CHARTER TOWNSHIP OF BROWNSTOWN

WAYNE COUNTY, MICHIGAN

ORDINANCE NO. 309

AN ORDINANCE TO CREATE ORDINANCE NO. 309, PART 239, "FEMA FLOODPLAIN MANAGEMENT PROVISIONS AND STATE CONSTRUCTION CODE", TO AFFIRM AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITY OF THE CHARTER TOWNSHIP OF BROWNSTOWN, AND TO ADOPT FEMA UPDATES FOR REGULATED FLOOD HAZARD AREAS UNDER THE PROVISIONS OF THE STATE CONSTRUCTION CODE ACT, ACT NO. 230 OF THE PUBLIC ACTS OF 1972, AS AMENDED.

The Charter Township of Brownstown ordains that Ordinance No. 309, Part 239 is hereby created as follows:

Section 1. **Agency Designated.** Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Chief Building Inspector, the Building Official, or similarly named person of the Charter Township of Brownstown is hereby designated and/or re-affirmed as the enforcing agency to discharge the responsibility of the Charter Township of Brownstown under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The Charter Township of Brownstown assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the Charter Township of Brownstown.

Section 2. **Code Appendix Enforced.** Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the Charter Township of Brownstown.

Section 3. **Designation Of Regulated Flood Prone Hazard Areas**. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Wayne County, Michigan (All Jurisdictions)" and dated 2/3/12 and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of 26163C, ; 0391E, 0392E, 0393E, 0394E, 0411E, 0412E, 0413E, 0414E, 0506E, 0507E, 0526E, 0527E, 0528E, 0529E, 0536E, 0537E, and 0545E and dated 2/3/12 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Section 4.   **Severability.**   If any article, section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such article, section, paragraph, clause or provision shall not affect any of the other provisions or this Ordinance.

Section 5.   **Repealer.**   This Ordinance is specifically meant to supplement existing Ordinance 256, Part 228, and Ordinance 271, Part 227, and all other building and construction related ordinances, resolutions, and orders. To the extent that any such other ordinances, resolutions or orders, or parts or sections of ordinances are in conflict with the provisions of this Ordinance, this Ordinance shall take priority.

Section 6.   **Effective Date; Publication**. This Ordinance was approved and adopted by the Township Board of Brownstown Charter Township, Wayne County, Michigan, on December 19, 2011, after introduction and a first reading on November 21, 2011, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective immediately upon publication, in The News Herald, a newspaper having general circulation in the Township.

I further certify that the foregoing was published in The News Herald, a newspaper of general circulation in the Charter Township of Brownstown, on the 28th day of December, 2011.

A true copy of this ordinance (Ordinance #309) is held in the Clerk's Office and can be inspected or obtained during regular business hours from 8:00 a.m. to 4:30 p.m. weekdays at the Charter Township of Brownstown, 21313 Telegraph Road, Brownstown, MI 48183.

1st Reading Township Board Approved November 21, 2011

2nd Reading Township Board Approved and Adopted December 19, 2011

ANDREW LINKO, Supervisor
SHERRY A. BERECZ, Clerk

Publish: The News Herald

Wednesday, December 28, 2011