

ARTICLE III. PROPERTY MAINTENANCE CODE

Sec. 6-47. Adoption of International Property Maintenance Code.

A certain document, three copies of which are on file in the office of the township clerk, being marked and designated as the International Property Maintenance Code, 2012 edition, as published by the International Code Council, is hereby adopted as the Property Maintenance Code of Niles Charter Township, in the State of Michigan, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as therein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of such Property Maintenance Code on file in the office of the township, are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in section 6-48.

Sec. 6-48 Revisions to code.

The following sections of the adopted property maintenance code are hereby revised as follows:

Section 101.1-Title. Insert: Niles Charter Township

Section 103-Title. Amend: DEPARTMENT OF CODE ENFORCEMENT

Section 103.1-General. Amend: The department of code enforcement is responsible for the administration and enforcement of this code and the executive official in charge thereof shall be known as the code official.

Section 103.5-Fees. Insert: As currently established or as hereafter adopted by resolution of the township board from time to time.

Section 106.4-Violation penalties. Amend to read: Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be deemed responsible for a municipal civil infraction as defined by state statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	<i>Minimum Fine (in dollars)</i>	<i>Maximum Fine (in dollars)</i>
1 st offense within 5-year period*	75.00	500.00

2 nd offense within 5-year period*	150.00	500.00
3 rd offense within 5-year period*	300.00	500.00
4 th offense within 5-year period*	500.00	500.00

*Determined on the basis of the date of commission of the offense.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which the township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the township shall have the right to proceed in any court of competent jurisdiction for purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this code. Each day that a violation exists shall constitute a separate offense.

Section 106.4.1-Add: Removal. If the owner and/or occupant of such premises shall not cause such material in violation of this code, as described in the notice of violation or order, to be eliminated or removed within ten days after notice or within ten days after the decision of the board of appeals, the township board shall direct some person, or persons, to remove and/or eliminate the same at the cost and expense of the owner and/or occupant of the premises. After causing such material to be eliminated or removed, the total expense incurred by the township shall be a lien upon the property and the same may be collected in any manner authorized by statute and, if not paid, may be placed upon the tax roll and collected the same as other taxes.

Section 111.2-Membership of board. Amend: The board of appeals shall consist of a minimum of five members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

Section 112.4-Failure to comply. Insert: \$75.00, \$500.00

Section 302.4-Weeds. Delete: Entire section.

Section 302.8-Motor vehicles. Delete: Entire section.

Section 304.14-Insect screens. Insert: May 15, September 15.

Section 602.3-Heat supply. Insert: September 15, May 15.

Section 602.4-Occupiable work spaces. Insert: September 15, May 15.

APPENDIX A – BOARDING STANDARD is not adopted.

(Ord. No. 70, Ord. No. 64)