

CHARTER TOWNSHIP OF SHELBY

MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 291

AN ORDINANCE TO AMEND CHAPTER 26 ARTICLE V OF THE CHARTER TOWNSHIP CODE OF ORDINANCES BY AMENDING SECTION 104 OF THE 2015 INTERNATIONAL FIRE CODE TO PROVIDE PENALTIES FOR VIOLATIONS OF FIRE MARSHALL ORDERS PROMULGATED PURSUANT TO THE INTERNATIONAL FIRE CODE;

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF SHELBY:

Section 1. Article V, Section 26-152 of the Code of Ordinances, Charter Township of Shelby, Michigan is hereby amended to add the following section 104.1.2 as a local amendment to the 2015 International Fire Code to read as follows:

104.1.2. Rules and regulations specified. All rules promulgated under the authority of 104.1 shall have the same effect and enforceability as any other provision of this code. Such promulgated rules and regulations shall include but not be limited to:

A. The requirements identified as the Shelby Township Fire Department, Fire Prevention Division Construction Requirements.

B. All regulations promulgated by, and on file at, the Shelby Township Fire Department, including but not limited to the following subjects:

- 1. Fire Protection Systems;**
- 2. Fire Alarm Systems;**
- 3. Fire Protection for Gasoline Dispensing Devices;**
- 4. Fire Protection for Commercial Cooking Equipment;**
- 5. Open Burning;**
- 6. Safe Operations/Maintenance at Gasoline Stations;**
- 7. Emergency Planning and Preparedness;**
- 8. Hazardous Chemical Reporting (Right-to-Know);**
- 9. Draftstopping;**

- 10. No Parking – Fire Lane Signs;
 - 11. Key Safe;
 - 12. Yard Hydrant Identification;
 - 13. Smoke Vent Identification;
 - 14. Hazardous Stack Marking;
 - 15. Fire Hydrant Impact Protection;
 - 16. Fire Hydrant Access Gates;
 - 17. Fire Apparatus Access Roads;
 - 18. Addresses and Thoroughfare Signs;
 - 19. Utility Meter and Appliance Impact Protection;
 - 20. Security Gates – Emergency Operation;
 - 21. Tents and Other Membrane Structures;
 - 22. Temporary and Portable Cooking Facilities;
 - 23. Consumer Fireworks Sales;
 - 24. Fireworks Displays;
 - 25. Proximate Audience Pyrotechnics;
 - 26. Special Amusement Buildings;
 - 27. Indoor Art & Craft Fairs, Festivals, and Similar Events; and
 - 28. Outdoor Carnivals, Festivals, Fairs, and Similar Events.
- C. Shelby Township Fire Department, Fire Prevention Division, Fire Marshal Bulletins.

Section 2. Section 1-7 (h) of the Code of Ordinances shall be amended to read as follows:

1-7. General penalty; continuing violations.

(h) It is unlawful and constitutes a municipal civil infraction for any person to violate or fail to comply with the following provisions of this Code:

<u>CHAPTER</u>	<u>TITLE</u>	<u>SECTION</u>
6	Animals	6-2, 6-5
10	Buildings and Building Regulations	Michigan Construction Code, with updates as promulgated by the Director of Consumer and Industry Services, <u>except for</u> the following sections: Building Code: 101.4.5; 110.1; 110.3; 110.4; 114.2; 115.1) Residential Code: 102.7; 110.1; 110.2; 110.4; 110.5; 114.2 Plumbing Code: 108.5 P108.7.1; 108.7.3 . Mechanical Code: M108.5; 108.7.1; 108.7.3 All sections of the Electrical Code and Property Maintenance Code remain as misdemeanors.
10	Building and Building Regulations--Fences	10-318; 10-319; 10-320 through 325
26	Fire Prevention and Protection	26-156; 26-1; 26-151 International Fire Code, with updates as promulgated by the International Code Council; except for the following sections: 104.1.2 ; 104.11.2; 104.11.3; 110; 111; 112 5.03.3; 507.5.4.;
50	Parks and Recreation	50-33(a) through (i), 50-34(a), 50-34(b), 50-34(g)(2)(a through d), 50-34

		(i) (j) (k) (l) (m) (n) (o) (q)(r) (t) (u) (v).
58	Public Works	Sidewalks 58-502, 58-521, 58-522(b) and (c), 58-523, 58-527, 58- 528, 58-533
62	Solid Waste	Garbage and Refuse 62-2, 62-3, 62-4, 62-5(1- 5),62-6(1-7); 62-7(1 through 11) Waste Haulers 62-61, 62-62(a), 62-68, 62- 69(b) and (c), 62- 71(1)(2)(5)(6), 62-104 (1) through (4),
74	Vegetation	Weeds 74-92, 74-94

Section 3. SEVERABILITY

If any section, subsection, 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 portion of this Ordinance, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. EFFECTIVE DATE

This Ordinance shall be effective immediately upon date of publication hereof.

CERTIFICATION

I hereby certify the foregoing is a true and complete copy of Ordinance No. 291 duly adopted by the Board of Trustees of the Charter Township of Shelby at a Regular Meeting held on November 17, 2020, pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be made available as required by said Act.

STANLEY GROT, Clerk

Introduction Date:	October 6, 2020
First Publication Date:	October 21, 2020
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Effective Date:	November 25, 2020