner, in its annual filing with the city, shall identify a responsible local agent, which may be a person, corporation, partnership, firm, joint venture, trust, association, organization, or other entity having a legal or equitable interest in property who has authority to do the following:

(1) Receive all official notices concerning housing, zoning, dangerous buildings and other ordinance violations on behalf of the owner of a non-owner occupied residential dwelling or unit, and any notice received by the responsible local agent shall be deemed to have been received by the property owner; and

(2) Be responsible for providing access to the non-owner occupied residential dwelling or unit for any inspection necessary under this section.

(C) Rental dwellings shall not be occupied without a certificate of compliance.

(D) A fee shall be charged by the building department for the issuance of a residential rental property permit. The amount of the fee shall be set by the City Council by resolution, and shall be subject to change by resolution. The fee does not include any re-inspection or other inspections by city inspectors.

(E) The annual registration date shall be April 1 of each year, and all fees for residential rental property permits shall be paid on or before May 10 of each year.

(F) An inspection of the residential rental property shall be conducted by the building official once within a three year time frame. Additional inspections may be conducted if a complaint is received regarding suspected safety issues or if violations are observed.

(G) In order for the city to issue a certificate of compliance, the rental dwelling must have a fully functioning carbon monoxide detector in each unit.

(H) An inspection by a licensed contractor may need to be submitted for heating units, electrical, etc., to certify they are properly installed, code compliant and safe.

(I) The owner of any rental dwelling shall be responsible for additional fees at the going inspection fee, for re-inspection of the rental dwelling or for inspections by the mechanical, plumbing, electrical or other building officials.

(J) Any unpaid fees, as required by this section and/or the Uniform Housing Code, which remain unpaid after May 10, shall become a debt to the city from the owner or person otherwise to be assessed on tax day provided by law. Such unpaid fees shall become a lien upon such real property and the lien for such amounts and for all interest and penalties thereon shall continue until payment thereof. All such amounts shall be thereafter collected in the same manner as real property taxes.

(Ord. 235, passed 10-2-06; Am. Ord. 282, passed 4-21-14)

#### § 150.27 OWNER OCCUPIED PROPERTY.

(A) Change of occupancy permit required. A change of occupancy permit shall be required whenever a dwelling is sold and/or a dwelling has a new occupancy.

(B) Inspections. When there is a change in the dwelling occupancy, an inspection by the building official or an authorized representative of the building department may be required prior to the granting of a permit. If the property does not comply with the requirements of the housing code, the occupancy permit may be denied until corrections are made.

(C) Fees. A fee shall be charged for the change of occupancy permit of a dwelling when the occupancy is changed. The amount of the fee shall be set by the City Council by resolution, and shall be subject to change by resolution.

(Ord. 235, passed 10-2-06)

§ 150.28 APPLICATION FOR PERMIT.

An applicant for a building, electrical, plumbing, or mechanical permit shall file an application in writing, on forms furnished for that purpose by the city, for all proposed work which requires a permit.

(Ord. 164, passed 5-5-97)

§ 150.29 FEES.

The City Council shall by resolution establish reasonable fees to be charged for acts and services performed by the appropriate inspectors or Construction Board of Appeals, which fees shall be intended to bear a reasonable relation to the costs, including overhead, to the city of the acts and services, including, without limitation, those services and acts as issuance of building permits, examination of plans and specifications, inspection of construction undertaken pursuant to the building permit, the issuance of certificates of use and occupancy and, in case of a Construction Board of Appeals, hearing appeals in accordance with the Stille-Derossett-Hale Single State Construction Code Act, being M.C.L.A. §§ 125.1501 et seq. The city shall only use fees generated under this section for the operation of the Building Inspector and the Construction Board of Appeals and shall not use the fees for any other purpose.

(Ord. 164, passed 5-5-97; Am. Ord. 206, passed 10-20-03)

§ 150.30 VIOLATIONS; RELIEF; CITATIONS.

The Building Inspector and Zoning Administrator of the city and all police officers of the Spring Lake-Ferrysburg Police Department are authorized to issue civil infraction citations pursuant to this subchapter.

(Ord. 164, passed 5-5-97)

§ 150.99 PENALTY.

(A) Unless specifically provided otherwise, a violation of Ch. 150 of the Ferrysburg City Code shall be a civil infraction subject to a fine. Increased civil fines will be imposed for repeated violations that occur within a six-month period. The civil fine for a first offense is \$50. The civil fine for the first repeat offense is \$250. The civil fine for the second repeat offense is \$500. The city shall also be entitled to equitable relief to abate the violations and to such other relief as may be available to the city pursuant to Chapters 83 and 87 of the Michigan Revised Judicature Act, as amended at the present time or in the future. Each day of a violation shall be a separate offense.

(B) Issuance of civil infraction citations. Police officers, the Fire Chief, and the City Manager are authorized to issue municipal civil infraction citations for violations of Ch. 150.

(Ord. 164, passed 5-5-97; Am. Ord. 235, passed 10-2-06)