

ORDINANCE NO. 454-19

**CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN**

AN ORDINANCE TO AMEND THE CITY OF LATHRUP VILLAGE CODE OF ORDINANCES AT CHAPTER 14. BUILDINGS AND REGULATIONS, ARTICLE VI. – PROPERTY MAINTENANCE CODE; BY DELETING ARTICLE VI IN ITS ENTIRETY AND REPLACING AS FOLLOWS; IN ORDER TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS THE PROPERTY MAINTENANCE CODE FOR THE CITY AND TO INCLUDE THE NECESSARY ADDITIONS, INSERTIONS AND CHANGES TO THE PROPERTY MAINTENANCE CODE NECESSITATED BY THE ADOPTION.

THE CITY OF LATHRUP VILLAGE ORDAINS:

Section 1. Amendment.

Chapter 14 - Buildings and Regulations; Article VI – Property Maintenance Code, shall be amended in its entirety and shall read as follows:

14-151 Code Adoption.

The International Property Maintenance Code, 2018 Edition, as published by the International Code Council, is hereby adopted as the Property Maintenance Code for the City of Lathrup Village, with the insertions and amendments specified in this chapter. A copy of the International Property Maintenance Code, 2018 Edition, is available for inspection at the office of the City Clerk.

14-152 Insertions.

The following sections of the International Property Maintenance Code, 2018 Edition, are completed by inserting the following information:

101.1 Title. Insert: “City of Lathrup Village.”

103.5 Fees. Insert: “As adopted by Resolution of the City of Lathrup Village Council.”

112.4 Failure to comply. Insert: “...a fine established by Section 2-214, Effect of criminal offense; civil fines, costs, damages, expenses, of Article VI, Municipal Civil Infractions, of Chapter 2 Administration, of Part Two Code of Ordinances.”

302.4 *Weeds*. Insert: “seven (7”) inches.”

304.14 *Insect screens*. Insert: “March 1 to December 1.”

602.3 *Heat Supply*. Insert: “October 1 to May 15.”

602.4 *Occupiable work spaces*. Insert: “October 1 to May 15.”

14-153 Amendments.

(a) The following sections of the International Property Maintenance Code, 2018 Edition, are amended to read as follows:

103.1 General. The City of Lathrup Village Building Official is designated as the code official for purposes of administering and enforcing this Code.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with section 107 shall be deemed responsible for a municipal civil infraction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official 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 or premises 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 violation is located and shall be a lien upon such real estate that may be assessed and collected on the tax rolls in the same manner and with the same interest and penalties as delinquent special assessments.

106.4. Violation penalties. Any person, firm or corporation who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be responsible for a municipal civil infraction and be subject to the penalties, including civil fines, costs, damages, expenses and court judgments and orders to enforce or enjoin violations of this Code as provided in Chapter 2 Article VI of the City of Lathrup Village Code of Ordinances. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. A violation of any of the provisions of this Code is hereby declared to be a public nuisance per se and may be abated by order of any court of competent jurisdiction.

111.2. Membership of the board. As authorized by Section 14 of the Stille-DeRossett-Hale Single State Construction Code Act, Public Act No.

230 of 1972, the Construction Board of Appeals for the City of Lathrup Village shall serve as the Board of Appeals as provided by Section 111.

(b) Sections 111.2.1, 111.2.2, 111.2.3, 111.2.4 and 111.2.5 of the International Property Maintenance Code, 2018 Edition, are deleted.

Sec. 14-154. - Firewood storage.

(a) *Definitions.* Firewood means and includes all wood, logs, twigs, branches, stumps, stakes, scrap wood, wooden shingles and similar materials kept or stored outside upon property within the city, which materials are capable of being burned in a fireplace or wood burning stove.

(b) *Storage.* Any firewood stored or kept outside upon property within the city shall not be placed or stored within 12 inches of any adjoining property line. Storage shall be permitted only on a secure rack, base or other device that keeps the firewood eight inches above the ground to prevent the infestation of rodents and vermin.

(c) *Locations restricted.* Any firewood stored or kept outside upon property within the city shall not be placed or kept in the front yard of a residential home.

(d) *Penalty.* Any person who shall violate this section shall be deemed to have committed a civil infraction.

Secs. 14-155—14-180. - Reserved.

Section 2. Repealer.

This Ordinance hereby repeals any ordinances in conflict herewith.

Section 3. Savings Clause.

That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.


Section 4. Severability.

The various parts, sections, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

Section 5. Adoption and Effective Date.

This Ordinance shall be published in the manner required by law and shall become effective ten (10) days after the date of its publication. A copy of the ordinance shall also be made available for public use and inspection in the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL, CITY OF LATHRUP VILLAGE, OAKLAND COUNTY, MICHIGAN THIS 19th DAY OF August, 2019.

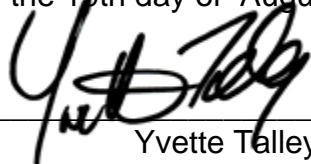


Yvette Talley, City Clerk

Date of Introduction: July 22, 2019
Date of Adoption: August 19, 2019
Date of Publication of August 22, 2019
Notice of Adoption: August 29, 2019

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is a true and complete copy of the ordinance passed at a meeting of the City of Lathrup Village held on the 19th day of August, 2019.



Yvette Talley, City Clerk