



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 20092015.

- 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 2009-2015 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), ~~In accordance with the enabling statutes cited in the preamble to this ordinance,~~ 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 20092015.

The International Property Maintenance Code of 20092015, 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:

103.1General. 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. ~~Any civil penalty which shall remain unpaid for thirty (30) days after levy shall be entered upon the tax rolls of the property involved and thereafter collected in the same manner as delinquent property taxes.~~ 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