

ORDINANCE NO: 767

AN ORDINANCE TO AMEND SECTION 24-49 OF THE ORDINANCES
OF THE CITY OF ALMA TO PROVIDE THAT VIOLATION CONSTITUTES A MUNICIPAL CIVIL INFRACTION

The City of Alma Ordains:

Section 1: Section 24-49 of the ordinances of the City of Alma is hereby amended to read as follows:

- **Sec. 24-49. - Same—Amendments.**

The following sections of the International Fire Code are hereby revised as follows:

Section 101.1 is amended by the insertion of, "City of Alma."

Section 108.1 is amended to read as follows:

108.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and hereby is created a board of appeals. The city's construction board of appeals, appointed according to ordinance, shall serve as such board of appeals. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 109.3 is hereby amended to read as follows:

109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be responsible for municipal civil infraction, punishable by a civil fine as provided in the schedule of civil fines. Each day that a violation continues after due notice has been served shall be deemed a separate violation.

Section 111.4 is amended to read as follows:

Section 111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be responsible for a municipal civil infraction subject to the fines and penalties enumerated in Chapter 30 of this Code, dealing with establishing civil infraction actions and a municipal ordinance violations bureau.

Section 2: Separability. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3: Ordinances Repealed. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 4: Effective Date. This ordinance shall take effect and be in force 15 days from and after its enactment as provided by the City Charter.

Passed and approved by the City Commission of the City of Alma, Michigan, in regular session, held June 9, 2015.

We, the undersigned, Mayor and Clerk of the City of Alma, Michigan, do hereby certificate that the above and foregoing Ordinance, known as Ordinance No. 767 of the City of Alma, Michigan, was introduced at a regular meeting of the City Commission, held on May 12, 2015, and was thereafter passed at a regular meeting on June 9, 2015, at least two weeks elapsing between the introduction and the enactment.

Dated at Alma, Michigan, this 9th day of June, 2015.

Melvin A. Nyman, Mayor

Barbara A. Gager, Clerk

I, the undersigned, City Clerk, DO HEREBY CERTIFY that the foregoing and above Ordinance No. 767 of the City of Alma, Michigan, is a true and compared copy of the original ordinance, now on file in my office, and of the whole thereof; that the same was published within 10 days from its adoption in the Morning Sun, a newspaper printed, published and circulated in the City of Alma, Michigan, on June 12, 2015 and that the Affidavit of Publication thereof is now on file in my office and is a part of the original records pertaining to the adoption of the aforesaid ordinance.

I FURTHER CERTIFY that in accordance with the provisions of Section 5.3 and 5.5 of Chapter V of the Charter of Alma, Michigan, the foregoing ordinance shall take effect 15 days after its enactment as aforesaid.

Dated June 13, 2015 at Alma, Michigan.

Barbara A. Gager, City Clerk