

Hartford Township, Van Buren County, Michigan
Ordinance Number 22
Enforcing Agency: Building, Mechanical, Electrical, and Plumbing Codes

An ordinance to designate an enforcing agency to discharge the responsibilities of the Township or Hartford, Michigan under the provision of the State Construction Code Act (Act 230 of the Public Act of 1972, as amended, and the State Construction Code Promulgated thereunder) RE: State Building, Mechanical, Electrical, and Plumbing Codes; and to provide for the establishment of a fee schedule; and to provide for criminal penalties and civil remedies for the violation of this ordinance or the act or state construction code promulgated thereunder, and adopted herein; and to repeal all existing Township Ordinances in conflict herewith.

The Township of Hartford, Van Buren County, Michigan ordains:

Section 1. Assumption of Responsibility for Enforcement of State Construction Code. In accordance with and pursuant to Section 8 and Section 9 of the State Construction Code Act of 1972 (Act 230 of the Public Acts of 1972, as amended) the Township of Hartford hereby assumes the responsibility for the administration and enforcement of said Act within its boundaries in regard to the State Building, Mechanical, Electrical, and Plumbing Codes, and hereby adopts by reference, the State Construction Code in regard to said Building, Mechanical, Electrical, and Plumbing Codes.

Section 2. Agency Designated. Pursuant to the provisions of Section 9 of said Act 230 of the Public Acts of 1972, as Amended (State Construction Code), the Building Official, Mechanical Official, Electrical Official, and Plumbing Official of the Township of Hartford, Michigan are hereby designated as the enforcing agencies to discharge the responsibilities of the Township of Hartford under said Act 230 of the Michigan Public Acts of 1972, as Amended.

Section 3. Provisions for Additional Person or Persons. The Township of Hartford, Michigan may designate an additional person or persons or agent of said Building Official, Mechanical Official, Electrical Official or Plumbing Official to discharge the responsibility of said Township under the aforesaid Act and Codes.

Section 4. Establishment of Fee Schedule. The Township of Hartford shall have authority to establish, by Resolution, at any regular or special meeting, a schedule of fees, rates, and charges for the administration and enforcement of this Ordinance, and the Act and State Construction Code promulgated thereunder and adopted herein; provided that the same shall be reasonable and bear a reasonable relationship to the cost and expense of such administration, enforcement and activity. The Township of Hartford shall further have the right to amend by Resolution the aforementioned schedules from time to time.

Section 5. Violations and Penalties. ~~Any person, firm or corporation who violates or fails to comply with the provisions of this Ordinance or the Act or State Construction Code regarding the Building, Mechanical, Electrical and Plumbing Codes, shall be deemed guilty of a misdemeanor and shall upon conviction, be punished by a fine not to exceed \$100.00, and costs of prosecution, or by imprisonment in the county jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment, in the discretion of the Court. Each day that a violation of this Ordinance exists shall constitute a separate offense; In addition, the Township of Hartford shall have authority to proceed in any Court of competent jurisdiction for the purpose of obtaining injunctive relief or other appropriate remedy to compel compliance with this Ordinance.~~ ***Amended with Ordinance No 38a June 17, 2013**

- A. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- B. Any person, firm, association, partnership, corporation or governmental entity who 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:

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	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

*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, to which Hartford 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 the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 6. Repeal of Conflicting Ordinances. All other Ordinances or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and each Section of this Ordinance, and each subdivision of any Section thereof, is hereby declared to be independent, and in finding or holding of any Section or subdivision thereof to be invalid or void, shall not be deemed or held to affect the validity of any other Section or subdivision of this Ordinance.

Section 7. This Ordinance shall become effective the 26th day of March, 1990.

*Adopted by the Township Board of the Township of Hartford, Van Buren County, Michigan February 8, 1990
Effective March 26, 1990*