

TUSCOLA TOWNSHIP

TUSCOLA COUNTY, MICHIGAN

ORDINANCE NO. 2021-03

ADOPTED: May 18, 2021

EFFECTIVE: June 25, 2021

An Ordinance to designate violations of the State Construction Code and the various nationally recognized codes adopted pursuant thereto as adopted and enforced by Tuscola Township, Tuscola County, Michigan as municipal civil infractions; to provide sanctions for violation(s) thereof; and to repeal all Ordinances or parts of Ordinances in conflict herewith.

**THE TOWNSHIP OF TUSCOLA
TUSCOLA COUNTY, MICHIGAN**

ORDAINS:

SECTION I
PURPOSE

Pursuant to the provisions of the Single State Construction Code Act, being Act 230 of the Public Acts of 1972, as amended, the Township of Tuscola has assumed responsibility for the administration and enforcement of the State Construction Code and the nationally recognized codes which comprise the same as incorporated by reference or pursuant to an administrative rule adopted thereunder. The purpose of this Ordinance is to designate violation of the State Construction Code and the nationally recognized codes comprising the same as municipal civil infractions as permitted by MCL 125.1523(3), as amended.

SECTION II
VIOLATION

Any violation of the State Construction Code; of any of the nationally recognized codes incorporated into the State Construction Code; or of any nationally recognized Code adopted by the State of Michigan via administrative rule pursuant to the State Construction Code together with amendments, additions, or deletions as determined appropriate by the State of Michigan; or any part of the same shall be deemed to constitute a municipal civil infraction as authorized by 1972 PA 2003, being MCL 125.1523(3).

SECTION III
DESIGNATION AS MUNICIPAL CIVIL INFRACTION

Tuscola Township as the administering and enforcing agency for 1972 PA 230 hereby designates violations of the State Construction Code; or any of the nationally recognized codes incorporated into the State Construction Code; or of any nationally recognized code adopted by the State of Michigan via administrative rule pursuant to the State Construction Code together with amendments, additions, or deletions as determined appropriate by the State of Michigan as municipal civil infractions as authorized by 1972 PA 230, as amended, being MCL 125.1523(3).

SECTION IV
PENALTIES

Tuscola Township, as the administering and enforcing agency for 1972 PA 230, as amended, hereby sets forth penalties for violation of the State Construction Code; of any of the nationally recognized codes incorporated into the State Construction Code; or of any nationally recognized Codes adopted by the State of Michigan via administrative rule pursuant to the State Construction Code together with amendments, additions, or deletions as determined appropriate by the State of Michigan; by amending the respective "penalty" provision in each as follows:

"Any person, firm, association, partnership, corporation or governmental entity that violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
-1 st Offense	\$ 125.00	\$ 500.00
-2 nd Offense*	\$ 275.00	\$ 500.00
-3 rd Offense*	\$ 350.00	\$ 500.00
-4 th or More Offense*	\$ 500.00	\$ 500.00

*within 3-year period determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which Tuscola Township has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500 be ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, compliance order or

other appropriate remedy to compel compliance with this ordinance. Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance.”

SECTION V
SEVERABILITY

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

SECTION VI
REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations, under any previous ordinance provision being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to said previous Ordinance provisions.

SECTION VII
EFFECTIVE DATE

This Ordinance shall take effect 30 days after publication following adoption.

TUSCOLA TOWNSHIP
Michelle Hicks, Clerk
8561 Van Cleve Road
P.O. Box 1702
Vassar, MI 48768
clerk@tuscolatownship.org
989-871-4507

NOTICE OF ORDINANCE ADOPTION

**TOWNSHIP OF TUSCOLA
TUSCOLA COUNTY, MICHIGAN**

**ORDINANCE DESIGNATING VIOLATIONS OF THE STATE CONSTRUCTION CODE
AND OTHER NATIONALLY RECOGNIZED CODES AS MUNICIPAL CIVIL
INFRACTIONS**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF TUSCOLA, TUSCOLA COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the following is a summary of an Ordinance, being Ordinance No. 2021-03, which was adopted by the Tuscola Township Board at its regular meeting held on May 18, 2021, said ordinance to take effect 30 days after publication of the summary of said Ordinance.

- SECTION 1 PURPOSE. This section purpose of this Ordinance is to designate a violation of the State Construction Code ("SCC") and other nationally recognized codes comprising the same as municipal civil infractions.
- SECTION 2 VIOLATION. This section provides any of the nationally recognized codes incorporated into the SCC; or any other nationally recognized Code adopted by the State of Michigan shall be deemed to constitute a municipal civil infraction.
- SECTION 3 DESIGNATION AS MUNICIPAL CIVIL INFRACTION: This section provides that the Township as administrator and the enforcing agency of the SCC or any of the nationally recognized codes incorporated into the SCC as municipal civil infractions as authorized by MCL 125.1523(3).
- SECTION 4 PENALTIES. This section provides a fine table for violating the SCC or any other nationally recognized code incorporated into the SCC by the State of Michigan.
- SECTION 5 SEVERABILITY. The provisions of the ordinance are severable.
- SECTION 6 REPEAL OF CONFLICTING ORDINANCES. All conflicting ordinances are repealed.
- SECTION 7 EFFECTIVE DATE. This Ordinance shall take effect 30 days after publication following adoption.

PLEASE TAKE FURTHER NOTICE that the full text of this Ordinance may be examined at the Tuscola Township Hall, on the Township's website at <https://www.tuscolatownship.org/>, or by requesting the same from the Tuscola Township Clerk, Michelle Hicks by telephone at (989) 529-5355 or by email: clerk@tuscolatownship.org.

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