

**CITY OF SALINE
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 845

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES AS IT RELATES
TO BUILDINGS AND BUILDING REGULATIONS FOR THE PURPOSE OF
UPDATING THE PROPERTY MAINTENANCE CODE BY AMENDING
CHAPTER 18, ARTICLE IX, ENTITLED "PROPERTY MAINTENANCE CODE"
OF THE CITY OF SALINE CODE OF ORDINANCES**

The City of Saline ordains:

Section 1. Amendment. The City of Saline Code of Ordinances, Chapter 18, is hereby amended by repealing **Article IX** entitled, "**Property Maintenance Code**" in its entirety and adding new **Article IX** entitled, "**Property Maintenance Code**" in its entirety to read as follows:

ARTICLE IX. PROPERTY MAINTENANCE CODE

Sec. 18-169. Adoption of code.

The International Property Maintenance Code, 2021 Edition, as promulgated and published by the International Code Council, is adopted by reference as the property maintenance code of the City of Saline and made a part of this chapter as if fully set forth in this article, subject to the modifications provided in this article and subject to such further modifications as the city shall adopt from time to time.

Sec. 18-170. Purpose of code.

The purpose of the property maintenance code is to ensure public health, safety, and welfare insofar as they are affected by the maintenance of all property, buildings, and structures within the city.

Sec. 18-171. Definitions.

Whenever the words "city," "jurisdiction" or "governmental unit" are used in the International Property Maintenance Code, 2021 Edition, they shall mean the City of Saline. Whenever the word "state" is used in the International Property Maintenance Code, 2021 Edition, it shall mean the State of Michigan.

Sec. 18-172. Amendments to the property maintenance code.

The International Property Maintenance Code, 2021 Edition, is amended as follows:

- (a) Section 101.1 is amended to read in its entirety as follows:

101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Saline, hereinafter referred to as "this code."

- (b) Section 102.3 is amended to read in its entirety as follows:

102.3. Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the Michigan Electrical Code, and the Saline Fire Code. Nothing in this Code shall be construed to cancel, modify, or set aside any provision of the Saline Zoning Ordinance.

- (c) Section 102.3.1 is added to read in its entirety:

102.3.1. Reference to other codes. Whenever the "International Building Code" or "building code" is referenced in this Code it shall mean the Michigan Building Code. Whenever the "International Mechanical Code" is referenced in this Code it shall mean the Michigan Mechanical Code. Whenever the "International Plumbing Code" is referenced in this Code it shall mean the Michigan Plumbing Code. Whenever the "International Electrical Code" or "NFPA 70" is referenced in this Code it shall mean the Michigan Electrical Code. Whenever the "International Fire Code," "fire code" or "NFPA 25" is referenced in this Code it shall mean the Saline Fire Code. Whenever the "International Zoning Code" is referenced in this Code it shall mean the Saline Zoning Ordinance.

- (d) Section 103.1 is amended to read in its entirety as follows:

103.1. Creation of agency. The Building Safety Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

- (e) Section 103.2 is amended to read in its entirety as follows:

103.2 Appointment. The *code official* shall be the appointed Building Official of the City of Saline.

- (f) Section 104.1 is amended to read in its entirety as follows:

104.1 Fees. The City Council shall by resolution from time to time, establish a fee schedule for activities and services performed by the department in carrying out its responsibilities under this code.

- (g) Section 104.3 is added to read in its entirety:

104.3 Payment and collection. The applicable sections of the Code of the City of Saline shall govern the payment and collection of special assessments made under this Code.

- (h) Section 104.4 is added to read in its entirety:

104.4 Unpaid fees. Any unpaid fees, as required by this Code that remain unpaid after February 15th, shall become a debt to the City from the owner or person otherwise to be assessed on Tax Day provided by law. Such unpaid fees shall become a lien upon such real property and the lien for such amounts and all associated interest and penalties shall continue until payment. All such lien amounts shall be collected in the same manner as real property taxes.

- (i) Section 105.3 is amended to read in its entirety as follows:

105.3. Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, *owner's* authorized agent or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry. In all instances where entry is refused, the code official is authorized to pursue recourse as provided by law.

- (j) Section 105.7 is amended to read in its entirety as follows:

105.7 Liability. The *code official*, members of the Saline Construction Board of Appeals, or employees charged with the enforcement of this Code, while acting for the city, in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not be rendered liable personally, and is relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Code shall be defended by legal representative of the City until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this Code.

- (k) Section 107.1 is amended to read in its entirety as follows:

107.1 General. All appeals under this Code shall be brought before the Construction Board of Appeals as created pursuant to subsection 18-9 of the Code of Ordinances of the City of Saline, which Board is authorized and has jurisdiction to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this Code, using the rules of procedures adopted by the Construction Board of Appeals.

- (l) Section 107.3 is deleted in its entirety.

- (m) Section 107.4 is deleted in its entirety.

(n) Section 108.1 is amended to read in its entirety as follows:

108.1 Membership of board. Membership of the Construction Board of Appeals shall be as authorized and required pursuant to subsection 18-9 of the Code of Ordinances of the City of Saline.

(o) Section 109.3 is amended to read in its entirety as follows:

109.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 shall be deemed guilty of a municipal civil infraction as governed by the provisions of Chapter 58, Article X of the Code of Ordinances of the City of Saline, and the violation shall be deemed a *strict liability offense*. 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.

(p) Section 109.4 is amended to read in its entirety as follows:

109.4 Violation penalties. Any violation of this Code shall be punishable as provided in and subject to the fines and penalties provided in Chapter 58, Article X of the Code of Ordinances of the City of Saline. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(q) Section 110.4 is amended to read in its entirety as follows:

110.4. 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 in violation of this Code.

(r) Section 201.3 is amended to read in its entirety as follows:

201.3. Terms defined in other codes. Where terms are not defined in this Code and are defined in the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the Michigan Electrical Code, the Saline Fire Code or the Saline Zoning Ordinance, such terms shall have the meanings ascribed to them as stated in those codes or ordinances.

Exception: When used within this code, the terms unsafe and dangerous shall have only the meanings ascribed to them in this code and shall not have the meanings ascribed to them by the Michigan Rehabilitation Code for Existing Buildings.

(s) Section 302.4 insert "six (6) inches in height."

(t) Section 304.14 insert "May 1 to October 31."

(u) Section 401.3 is amended to read in its entirety as follows:

401.3. Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Michigan Building Code and/or the Michigan Mechanical Code shall be permitted.

(v) Section 602.2 is amended to read in its entirety as follows:

602.2. Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the City of Saline as indicated in the Michigan Plumbing Code. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

(w) Section 602.3 is amended to read in its entirety as follows:

602.3. Heat supply. Every owner or operator of any building who rents, leases, or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

Exception: 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 City of Saline shall be as indicated in the Michigan Plumbing Code.

(x) Section 602.4 is amended to read in its entirety as follows:

602.4. Occupiable work spaces. Indoor occupiable workspaces shall be supplied with heat during the period from October 1 to May 1 to maintain a temperature of 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.

Sec. 18-173. Copies of code.

A complete copy of the International Property Maintenance Code, 2021 Edition, is available for public use, inspection, and purchase at the offices of the city clerk.

Section 2. Effective Date. This ordinance shall become effective 10 days after its publication.

YEAS: Camero-Sulak, Ceo, Dell’Orco, Dillon, Girbach, Krause, Marl

NAYS: _____

ABSTAIN: _____

ABSENT: _____

CERTIFICATION

This is a true and complete copy of Ordinance No. 845 adopted at a regular meeting of the Saline City Council held on September 19, 2022.

Brian Marl, Mayor

Terri Royal, Clerk

Introduced: September 12, 2022

Adopted: September 19, 2022

Published: September 28, 2022

Effective: October 9, 2022