

Hartford Township, Van Buren County, Michigan
 Ordinance Number 28
 Hartford Township Property Maintenance Code

An ordinance of the Township of Hartford, Van Buren County, Michigan, adopting the 2003 edition of the *International Property Maintenance Code*, 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 in the Township of Hartford; providing for the issuance of permits and collection of fees thereafter; repealing Ordinance No. 19 of the Township of Hartford, and all other ordinances and parts of the ordinance in conflict therewith.

The Township Board of the Township of Hartford does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Township Clerk of the Township of Hartford, being marked and designated as the *International Property Maintenance Code*, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of Hartford in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplies 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 herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Township of Hartford are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1 Insert: Township of Hartford

Section 103.5 Insert: No fees shall be charged for such inspections unless said fee arises under the building code.

***Amended June 17, 2013 with Ordinance 38a to include:**

Section 106.3 Violations and Penalties.

- a. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed to be responsible for a municipal civil infraction.
- b. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.
- c. 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.
- d. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- e. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	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

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4th 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 111.2 Membership of the Board. Replace Section with the following:

The Zoning Board of Appeals shall be the Township Board of Appeals then appointed by the Township Board. The Code official shall be an ex officio member, but shall have no vote in any matter before the Board.

Section 302.8 Replace Section with the following:

302.8 Motor Vehicles. No more than one (1) inoperable motor vehicle shall be parked, kept or stored on any residential premises, nor more than two (2) on any non-residential premises, within the Township except stored within a wholly enclosed structure. No vehicle shall, at any time, be in a state of major disassembly, disrepair, or in the process of being striped and/or dismantled. EXCEPTION: A vehicle of any type is permitted to undergo major overhaul including bodywork, provided that such work is performed inside a structure, or in a similarly enclosed area designed and approved for such purposes. Where no garage or like structure is available to conduct repair work on a single vehicle, that one vehicle may be repaired including disassembly and reassembly provided that it is completely covered at all times except when all work is being performed. This, however, shall not permit the extended storage of a disassembled or dismantled vehicle except during the time when repairs and restoration are being conducted.

Section 304.14 Insert: May 15 in the first date blank and September 30 in the second date blank.

Section 602.3 Insert: October 15 in the first date blank and April 30 in the second date blank.

Section 602.4 Insert: October 15 in the first date blank and April 30 in the second date blank.

Section 3. That Ordinance No. 19 of the Township of Hartford entitled Existing Structures Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Township of Hartford hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cases of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affect by this ordinance.

Section 6. That the Township Clerk is hereby ordered and directed to cause this ordinance to be published, and a copy thereof be filed with the County Clerk.

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Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days after its adoption and publication in accordance with statute.

*Adopted by the Township Board of the Township of Hartford, Michigan on this 9th day of June, 2005.
Effective July 16, 2005*