

**ARTICLE I. IN GENERAL**

**Secs. 10-1—10-18. Reserved.**

**ARTICLE II. STATE CONSTRUCTION CODE\*****Sec. 10-19. Building inspector as enforcing agent.**

Pursuant to the provisions of section 8b of Public Act No. 230 of 1972 (MCL 125.1508b), the building inspector is hereby designated as the enforcing agency to discharge the responsibilities of the township under Act 230. The township hereby assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

(Ord. No. 93-MY-01-BLD, § 1, 4-26-1993)

**Sec. 10-20. Fees.**

All fees required in the enforcement of the state construction code shall be as currently established or as hereafter adopted by resolution of the township board from time to time.

**Sec. 10-21. Violation a municipal civil infraction.**

Any person violating this article is responsible for a municipal civil infraction, punishable as provided in section 1-11.

**Secs. 10-22—10-45. Reserved.**

**ARTICLE III. SWIMMING POOLS****Sec. 10-46. Purpose and intent.**

In the past, some property owners have had outdoor swimming pools installed and have begun to fill such pools with water and utilize them prior to final township inspections and approvals, and in some situations without any required fencing being in place. The township board is concerned about the safety implications of not having required fencing in place and in compliance with all applicable laws prior to the time that a swimming pool is filled with water and utilized. The township board believes that this article is necessary to protect the public health, safety, and welfare.

(Ord. No. 02-MY-13-BLD, § 1, 6-10-2002)

**Sec. 10-47. Required permit.**

No swimming pool shall be installed outdoors (nor shall any construction or installation on any such swimming pool commence) until a building permit has been issued by the township,

\***State law reference**—Stille-DeRossett-Hale Single State Construction Act, MCL 125.1501 et seq.

which expressly authorizes the installation of such a swimming pool, alternately, the township has issued a separate permit for the pool. The installation, construction, and use of any such swimming pool shall comply with all applicable permit requirements and conditions.

(Ord. No. 02-MY-13-BLD, § 4, 6-10-2002)

**Sec. 10-48. Final township inspection and approval.**

No swimming pool located outdoors shall be filled with water; and no such swimming pool shall be used (for wading, floating, or swimming) until and unless the final inspection has been done by the township (i.e., the applicable township official) and the township has given final approval for the swimming pool, required fencing, and other items required by the state construction code. The township recognizes that some water may be needed for the proper construction of a pool and that this water does not constitute filling the pool for use prior to final approval.

(Ord. No. 02-MY-13-BLD, § 5, 6-10-2002)

**Sec. 10-49. Security deposit.**

No permit shall be issued for the installation of a swimming pool located outdoors and no such swimming pool shall be installed, constructed, or used until the owner of the property involved has deposited with the township a sum of money to ensure that the swimming pool, fencing and other required appurtenances are properly installed and that the swimming pool is not used prior to such proper installation and final approval by the township (the "pool security deposit"). The township board shall set the amount required for such pool security deposit from time to time by resolution.

- (1) *Full refund of the pool security deposit.* The full amount of the pool security deposit shall be refunded to the owner of the property involved if all of the following conditions are met:
  - a. The pool, fencing, and appurtenances have been fully installed as required by the state construction code and other applicable laws;
  - b. A final inspection has been done by the township and the pool, fencing, and all appurtenances have been approved by the township;
  - c. The pool has not been filled with water prior to the time of final township inspection and approval; however, some water is allowable if it is required for the proper installation of the pool during construction; and
  - d. No additional costs have been incurred by the township due to multiple final inspections occurring, which were necessitated due to noncompliance with this article, the building code, or other applicable codes.
- (2) *Township retention of the entire pool security deposit.* Pursuant to any of the following situations, the township may retain the entire amount of the pool security deposit and the same shall be deposited into the general township fund:
  - a. The pool is filled with water prior to the final township inspection and approval; however, some water is allowable if it is required for the proper installation of the pool during construction;

b. The pool is used (i.e., for swimming, wading, or floating) prior to final township inspection and approval.

(3) *Township retention of part of the pool security deposit.* The township building inspector will make a final inspection and a follow-up inspection of the pool, fencing or appurtenances. However, should any additional inspections of the pool, fencing, or appurtenances be necessitated due to the incomplete nature of the work or noncompliance with the building code, this article or other laws, the township shall retain and keep one-half of the pool security deposit and shall deposit the same in the general fund. As to the balance of the pool security deposit held by the township, subsection (1) or (2) of this section shall be applicable to the remaining portion of the pool security deposit depending upon the fact situation.

(Ord. No. 02-MY-13-BLD, § 6, 6-10-2002)

#### **Sec. 10-50. Nuisance.**

Any swimming pool, fencing, or other appurtenance installed, constructed, or used in violation of this article, the state construction code, or any other applicable code shall be a nuisance per se.

(Ord. No. 02-MY-13-BLD, § 7, 6-10-2002)

#### **Sec. 10-51. Violation a municipal civil infraction.**

Any person violating this article is responsible for a municipal civil infraction, punishable as provided in section 1-11.

(Ord. No. 02-MY-13-BLD, § 8, 6-10-2002)

#### **Secs. 10-52—10-66. Reserved.**

### **ARTICLE IV. DILAPIDATED BUILDINGS**

#### **Sec. 10-67. Regulations.**

(a) All buildings and parts thereof erected on or before the effective date of the ordinance from which this article is derived shall be completed and fully and permanently enclosed within one year from such date, or, in the alternative, shall be torn and removed, and any excavation thereunder filled in to grade level.

(b) All buildings and parts hereafter erected shall be fully enclosed in accordance with the building permit issued therefor, within one year from the issuance of said permit, or the commencement of said construction, whichever shall first occur. This subsection shall not apply to the construction of large buildings containing more than 100,000 square feet of first floor space.

(c) No building or structure, whether now existing or hereafter erected, shall be left in a dangerous or hazardous condition by virtue of disrepair, depreciation, damage by fire, collapse, or act of God, or by virtue of any other cause, but shall be forthwith repaired or rehabilitated, and the dangerous or hazardous condition removed by the owner or occupant thereof, or, in the alternative, torn down and removed, and any excavation thereunder filled to grade level.

(d) No building so damaged or destroyed to such an extent that the cost of repair and rehabilitation to place it in a safe, sound, and sanitary condition exceeds 75 percent of the assessed valuation of the building, at the time the repairs or rehabilitation are to be made, shall be repaired or rehabilitated unless it is made to comply in all respects with the provisions of all township ordinances governing such building. Any building so damaged or destroyed to such an extent that the cost of repair and rehabilitation to place it in a safe, sound, and sanitary condition exceeds 100 percent of the assessed valuation, at the time when the repairs or rehabilitation are to be made, shall be deemed unfit for human habitation and shall be immediately vacated, and unless made to comply with all the provisions of the state construction code shall be demolished and removed.

(e) Whenever it shall be certified by the building inspector or health officer of the township that a building is infected with contagious disease or is unfit for human habitation, or dangerous to life or health by reason of want of repair or of defects in the drainage, plumbing, lighting, ventilation or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said building, the building inspector or health officer may issue an order requiring all persons therein to vacate such building within not less than 24 hours nor more than ten days, for the reasons to be mentioned in said order. In each case such order is not complied with within the time specified, the building inspector or health officer may cause said dwelling to be vacated. Whenever the building inspector or health officer is satisfied that the danger from said building has ceased to exist or that it is fit for human habitation, he may revoke said order or may extend the time within which to comply with same.

(f) Whenever any building or premises or the plumbing, sewage, drainage, lighting, or ventilation thereof is, in the opinion of the building inspector or health officer, dangerous or detrimental to life or health, such officer may declare that the same, to the extent he may specify, is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified, as the order shall specify.

(Ord. No. 2-70, § II, 1-28-1970)

**Sec. 10-68. Penalties for violations.**

(a) Any person who violates any of the provisions of this article shall be responsible for a municipal civil infraction, punishable as provided in section 1-11. Each day that a violation continues to exist shall constitute a separate offense. In addition to the imposition of such fines and penalties, any building which continues to violate the provisions of this article after the owner or occupant has been ordered by the building inspector or health officer of the township to make the same comply or to demolish or remove such building may, in the discretion of the