

TO: Adam Smith, City Manager

FROM: Rich Morrison, Community Development Director

RE: Amendments to adopted International Property Maintenance Code and repeal of City's Dangerous Building Ordinance

DATE: February 7, 2023

BACKGROUND

As City Council will recall, a review of the City's Dangerous Building Ordinance was prompted by questions raised by Council related to the appointment of a Dangerous Building hearing officer. In reviewing the Dangerous Building Ordinance, it is the opinion of the City Administration and City Attorney David Revore, that the Dangerous Building Ordinance is not needed as similar provisions governing dangerous buildings, unsafe structures, and emergency measures to protect health and welfare exist in the adopted International Property Maintenance Code (IPMC).

The current version of the IPMC (Grand Ledge Ordinance #597) was adopted on June 27, 2022. City Administration and City Attorney Revore have developed several amendments for Council's consideration. A summary of the amendments follow:

- **Allowing the City Manager to appoint the Code Official and Deputy Code Officials.** The adopted IPMC requires the Council to appoint the Code Official. Providing the City Manager to make the appointments allows operational flexibility and allows non-building staff, such as police officers and Zoning Administrator to serve as Deputies when appointed by the City Manager.
- **Makes it clear that certain violations will be municipal civil infractions which generally result in a \$100.00 fine for non-compliance. More serious violations are civil in nature, but levy a 500.00 fine.**
- **Misdemeanor (criminal) offenses are serious in nature such as the removal of a placard, occupying a structure which has been placarded, and not complying with emergency orders where imminent danger is present.**
- **Names the existing Construction Board of Appeals as the Board of Appeals. A Board of Appeals is required by the IPMC.**
- **Eliminates the provision requiring insect screens.**

Repealing of the Dangerous Building Ordinance is recommended as the Ordinance requires the involvement of the City Manager and City Council as part of the enforcement process. Additionally, the proposed amendments to the IPMC allow the City to abate dangerous buildings in a more efficient manner than the Dangerous Building Ordinance.

ACTION NEEDED:

Introduction of IMPC amendments and repeal of Dangerous Building Ordinance (#585) and scheduling of a public hearing on February 27, 2023

STAFF RECOMMENDATION:

Staff recommends City Council introduce the ordinance amendments/repeal and schedule the public hearing.

CITY COUNCIL ACTION:

Consider a motion to introduce the amendments to the IPMC and repeal Ordinance #585 (Dangerous Buildings) and schedule a public hearing for February 27, 2023 on the same.

City of Grand Ledge Ordinance #597

An Ordinance Amending the Grand Ledge City Code, Chapter 8, Buildings and Building Regulations, Article IV, Maintenance of Buildings.

The City of Grand Ledge Ordains:

Section 1. Change. The Grand Ledge City Code, Chapter 8, Buildings and Building Regulations, Article IV, Maintenance of Buildings, is amended, as follows:

Section 8-74. Adoption of International Property Maintenance Code of 2015.

- A. Pursuant to the authorization set forth in Section 3(k) of the Michigan Home Rule Cities Act (MCL 117.3), the City does hereby adopt the International Property Maintenance Code of 2015 prepared by the International Code Council, Inc., as the Property Maintenance Code of the City, as amended herein.
- B. That said Code, five (5) copies of which shall at all times be available for public inspection at the office of the City Clerk together with all amendments marked and designated as the International Property Maintenance Code, 2015 Edition, published by the International Code Council shall be and is hereby adopted by the City. That said code is adopted and made a part hereof by reference except as amended by and within this ordinance. In accordance with the Authorization Set Forth in Section 3(K) of the Michigan Home Rule Cities Act (MCL 117.3), the City Clerk shall make available copies of the ordinance in the City Clerk's office together with amendments which shall be available for distribution to members of the public at large at a charge to be established by the City Council.

Section 8-75. Amendments to the International Property Maintenance Code of 2015.

The International Property Maintenance Code of 2015, as adopted by the City, shall be and is hereby amended as follows:

- A. Sections 103.1 through 103.4 shall be and are hereby amended to read:
 - 103.1 General. The International Property Maintenance Code shall be administered by the city building inspector and/or such other persons as may be designated from time to time by resolution of the City Council. All such persons shall be individually and collectively known as the "code official."
 - 103.2 Fees. A schedule of fees for activities necessary to the administration of this chapter shall be adopted and may be amended from time to time by resolution of the City Council.
 - 103.3 Inspections. Inspections shall be scheduled as needed when the code official has cause to believe there exists in any property any condition which makes such property, or any portion thereof, substandard, or unsafe, or that a violation of this chapter or other applicable ordinances or laws may exist.
 - 103.4 Procedural and enforcement guidelines. The City Council shall, by resolution, adopt, and may from time to time amend, guidelines for procedures and enforcement of this chapter.
- B. Section 103.5 is hereby deleted.
- C. Section 106.3 Prosecution for Violation; Civil Penalty; Collection. Section 106.3 shall be and is hereby amended to read: Any person or entity failing to comply with a notice of violation or order served in accordance with Section 107 shall be guilty of a civil infraction and shall be subject to a civil penalty of Five Hundred and no/100 Dollars (\$500.00) for each first violation. The penalty shall be doubled for each subsequent violation of the same provision. Each day that a violation continues beyond the time specified for compliance shall be deemed to be a separate offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

- D. Section 109.6 Hearing. Section 109.6 shall be and is hereby amended to read: Any person ordered to take emergency measures shall comply with such order forthwith. An appeal or request for hearing shall not delay compliance with an order to take emergency measures. A hearing regarding an order to take emergency measures shall be limited to whether the order should be continued, modified, or revoked.
- E. Section 111.4 Open Hearing. Section 111.4 shall be and is hereby amended to read: All hearings before the Board shall be open to the public and shall comply with the Michigan Open Meetings Act (MCL 15.261 et seq). The appellant, the appellant's representative, the Code Official, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds (2/3) of the Board membership.
- F. Section 111.6.1 Written Decision and Copies. Section 111.6.1 shall be and is hereby amended to read: The decision of the Board shall be in writing, and a copy thereof shall be furnished to the appellant and to the Code Official.
- G. Section 111.7 Judicial Review. Section 111.7 shall be and is hereby amended to read: Any party shall have the right to seek judicial review, which review shall be limited to a determination of whether the decision is supported by substantial evidence on the record as a whole.
- H. Section 302.3 Sidewalks and Driveways. Section 302.3 shall be and is hereby amended to read: All private sidewalks, walkways, stairs, driveways and parking places and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- I. Section 302.4 "Weeds" and Section 302.8 "Motor Vehicles" shall be deleted.
- J. Section 303.2 Enclosures. Section 303.2 shall be and is hereby amended to read: Private swimming pools, hot tubs and spas containing water more than twenty inches (20") in depth shall be completely surrounded by a fence or barrier at least forty-eight inches (48") in height above the finished ground level, measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than fifty-four inches (54") above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches (6") from the gatepost. No existing pool enclosure shall be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.
- K. Section 304.14 Insect Screens. Section 304.14 shall be and is hereby amended to read: During the period from Memorial Day to Labor Day, every door, window or other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per inch, and every swinging door shall have an effective closing device in good working condition, except that screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.
- L. Section 602.3 Heat Supply. Section 602.3 shall be and is hereby amended to read: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from November 1 to April 1 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathroom and toilet rooms.
- Exceptions:
1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
 2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.
- M. Section 602.4 Occupiable Work Spaces. Section 602.4 shall be and is hereby amended to read: Indoor occupiable

work spaces shall be supplied with heat during the period from November 1 to April 1 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 8-76. Applicability of remaining provisions.

All provisions of the International Property Maintenance Code not specifically amended herein shall remain as printed in said Code.

Section 2. Savings Clause. All proceedings pending and all rights and liabilities existing or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they were commenced. This amendatory Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory Ordinance for an offense committed before that date.

Section 3. Conflicting Ordinances Repealed. Except as to prosecution and legal actions pending and saved pursuant to Section 4 above, any Grand Ledge City Ordinances or parts of Ordinances in conflict with or inconsistent with any of the provisions of this Ordinance and the International Property Maintenance Code of 2006 and 2009, as amended hereby, are repealed.

Section 4. Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases or portions of this ordinance.

Section 5. Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Section 6. Effective Date. This ordinance shall take effect seven days after it has been adopted by the Grand Ledge City Council.

Introduced by the Grand Ledge City Council this 13th day of June, 2022.

Motion by Mulder

Second by Gillespie

Ayes: Gillespie, Jancek, Lantz, Mulder, Sowle, Willems

Nays: None

Absent: MacDowell

Adopted by the Grand Ledge City Council this 27th day of June, 2022.

Motion by Gillespie

Second by Jancek

Ayes: Gillespie, Jancek, Lantz, Sowle, Willems

Nays: Mulder

Absent: MacDowell

Approved:

Thomas J. Sowle, Jr.



Thomas J. Sowle, Jr., Mayor

I, Gregory Newman, Grand Ledge City Clerk, certify this is Ordinance #597 adopted by the Grand Ledge City Council at a meeting held the 27th day of June, 2022, a meeting held according to the Open Meetings Act, Public Act No. 267 of 1976, as amended. I further certify Ordinance #597 was published in the Grand Ledge Independent, a newspaper of general circulation in the City of Grand Ledge, the 03rd day of July, 2022, subsequent to its adoption.





Gregory L. Newman, City Clerk

Introduced: 13 June 2022
Public Hearing: 27 June 2022
Adopted: 27 June 2022
Published: 03 July 2022
Effective: 04 July 2022

CURRENT ORDINANCE

City of Grand Ledge Ordinance #585

An Ordinance Amending the Grand Ledge City Code, Chapter 8, Buildings and Building Regulations, to Regulate Dangerous Buildings.

The City of Grand Ledge Ordains:

Section 1. **Change.** The Grand Ledge City Code, Chapter 8, Buildings and Building Regulations, is amended, as follows:

DANGEROUS BUILDINGS

Purpose.

To promote the health, safety, and welfare of the people of City of Grand Ledge, by regulating the maintenance and safety of certain buildings and structures; to define the classes of buildings and structures affected; to establish administrative requirements and prescribe procedures for the maintenance or demolition of certain buildings and structures; to establish remedies, provide for enforcement, and fix penalties for violations; to repeal ordinances and portions of ordinances inconsistent with this ordinance; and to establish an effective date hereof.

Definitions and Terms.

As used in this Ordinance, including in this Section, the following words and terms shall have the stated meanings.

Dangerous building. Any building or structure (including mobile home), residential or otherwise, that has one or more of the following defects or is in one or more of the following conditions:

- (1) A door, aisle, passageway, stairway or other means of exit that does not conform to the approved fire code of the City.
- (2) A portion of the building or structure that is damaged by fire, wind, flood, deterioration, neglect, abandonment, vandalism, blight, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the damage and does not meet the minimum requirements of the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Sections MCL 125.401 et seq. or the Michigan Building Code for a new building or similar structure, purpose or location.
- (3) A part of the building or structure that is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.
- (4) A portion of the building or structure that has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Sections 125.401 et seq. of the Michigan Compiled Laws, or the Michigan Building Code.
- (5) The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
- (6) The building, structure, or a part of the building or structure that is manifestly unsafe for the purpose for which it is used.
- (7) The building or structure that is damaged by fire, wind or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

- (8) A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that is likely to cause sickness or disease, or is likely to injure the health, safety or general welfare of people living in the dwelling.
- (9) A building or structure that is vacant, dilapidated and open at the door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- (10) A building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of fire resistive construction, faulty electrical wiring, gas connections or heating apparatus, or other cause, is determined by the building official to be a hazard.

Enforcing agency. This City, through the City Chief Building Official, the Fire Chief or Fire Marshall and/or such other official(s) or agency as may be designated by the City Council to enforce this Ordinance.

Michigan Building Code. The building code administered and enforced in the City pursuant to the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended, being Sections 125.1501 et seq. of the Michigan Compiled Laws.

Prohibition of Dangerous Buildings.

It shall be unlawful for any owner or owner's authorized agent to keep or maintain any building or structure or any part of a building or structure which is a dangerous building as defined in this Ordinance

Notice of Dangerous Building; Hearing.

- (1) **Notice Requirement.** Notwithstanding any other provision of this Ordinance, if a building or structure is found to be a dangerous building, the enforcing agency shall issue a notice that the building or structure is a dangerous building.
- (2) **Parties Entitled to Notice.** The notice shall be served on the owner or party in interest in the building or structure in whose name the property appears on the last local tax assessment records of the City.
- (3) **Contents of Notice.** The notice shall specify the time and place of a hearing on whether the building or structure is a dangerous building and state that the person to whom the notice is directed shall have the opportunity at the hearing to show cause why the Hearing Officer should not order the building or structure to be demolished, otherwise made safe, or properly maintained.
- (4) **Service of Notice.** The notice shall be in writing and shall be served upon the person to whom the notice is directed either personally or by certified mail, return receipt request, addressed to the owner or party in interest at the address shown on tax records. If a notice is served upon a person by certified mail, a copy of the notice shall also be posted upon a conspicuous part of the building or structure. The notice shall be served upon the owner or party in interest at least 10 days before the date of the hearing included in the notice.

Dangerous Building Hearing Officer; Duties; Hearing; Order.

- (1) **Appointment of Hearing Officer.** The Hearing Officer shall be appointed by the Mayor with confirmation by the City Council. The Hearing Officer shall be a person who has expertise in housing matters and may include, without limitation, an engineer, architect, building contractor, building inspector, or member of a community housing organization. An employee of the enforcing agency shall not be appointed as a Hearing Officer.
- (2) **Filing Dangerous Building Notice with Hearing Officer.** The enforcing agency shall file a copy of the notice of the dangerous condition of any building or structure with the Hearing Officer.
- (3) **Hearing Testimony and Decision.** At a hearing prescribed by this Ordinance, the Hearing Officer shall take testimony of the enforcing agency, the owner of the property, and any other interested party. Not more than 5 days after completion of the hearing, the Hearing Officer shall render a decision either closing

the proceedings or recommending the building or structure demolished, otherwise made safe, or properly maintained.

- (4) Compliance with Hearing Officer Order. If the Hearing Officer determines that the building or structure should be demolished, otherwise made safe, or properly maintained, the Hearing Officer shall so order, fixing a time in the order for the owner, agent or lessee to comply with the order. If the building or structure is a dangerous building under this Ordinance, the order may require the owner or agent to maintain the exterior of the building or structure and adjoining grounds owned by the owner of the building or structure including, but not limited to, the maintenance of lawns, trees and shrubs.
- (5) Noncompliance with Hearing Officer Order/Request to Enforce Order. If the owner, agent, or lessee fails to appear or neglects or refuses to comply with the order issued under this Section, the Hearing Officer shall file a report of the findings and a copy of the order with the City Manager not more than 5 days after noncompliance by the owner and request that necessary action be taken to enforce the order. A copy of the findings and order of the Hearing Officer shall be served on the owner, agent, or lessee in the manner prescribed in this Ordinance.

Enforcement of Order.

- (1) The City Manager shall fix a date (not less than 30 days after the hearing conducted by the Hearing Officer, unless the case requires immediate judicial action to abate the dangerous conditions) to report to the City Council on the findings and order of the Hearing Officer and shall give notice to the owner, agent or lessee in the manner prescribed in Section 4 of this Ordinance of the time and place of the City Council meeting.
- (2) The City Manager shall present the Hearing Report to the City Council along with his/her recommendation for legal action to abate the dangerous building conditions, that may include demolition of the structures(s).
- (3) In the case of an order of demolition, if the City Manager determines that the building or structure has been substantially destroyed by fire, wind, flood, or other natural disaster, or in a state of disrepair or blight, and the cost of repair of the building or structure will be greater than the state equalized value of the building or structure, the owner, agent, or lessee shall comply with the Hearing Officer's order of demolition within 21 days after the date of the hearing under this Section, unless the case requires immediate judicial action.

Implementation and Enforcement Remedies.

- (1) Implementation of Order by City. In the event of the failure or refusal of the owner or party in interest to comply with the decision of the Hearing Officer, following a recommendation from the City Manager, the City Council may, in its discretion, initiate legal proceedings to enforce the Order.
- (2) Reimbursement of Costs. The costs of inspections, administrative costs, hearings, the demolition, of making the building or structure safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure, and legal fees and costs to enforce this Ordinance incurred by the City to bring the property into conformance with this Ordinance shall be reimbursed to the City by the owner or party in interest in whose name the property appears.
- (3) Notice of Costs. The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified by the City Treasurer of the amount of the costs of the demolition, making the building or structure safe, and/or of maintaining the exterior of the building or structure or grounds adjoining the building or structure, and legal fees and costs, by certified mail at the address shown on the City records.
- (4) Lien for Unpaid Costs and Fees. If after an order issued by a court of competent jurisdiction, the owner or party in interest fails to pay the costs within 30 days after mailing by the City Treasurer of the notice of the amount of the cost, in the case of a single-family dwelling or a two-family dwelling, the City shall have a lien for the costs incurred by the City to bring the property into conformance with this Ordinance. The lien shall not take effect until notice of the lien has been filed or recorded as provided by law. A lien

provided for in this Section does not have priority over previously filed or recorded liens and encumbrances. The lien for the costs shall be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of 1893, as amended, being Sections 211.1 et seq. of the Michigan Compiled Laws.

- (5) **Court Judgment for Unpaid Costs.** In addition to other remedies under this Ordinance, the City may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building or structure safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The City shall have a lien on the property for the amount of a judgment obtained pursuant to this subsection. The lien provided for in this subsection shall not take effect until notice of the lien is filed and recorded as provided by law. The lien does not have priority over prior filed or recorded liens and encumbrances.
- (6) **Enforcement of Judgment.** A judgment in an action brought pursuant to this Section may be enforced against assets of the owner other than the building or structure.
- (7) **Lien for Judgment Amount.** The City shall have a lien for the amount of a judgment obtained pursuant to this Section against the owner's interest in all real property located in this state that is owned in whole or in part by the owner of the building or structure against which the judgment is obtained. A lien provided for in this subsection does not take effect until notice of the lien is filed or recorded as provided by law, and the lien does not have priority over prior filed or recorded liens and encumbrances.

Penalty for Nonconformance With Order.

A person who fails or refuses to comply with an order approved or modified by the City Council under this Ordinance within the time prescribed is responsible for a civil infraction and a fine of not more than \$1,000.00. State Reference – MCL 125.541b.

Appeal to Circuit Court.

An owner aggrieved by any final decision or order of the City Manager under this Ordinance may appeal the decision or order to the circuit court by filing a petition for an order of superintending control within 20 days from the date of the decision.

Injunctive Relief.

The City Manager may initiate an action in a court of competent jurisdiction for injunctive relief to abate the dangerous structure if in the opinion of the building official or credible authority certifies that the dangerous structure poses an immediate and substantial risk to the health, safety and welfare of persons on the property or nearby.

Section 2. Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases or portions of this ordinance.

Section 3. Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Section 4. Effective Date. This ordinance shall take effect seven days after it has been adopted by the Grand Ledge City Council.

Introduced by the Grand Ledge City Council this 23rd day of November, 2020.

Motion by MacDowell

Second by Gillespie

Ayes: Gillespie, Jancek, Lantz, MacDowell, Mulder, Sowle, Willems

Nays: None

Absent: None

Adopted by the Grand Ledge City Council this 14th day of December, 2020.

Motion by Gillespie

Second by Lantz

Ayes: Gillespie, Jancek, Lantz, MacDowell, Mulder, Sowle, Willems

Nays: None

Absent: None

Approved:

Thomas J. Sowle, Jr.



Thomas J. Sowle, Jr., Mayor

I, Gregory Newman, Grand Ledge City Clerk, certify this is Ordinance #585 adopted by the Grand Ledge City Council at a meeting held the 14th day of December, 2020, a meeting held according to the Open Meetings Act, Public Act No. 267 of 1976, as amended. I further certify Ordinance #585 was published in the Grand Ledge Independent, a newspaper of general circulation in the City of Grand Ledge, the 20th day of December, 2020, subsequent to its adoption.



Gregory L. Newman, City Clerk

Introduced: 23 November 2020

Public Hearing: 14 December 2020

Adopted: 14 December 2020

Published: 18 December 2020

Effective: 19 December 2020

City of Grand Ledge Ordinance # _____

An Ordinance to Amend the City Code, Chapter 8 – Buildings and Building Regulations, Article IV – Maintenance of Buildings; to Establish Penalties for the Violation Thereof, Pursuant to the Authorization Set Forth in Section 3(K) of the Michigan Home Rule Cities Act (MCL 117.3); to Repeal Any Code Provision Inconsistent Herewith; to Amend the City Code, Chapter 8 – Buildings and Building Regulations, Article I – In General, to Repeal Section 8.1 – Dangerous Buildings (Ordinance #585); and to Establish an Effective Date Hereof.

The City of Grand Ledge Ordains:

Section 1. Purpose. To promote the health, safety, and welfare of the people of City of Grand Ledge by utilizing the International Property Maintenance Code to regulate and require the safety of buildings, structures, and properties in the City of Grand Ledge and the properties subject to the jurisdiction and control of the City; and to repeal City Code, Chapter 8 – Buildings and Building Regulations, Article I – In General, Section 8.1 – Dangerous Buildings (Ordinance #585).

Section 2. Change. Grand Ledge City Code, Chapter 8 – Buildings and Building Regulations, Article IV – Maintenance of Buildings, is amended, as follows:

Section 8-74. Adoption of International Property Maintenance Code of 2015.

- A. Pursuant to the authorization set forth in Section 3(k) of the Michigan Home Rule Cities Act (MCL 117.3), the City does hereby adopt the International Property Maintenance Code of 2015 prepared by the International Code Council, Inc., as the Property Maintenance Code of the City, as amended herein.
- B. That said Code, five (5) copies of which shall at all times be available for public inspection at the office of the City Clerk together with all amendments marked and designated as the International Property Maintenance Code, 2015 Edition, published by the International Code Council shall be and is hereby adopted by the City. That said code is adopted and made a part hereof by reference except as amended by and within this ordinance. In accordance with the Authorization Set Forth in Section 3(K) of the Michigan Home Rule Cities Act (MCL 117.3), the City Clerk shall make available copies of the ordinance in the City Clerk's office together with amendments which shall be available for distribution to members of the public at large at a charge to be established by the City Council.

Section 8-75. Amendments to the International Property Maintenance Code of 2015.

The International Property Maintenance Code of 2015, as adopted by the City, shall be and is hereby amended as follows:

- A. Sections 103.1 through 103.4 shall be and are hereby amended to read:

103.1 General. The International Property Maintenance Code shall be administered by the city ~~building inspector~~ code official and/or such other persons as may be designated from time to

~~time by resolution of the City Council.~~ The code official shall be appointed by the City Manager. The City Manager shall have the authority to appoint deputy code official(s). Such employees shall have powers as delegated by the code official or City Manager. All such persons shall be individually and collectively known as the “code official.”

103.2 Fees. A schedule of fees for activities necessary to the administration of this chapter shall be adopted and may be amended from time to time by resolution of the City Council.

103.3 Inspections. Inspections shall be scheduled as needed when the building or code official has cause to believe there exists in any property any condition which makes such property, or any portion thereof, substandard, or unsafe, or that a violation of this chapter or other applicable ordinances or laws may exist.

103.4 Procedural and enforcement guidelines. The City Council shall, by resolution, adopt, and may from time to time amend, guidelines for procedures and enforcement of this ~~chapter~~Code.

B. Section 103.5 is hereby deleted.

C. Section 106.3 shall be and is hereby amended to read:

~~Any person or entity failing to comply with a notice of violation or order served in accordance with Section 107 shall be guilty of a civil infraction and shall be subject to a civil penalty of Five Hundred and no/100 Dollars (\$500.00) for each first violation. The penalty shall be doubled for each subsequent violation of the same provision. Each day that a violation continues beyond the time specified for compliance shall be deemed to be a separate offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.~~ Any person or entity failing to comply with a notice of violation or order served in accordance with Section 107 shall be responsible for a municipal civil infraction or district court citation and shall be subject to a civil fine as follows: \$100.00 initial violation, \$200.00 first repeat violation, \$350.00 second repeat violation, and \$500.00 third (or any subsequent) repeat violation. Municipal civil infraction violations are made payable at the City Municipal ordinance violation bureau. Repeat violations are determined based on the date of the commission of the violation. Each day that a violation continues beyond the time specified for compliance shall be deemed to be a separate offense. If the notice of violation is not complied with, City officials may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Such legal or court action shall serve as notice. Any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Jurisdiction for district court citations and legal action as necessary to enforce City ordinance, this Code, and state law, vest in the state courts of Eaton County.

D. Sections 106.3.1 through 106.3.6 shall be and are hereby added to read:

Section 106.3.1. Violation of Code Section 108.1.1 Unsafe structures; Penalties. No person shall keep nor maintain an unsafe structure as defined by code section 108.1.1. Violation of section 108.1.1, shall be a civil infraction subject to a fine of Five Hundred Dollars (\$500.00).

Section 106.3.2. Violation of Code Section 108.1.2 Unsafe equipment; Penalties. No person shall keep nor maintain unsafe equipment as defined by code section 108.1.2. Violation of section 108.1.2, shall be a civil infraction subject to a fine of Five Hundred Dollars (\$500.00).

Section 106.3.3. Violation of Code Section 108.1.3 Structure unfit for human occupancy; Penalties. No person shall keep nor maintain a structure unfit for human occupancy as defined by code section 108.1.3. Violation of section 108.1.3, shall be a civil infraction subject to a fine of Five Hundred Dollars (\$500.00).

Section 106.3.4. Violation of Code Section 108.4.1 Placard removal; Penalties. Any person who defaces or removes a condemnation placard without the approval of the code official shall be in violation of Code Section 108.4.1. Conviction for violation of section 108.4.1, shall be a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

Section 106.3.5. Violation of Code Section 108.5 Prohibited occupancy; Penalties. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be in violation of Code Section 108.5. Conviction for violation of section 108.5, shall be a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

Section 106.3.6. Violation of Code Section 109 – Emergency Measures, Section 109.1 Imminent danger; Penalties. Conviction for violation of section 109.1, shall be a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

E. Section 107.1 shall be and is hereby amended to read:

Section 107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Code officials may issue municipal civil infractions or district court citation pursuant to Section 106.3 of this Code. Notices for condemnation procedures shall also comply with Section 108.3. Notwithstanding Section 107, the City Manager or City Council may initiate immediate legal action as necessary to enforce City ordinance, this Code, and state law, including but not limited to, abate violations and nuisances, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto and such action shall serve as notice of the violation.

F. Section 109.6 shall be and is hereby amended to read: Any person ordered to take emergency measures shall comply with such order forthwith. An appeal or request for hearing shall not delay

compliance with an order to take emergency measures. A hearing regarding an order to take emergency measures shall be limited to whether the order should be continued, modified, or revoked.

- G. Section 111.4 shall be and is hereby amended to read: All hearings before the Board shall be open to the public and shall comply with the Michigan Open Meetings Act (MCL 15.261 et seq). The appellant, the appellant's representative, the Code Official, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds (2/3) of the Board membership.
- H. Section 111.6.1 shall be and is hereby amended to read: The decision of the Board shall be in writing, and a copy thereof shall be furnished to the appellant and to the Code Official.
- I. Section 111.7 shall be and is hereby amended to read: Any party shall have the right to seek judicial review, which review shall be limited to a determination of whether the decision is supported by substantial evidence on the record as a whole.
- J. Section 111.8 shall be and is hereby amended to read: Appeals of notice and orders shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.
- K. Section 111.9 shall be and is hereby amended to read: A person may appeal a notice of violation or order issued under this code to the Board of Appeals, except those violations issued pursuant to a Municipal ordinance violation citation, district court citation, or those violations instituted at law or in equity to, but not limited to, restrain, correct or abate such violation, or demolition of structures or building, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto, jurisdiction of such violation(s) and actions vest in the state courts of Eaton County.
- L. Section 202 shall be and is hereby amended to read: Board of Appeals means the jurisdiction's construction board of appeals, subject to Section 111.2 Membership of board. Where board of appeals is indicated in this Code, it shall be the jurisdiction's construction board of appeals.
- M. Section 302.3 shall be and is hereby amended to read: All private sidewalks, walkways, stairs, driveways and parking places and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- N. Section 302.4 and section 302.8 shall be and are hereby deleted.
- O. Section 303.2 shall be and is hereby amended to read: Private swimming pools, hot tubs and spas containing water more than 20 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level, measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.

- P. Section 304.14 shall be and is hereby ~~amended~~ ~~deleted~~ ~~to read: During the period from Memorial Day to Labor Day, every door, window or other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than sixteen (16) mesh per inch, and every swinging door shall have an effective closing device in good working condition, except that screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.~~
- Q. Section 602.3 shall be and is hereby amended to read: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from November 1 to April 1 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathroom and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
 2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.
- R. Section 602.4 shall be and is hereby amended to read: Indoor occupiable work spaces shall be supplied with heat during the period from November 1 to April 1 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 8-76. Applicability of remaining provisions.

All provisions of the International Property Maintenance Code not specifically amended herein shall remain as printed in said Code.

Section 3. Savings Clause. All proceedings pending and all rights and liabilities existing or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they were commenced. This amendatory Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory Ordinance for an offense committed before that date.

Section 4. Conflicting Ordinances Repealed. Except as to prosecution and legal actions pending and saved pursuant to Section 4 above, any Grand Ledge City Ordinances or parts of Ordinances in conflict

with or inconsistent with any of the provisions of this Ordinance and the International Property Maintenance Code of 2006 and 2009, as amended hereby, are repealed.

Section 5. Grand Ledge Ordinance #585 repealed. Grand Ledge Ordinance #585 and City Code Section 8-1 Dangerous Buildings is hereby repealed, and Section 8-1 is reserved for future use.

Section 6. Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases, or portions of this ordinance.

Section 7. Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Section 8. Effective Date. This ordinance shall take effect seven days after it has been adopted by the Grand Ledge City Council.

Introduced by the Grand Ledge City Council this _____ day of _____, _____.

Motion by

Second by

Ayes:

Nays:

Absent:

Adopted by the Grand Ledge City Council this _____ day of _____, _____.

Motion by

Second by

Ayes:

Nays:

Absent:

Approved:

Keith O. Mulder, Mayor

I, Gregory Newman, Grand Ledge City Clerk, certify this is Ordinance #_____ adopted by the Grand Ledge City Council at a meeting held the _____ day of _____, _____, a meeting held according to the Open Meetings Act, Public Act No. 267 of 1976, as amended. I further certify Ordinance #_____ was published in the Grand Ledge Independent, a newspaper of general circulation in the City of Grand Ledge, the _____ day of _____, _____, subsequent to its adoption.

Gregory L. Newman, City Clerk

Introduced:

Public Hearing:

Adopted:

Published:

Effective:

PROPOSED AMENDMENTS

City of Grand Ledge Ordinance # _____

An Ordinance to Amend the City Code, Chapter 8 – Buildings and Building Regulations, Article IV – Maintenance of Buildings; to Establish Penalties for the Violation Thereof, Pursuant to the Authorization Set Forth in Section 3(K) of the Michigan Home Rule Cities Act (MCL 117.3); to Repeal Any Code Provision Inconsistent Herewith; to Amend the City Code, Chapter 8 – Buildings and Building Regulations, Article I – In General, to Repeal Section 8.1 – Dangerous Buildings (Ordinance #585); and to Establish an Effective Date Hereof.

The City of Grand Ledge Ordains:

Section 1. Purpose. To promote the health, safety, and welfare of the people of City of Grand Ledge by utilizing the International Property Maintenance Code to regulate and require the safety of buildings, structures, and properties in the City of Grand Ledge and the properties subject to the jurisdiction and control of the City; and to repeal City Code, Chapter 8 – Buildings and Building Regulations, Article I – In General, Section 8.1 – Dangerous Buildings (Ordinance #585).

Section 2. Change. Grand Ledge City Code, Chapter 8 – Buildings and Building Regulations, Article IV – Maintenance of Buildings, is amended, as follows:

Section 8-74. Adoption of International Property Maintenance Code of 2015.

- A. Pursuant to the authorization set forth in Section 3(k) of the Michigan Home Rule Cities Act (MCL 117.3), the City does hereby adopt the International Property Maintenance Code of 2015 prepared by the International Code Council, Inc., as the Property Maintenance Code of the City, as amended herein.
- B. That said Code, five (5) copies of which shall at all times be available for public inspection at the office of the City Clerk together with all amendments marked and designated as the International Property Maintenance Code, 2015 Edition, published by the International Code Council shall be and is hereby adopted by the City. That said code is adopted and made a part hereof by reference except as amended by and within this ordinance. In accordance with the Authorization Set Forth in Section 3(K) of the Michigan Home Rule Cities Act (MCL 117.3), the City Clerk shall make available copies of the ordinance in the City Clerk's office together with amendments which shall be available for distribution to members of the public at large at a charge to be established by the City Council.

Section 8-75. Amendments to the International Property Maintenance Code of 2015.

The International Property Maintenance Code of 2015, as adopted by the City, shall be and is hereby amended as follows:

- A. Sections 103.1 through 103.4 shall be and are hereby amended to read:

103.1 General. The International Property Maintenance Code shall be administered by the city code official. The code official shall be appointed by the City Manager. The City Manager shall have

the authority to appoint deputy code official(s). Such employees shall have powers as delegated by the code official or City Manager. All such persons shall be individually and collectively known as the “code official.”

103.2 Fees. A schedule of fees for activities necessary to the administration of this chapter shall be adopted and may be amended from time to time by resolution of the City Council.

103.3 Inspections. Inspections shall be scheduled as needed when the building or code official has cause to believe there exists in any property any condition which makes such property, or any portion thereof, substandard, or unsafe, or that a violation of this chapter or other applicable ordinances or laws may exist.

103.4 Procedural and enforcement guidelines. The City Council shall, by resolution, adopt, and may from time to time amend, guidelines for procedures and enforcement of this Code.

B. Section 103.5 is hereby deleted.

C. Section 106.3 shall be and is hereby amended to read:

Any person or entity failing to comply with a notice of violation or order served in accordance with Section 107 shall be responsible for a municipal civil infraction or district court citation and shall be subject to a civil fine as follows: \$100.00 initial violation, \$200.00 first repeat violation, \$350.00 second repeat violation, and \$500.00 third (or any subsequent) repeat violation. Municipal civil infraction violations are made payable at the City Municipal ordinance violation bureau. Repeat violations are determined based on the date of the commission of the violation. Each day that a violation continues beyond the time specified for compliance shall be deemed to be a separate offense. If the notice of violation is not complied with, City officials may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Such legal or court action shall serve as notice. Any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Jurisdiction for district court citations and legal action as necessary to enforce City ordinance, this Code, and state law, vest in the state courts of Eaton County.

D. Sections 106.3.1 through 106.3.6 shall be and are hereby added to read:

Section 106.3.1. Violation of Code Section 108.1.1 Unsafe structures; Penalties. No person shall keep nor maintain an unsafe structure as defined by code section 108.1.1. Violation of section 108.1.1, shall be a civil infraction subject to a fine of Five Hundred Dollars (\$500.00).

Section 106.3.2. Violation of Code Section 108.1.2 Unsafe equipment; Penalties. No person shall keep nor maintain unsafe equipment as defined by code section 108.1.2. Violation of section 108.1.2, shall be a civil infraction subject to a fine of Five Hundred Dollars (\$500.00).

Section 106.3.3. Violation of Code Section 108.1.3 Structure unfit for human occupancy; Penalties. No person shall keep nor maintain a structure unfit for human occupancy as defined by code section

108.1.3. Violation of section 108.1.3, shall be a civil infraction subject to a fine of Five Hundred Dollars (\$500.00).

Section 106.3.4. Violation of Code Section 108.4.1 Placard removal; Penalties. Any person who defaces or removes a condemnation placard without the approval of the code official shall be in violation of Code Section 108.4.1. Conviction for violation of section 108.4.1, shall be a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

Section 106.3.5. Violation of Code Section 108.5 Prohibited occupancy; Penalties. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be in violation of Code Section 108.5. Conviction for violation of section 108.5, shall be a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

Section 106.3.6. Violation of Code Section 109 – Emergency Measures, Section 109.1 Imminent danger; Penalties. Conviction for violation of section 109.1, shall be a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

E. Section 107.1 shall be and is hereby amended to read:

Section 107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Code officials may issue municipal civil infractions or district court citation pursuant to Section 106.3 of this Code. Notices for condemnation procedures shall also comply with Section 108.3. Notwithstanding Section 107, the City Manager or City Council may initiate immediate legal action as necessary to enforce City ordinance, this Code, and state law, including but not limited to, abate violations and nuisances, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto and such action shall serve as notice of the violation.

F. Section 109.6 shall be and is hereby amended to read: Any person ordered to take emergency measures shall comply with such order forthwith. An appeal or request for hearing shall not delay compliance with an order to take emergency measures. A hearing regarding an order to take emergency measures shall be limited to whether the order should be continued, modified, or revoked.

G. Section 111.4 shall be and is hereby amended to read: All hearings before the Board shall be open to the public and shall comply with the Michigan Open Meetings Act (MCL 15.261 et seq). The appellant, the appellant's representative, the Code Official, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds (2/3) of the Board membership.

- H. Section 111.6.1 shall be and is hereby amended to read: The decision of the Board shall be in writing, and a copy thereof shall be furnished to the appellant and to the Code Official.
- I. Section 111.7 shall be and is hereby amended to read: Any party shall have the right to seek judicial review, which review shall be limited to a determination of whether the decision is supported by substantial evidence on the record as a whole.
- J. Section 111.8 shall be and is hereby amended to read: Appeals of notice and orders shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.
- K. Section 111.9 shall be and is hereby amended to read: A person may appeal a notice of violation or order issued under this code to the Board of Appeals, except those violations issued pursuant to a Municipal ordinance violation citation, district court citation, or those violations instituted at law or in equity to, but not limited to, restrain, correct or abate such violation, or demolition of structures or building, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto, jurisdiction of such violation(s) and actions vest in the state courts of Eaton County.
- L. Section 202 shall be and is hereby amended to read: Board of Appeals means the jurisdiction's construction board of appeals, subject to Section 111.2 Membership of board. Where board of appeals is indicated in this Code, it shall be the jurisdiction's construction board of appeals.
- M. Section 302.3 shall be and is hereby amended to read: All private sidewalks, walkways, stairs, driveways and parking places and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
- N. Section 302.4 and section 302.8 shall be and are hereby deleted.
- O. Section 303.2 shall be and is hereby amended to read: Private swimming pools, hot tubs and spas containing water more than 20 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level, measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.
- P. Section 304.14 shall be and is hereby deleted.
- Q. Section 602.3 shall be and is hereby amended to read: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from November 1 to April 1 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathroom and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
 2. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.
- R. Section 602.4 shall be and is hereby amended to read: Indoor occupiable work spaces shall be supplied with heat during the period from November 1 to April 1 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 8-76. Applicability of remaining provisions.

All provisions of the International Property Maintenance Code not specifically amended herein shall remain as printed in said Code.

Section 3. Savings Clause. All proceedings pending and all rights and liabilities existing or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they were commenced. This amendatory Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this amendatory Ordinance for an offense committed before that date.

Section 4. Conflicting Ordinances Repealed. Except as to prosecution and legal actions pending and saved pursuant to Section 4 above, any Grand Ledge City Ordinances or parts of Ordinances in conflict with or inconsistent with any of the provisions of this Ordinance and the International Property Maintenance Code of 2006 and 2009, as amended hereby, are repealed.

Section 5. Grand Ledge Ordinance #585 repealed. Grand Ledge Ordinance #585 and City Code Section 8-1 Dangerous Buildings is hereby repealed, and Section 8-1 is reserved for future use.

Section 6. Severability. The provisions of this ordinance are severable, and if any section, sub-section, paragraph, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of all remaining sections, sub-sections, paragraphs, sentences, clauses, phrases, or portions of this ordinance.

Section 7. Section Headings. The section headings used in this ordinance are for convenience only and are not a part of this ordinance.

Section 8. Effective Date. This ordinance shall take effect seven days after it has been adopted by the Grand Ledge City Council.

Introduced by the Grand Ledge City Council this _____ day of _____, _____.

Motion by
Second by

Ayes:

Nays:

Absent:

Adopted by the Grand Ledge City Council this _____ day of _____, _____.

Motion by
Second by

Ayes:

Nays:

Absent:

Approved:

Keith O. Mulder, Mayor

I, Gregory Newman, Grand Ledge City Clerk, certify this is Ordinance # _____ adopted by the Grand Ledge City Council at a meeting held the _____ day of _____, _____, a meeting held according to the Open Meetings Act, Public Act No. 267 of 1976, as amended. I further certify Ordinance # _____ was published in the Grand Ledge Independent, a newspaper of general circulation in the City of Grand Ledge, the _____ day of _____, _____, subsequent to its adoption.

Gregory L. Newman, City Clerk

Introduced:

Public Hearing:

Adopted:

Published:

Effective:

AMENDED ORDINANCE

CITY OF GRAND LEDGE
NOTICE OF PUBLIC HEARING

The Grand Ledge City Council will hold a public hearing during its regular meeting at 7:30 p.m. on 27 February 2023, to consider and receive public input on a proposed ordinance to amend the City Code, Chapter 8 – Buildings and Building Regulations, Article IV – Maintenance of Buildings; to establish penalties for the violation thereof, pursuant to the authorization set forth in Section 3(K) of the Michigan Home Rule Cities Act (MCL 117.3); to repeal any code provision inconsistent herewith; to amend the City Code, Chapter 8 – Buildings and Building Regulations, Article I – In General, to repeal Section 8.1 – Dangerous Buildings (Ordinance #585); and to establish an effective date hereof. The proposed ordinance is available on the City’s website at www.cityofgrandledge.com.

The meeting will be held in the Council Chambers, City Hall, 310 Greenwood St., Grand Ledge MI 48837, in compliance with the Open Meetings Act, as amended, and will also be livestreamed via Zoom for informational purposes only. The online stream can be accessed at <https://www.zoom.us> with the Meeting ID: 892 6587 9670, or by calling +1 309 205 3325 or +1 312 626 6799 or +1 646 876 9923 or +1 646 931 3860 or +1 301 715 8592 or +1 305 224 1968 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 408 638 0968 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 with Meeting ID: 892 6587 9670.

The City Council invites anyone interested to attend in person and offer comments at the public hearing. Written comments can be mailed or delivered to Elected or Appointed Officials at 310 Greenwood St., Grand Ledge, MI 48837, placed in the drop box in front of City Hall, or emailed to cityhall@cityofgrandledge.com. All written comments will be considered if received by 5:00 p.m. the day of the hearing. Please call (517) 627-2149 or email cityhall@cityofgrandledge.com for further information or to request accommodations for disabilities.

Gregory Newman, City Clerk