

**ORDINANCE NUMBER 2016.09/401  
CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN**

**ORDINANCE FOR ADOPTION OF THE  
2015 INTERNATIONAL PROPERTY MAINTENANCE CODE**

An ordinance of the City of Buchanan, Michigan adopting the 2015 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 City of Buchanan, Michigan: providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2011.04/383 of the City of Buchanan, Michigan and all other ordinances and parts of the ordinances in conflict therewith.

The City Commission of the City of Buchanan, Michigan does ordain as follows:

**Section 1:** That a certain document, one (1) copies of which are on file in the office of the Clerk's office of the City of Buchanan, Michigan, being marked and designated as the ***International Property Maintenance Code***, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Buchanan, in the State of Michigan for 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 as herein provided: providing for the issuance of permits and collection of fees therefore: and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Clerk's office 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: THE CITY OF BUCHANAN
Section 103.5	Insert: Cost incurred plus fifteen percent (15%)
Section 106.3	Delete: or civil infraction as determined by the local municipality
Section 111.1	Insert: Construction Board of Appeals
Section 111.2	Insert: Construction Board of Appeals
Section 112.4	Insert: not less than \$100.00 or more than \$500.00
Section 302.4	Insert: Eight (8) inches
Section 304.14.	Insert: May 1 – November 1
Section 602.3	Insert: October 1 – July 1
Section 602.4	Insert: October 1 – July 1

**Section 3.** That Ordinance No. 2011.04/383 of the City of Buchanan, Michigan entitled ORDINANCE FOR ADOPTION OF THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE and all other ordinances or parts of ordinances in conflict with this Ordinance 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 City of Buchanan, Michigan 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 causes of action acquitted or existing under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the City Clerk is hereby ordered and directed to cause this ordinance to be published as required by law; and this ordinance shall take effect from and after its approval as required by law.

**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 fifteen (15) days from and after the date of its final passage and adoption.

MADE, PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN, ON THE 12<sup>th</sup> DAY OF September, 2016, AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD ON AUGUST 25, 2016 AND AGAIN ON September 22, 2016, AND EFFECTIVE IMMEDIATELY AFTER THE DATE OF ADOPTION AND PUBLICATION AS REQUIRED.



CARLA M COLE, Mayor



GLADYS M BYBEE, Clerk

Ordinance proposed by Commissioner Moore; seconded by Commissioner Vigansky.

AYES: Carla Cole, Brenda Hess, Patricia Moore, Dale Toerne, Dan  
NAYES: none  
ABSTAIN: none  
ABSENT: none

**ORDINANCE 2016.09/401 DECLARED ADOPTED.**

#### CERTIFICATION

I hereby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on the 12 day of September, 2016, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 207, Public Acts of Michigan, 1921, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

GLADYS M BYBEE, City Clerk