

**ORDINANCE FOR ADOPTION OF THE INTERNATIONAL
PROPERTY MAINTENANCE CODE AND REGULATION OF RENTAL PROPERTIES
ORDINANCE NO. XXXXIX**

AN ORDINANCE of the Township of Gerrish, Roscommon County, MI adopting the 2018 edition of the *International Property Maintenance Code*, and all future amendments and revisions when they are published will be incorporated and adopted by reference for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Township of Gerrish, Roscommon County, MI; providing for the issuance of permits and collection of fees therefor; repealing all other ordinances or parts of laws in conflict therewith.

Furthermore, the Township of Gerrish finds that the act of renting or leasing dwelling units is a business activity. The Township also finds that dwellings or dwelling units which are leased or rented to the public, when improperly maintained, by reason of their structures, equipment, sanitation, use or occupancy, may adversely affect public health, safety and general welfare as well as the aesthetic value of surrounding property and community. To correct unsuitable conditions which exist within rental properties and to establish mechanisms for the continued maintenance of a sound rental housing stock within the Township of Gerrish, and to promote the public health, safety and general welfare of its citizens, the Township establishes the regulations contained in this Article which shall require the registration of all Rental Multi-Family Dwelling Unit(s) and all Full Time Long Term Rental Unit(s) to provide for the enforcement of minimum rental housing standards.

THE TOWNSHIP OF GERRISH ORDAINS:

ARTICLE I

**Adoption of the International Property Maintenance
Code by Reference with Amendments and General Definitions**

Section 1. Adoption by Reference.

A certain document, on file in the Building Department of the Township of Gerrish, being marked and designated as the International Property Maintenance Code, 2018 Edition ("IPMC"), as published by the International Code Council, Inc., and all future amendments and revisions thereto when they are published are hereby adopted as the Property Maintenance Code of the Township of Gerrish, in the State of Michigan by reference pursuant to MCL 42.23, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use

and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof by reference, as if fully set out in this ordinance, with the additions, insertions, deletions, amendments and augmentations prescribed in this ordinance.

Section 2. Amendments to the International Property Maintenance Code

The IPMC is hereby amended as set forth in this Section 2:

a. Throughout the IPMC, replace the terms International Zoning Code, International Building Code, International Plumbing Code, International Mechanical Code and ICC Electrical Code with the Township of Gerrish Zoning Ordinance, Michigan Building Code, Michigan Residential Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Plumbing Code, Michigan Electrical Code, and Michigan Mechanical Code.

b. Insert within Section 101.1 Title the following: "Township of Gerrish."

c. Section 101.2 of the IPMC shall be amended to read as follows:

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises (except for state, federal, school, and other public structures, and other licensed structures such as nursing homes, hospitals, adult foster care facilities, which may be exempt from, or pre-empted from the application of this code) and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

d. Section 103.5 of the IPMC shall be amended to read as follows:

103.5 Fees. Any fees for services and activities associated with enforcement of this article shall be established by resolution of the Gerrish Township Board.

e. Section 106.3 of the IPMC shall be amended to read as follows:

106.3 Prosecution of Violation as a Municipal Civil Infraction. Any person failing to comply with a notice of violation or order served in accordance with Section 107 of the IPMC shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine for each violation in accordance with the schedule set forth herein, along with

costs which may include all expenses, direct and indirect, to which the Township of Gerrish has been put in connection with the municipal civil infraction. Every violation shall be deemed a strict liability offense.

If the notice of violation is not complied with, the township 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 in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the township on such premises shall be charged against the real estate upon which the structure is located and shall be lien upon such real estate. A violator of this code shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan law.

f. Section 106.4 of the IPMC shall be amended to read as follows:

106.4 Violation Penalties and other Assessments

Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state and local laws. Each day that a violation continues to exist shall constitute a separate violation.

Civil Fines for Municipal Infractions

Civil Fines for municipal civil infractions shall be assessed in accordance with the following schedule.

	<u>Fine</u>
1 st violation within 3-year period*	\$ 75.00
2 nd violation within 3-year period*	\$ 250.00
3 rd or subsequent violation within 3-year period*	\$ 500.00

*determined on the basis of the date of violation(s)

g. Section 106.5 of the IPMC shall be amended to read as follows:

106.5 Abatement of Violation

A violation of any provision of this Ordinance is determined to be detrimental to the health, safety and general welfare of the residents, property owners and other persons within the township, and is hereby declared to be a nuisance per se. The imposition of the penalties herein prescribed shall not preclude the township, through its authorized agents, from instituting appropriate action to restrain,

correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

h. Section 111 is deleted in its entirety and replaced with the following:

111.1 Construction Board of Appeals. There is established a Construction Board of Appeals (CBA) for the Township of Gerrish to hear appeals related to this Ordinance.

111.2 Application for Appeal. Any person directly affected by a decision of the Code Official or a notice or order issued under this Ordinance shall have the right to appeal to the CBA, provided that a written application for appeal is filed within 21 days after the day the decision, notice or order was served. A decision, notice or order is served on the date of mailing. An application for appeal shall be based on a claim that the true intent of the Code or Ordinance or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the Code or this Ordinance do not fully apply, or the requirements of the Code or this Ordinance are adequately satisfied by other means.

111.3 Membership of Construction Board of Appeals. The CBA shall consist of three (3) members to be appointed for 2-year terms by the Township Supervisor. CBA members shall be qualified by experience or training to pass on matters pertaining to property maintenance. The Code Official shall be an ex-officio member but shall have no vote on any matter before the board.

111.3.1 Alternate members. There shall be not less than two alternate members appointed to the CBA who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership

111.3.2 Chair. The board shall annually select one of its members as chairman or chairwoman.

111.3.3 Disqualification. A member shall not hear a matter in which that member has a personal, professional, or financial interest.

111.3.4 Secretary. A secretary shall be designated by the Township Supervisor to serve as secretary to the board. The secretary shall file a detailed record of all proceedings with the Township Clerk.

111.3.5 Compensation. Compensation of members of the board shall be determined by law.

111.4 Variances. The CBA may grant a specific variance from the substantive Requirements of the International Property Maintenance Code or this Ordinance if the literal application of the substantive requirements would result in an exceptional, practical difficulty to the applicant, AND both subsections a. and b. below are satisfied:

a. The performance of the particular item or part of the building or structure with respect to which the variance is granted shall be adequate for its intended use and shall not substantially deviate from performance required by the International Property Maintenance Code or this Ordinance of that particular item or part for the health, safety, and general welfare of the people of this state.

b. The specific condition justifying the variance shall be neither so general nor recurrent in nature as to make an amendment of the Code or this Ordinance with respect to the condition reasonable practical or desirable.

c. The CBA may attach in writing any condition in connection with the granting of a variance that in its judgment is necessary to protect the health, safety, and welfare of the people of this state. The breach of a condition shall automatically invalidate the variance and any permit, license, and certificate granted on the basis of it.

d. In no case shall more than minimum variance from the Code or this Ordinance be granted than is necessary to alleviate the exceptional, practical difficulty.

111.5 Notice of Meeting. The CBA shall meet upon notice from the chairperson, within 21 days of the filing of an appeal, or at stated periodic meetings. Notice shall be posted at the Township offices, and shall be posted within 18 hours of any special meeting held for that purpose. Notice shall also be given to interested parties within a reasonable time prior to the meeting. The notice should include:

a. A statement of the date, hour, place, and nature of the hearing.

b. A statement of the legal authority and jurisdiction under which the hearing is to be held.

c. A reference to the particular sections of the statutes, rules, or code involved.

d. A short statement of the matters asserted.

111.6 Postponed Hearing. When the full CBA is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

111.7 Open Hearing. Hearings before the CBA shall be open to the public. 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 a minimum of two-thirds of the board membership. Minutes of each meeting shall be kept, indicating the date, time and place of meeting, as well as a description of all business conducted therein, including any votes taken and the manner in which each member voted.

111.8 Decisions. The CBA shall hear an appeal or request for variance and render and file its decision in writing with a statement of the reasons for

the decision with the Township enforcing agency from whom the appeal was taken not more than 30 days after hearing the appeal. Failure by the CBA to hear an appeal and file a decision within the time limit provided is a denial for purposes of authorizing review by the State Construction Code Commission or local court. The CBA shall modify or reverse the decision of the Code Official only by a concurring vote of a majority of the total number of appointed members. Decisions shall be made in writing and copies furnished to the appellant and to the code official. The code official shall take immediate action in accordance with the decision of the CBA .

111.9 Appeal to Commission/Court Review. An interested person may appeal a decision of the CBA relating to the provisions of the IPMC as amended herein to the State Construction Code Commission within ten (10) business days after the filing of the decision with the enforcing agency. In the case of an appeal because of failure of the CBA to act within the prescribed time, an interested party may appeal to the Commission at any time before filing of the decision. Court Review of a decision of the CBA related to a request for a variance shall be taken to the Circuit Court only to correct errors of law. Any appeal to Circuit Court shall be made within 21 days of the filing of the decision with the enforcing agency.

111.10 Stays of Enforcement. Appeals of notice and orders (other than Imminent Danger Notices) shall stay the enforcement of the notice and order until the appeal is heard by the CBA.

- i. Section 112.4 of the IPMC shall be amended to read as follows:

112.4 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 responsible for a municipal civil infraction and liable to a fine of not less than \$10.00 or more than \$500.00.

- j. Section 202 of the General Definitions of the IPMC shall include or be modified by the following definitions, which terms, phrases, words and their derivatives shall be construed throughout this Ordinance as specified in this section. If not specified in this section, or elsewhere in the Township of Gerrish Ordinances, the term shall have its ordinary accepted meaning within the context used.

Authorized Township Official ("ATO"): refers to the Township of Gerrish Building Official and Building Inspectors, Code Enforcement Officer, Zoning Administrator and/or Gerrish Township Police Department Officers and/or Authorized Fire Department Officer.

Code: is any Code or Ordinance referenced herein or adopted by the Township of Gerrish.

Code Official: is a duly Authorized Township Official.

Common Area: is the area in a rental dwelling or rental complex not within a tenant's private rental unit. It may include, but is not limited to, hallways, basement areas, common exterior stairways, balconies and spaces which contain mechanical, electrical or plumbing equipment.

Full Time Long Term Rental: is a rental offered by an owner or agent on a regular basis for occupancy consisting of thirty (30) consecutive or more days during a calendar year.

Multi-Family Rental Dwelling Unit or ("MFD"): is any building or structure containing more than two (2) residential rental dwelling units.

Owner: is any individual holding legal or equitable interest in a property or to real improvements upon a property solely, jointly, by the entireties, in common, or as a land contract vendee or title to a mobile home or house trailer, or otherwise having control of the property and includes the guardian of an estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court. Owner shall also mean any individual, association of individuals, a public, private or not for profit corporation, a firm or partnership. Owner shall not mean a tenant.

Owner Occupied Dwelling Unit: is a dwelling which a person both owns and lives in as his or her true, fixed and permanent home to which, whenever absent, the person intends to return.

Rental Complex: is a group of rental dwellings.

Rental Dwelling: is any dwelling containing a rental unit, a rooming unit, or hotel/motel unit, including single-family homes and mobile homes occupied by a tenant or tenants for residential living purposes.

Rental Property: refers to all full-time long-term rentals, complexes, rental dwellings, multi-family rental dwellings and rental units.

Rental Unit: is a particular living quarters within a rental dwelling intended for occupancy by a tenant or person other than the owner and the family of the owner, including mobile homes, single-family homes, apartments, hotel/motel units, rooming units, and for which a remuneration or consideration of any kind is paid.

Tenant: is a person, corporation, partnership or group residing in a rental property or occupying a building or portion thereof as a unit, who is not an owner, as defined by this article, of the rental property, and who pays a remuneration or

consideration of any kind for residing on the rental property.

Township: Township of Gerrish.

Notice of Violation: is a written correspondence issued by an Authorized Township Official (ATO) advising an owner, or his agent, of a violation of this article or a code. Violation notices shall list all infractions and corrective measures necessary to comply with this article or a code and a time period within which such corrections must be completed.

- k. Section 302.2 of the IPMC shall be amended to read as follows: “Reserved.”
- l. Section 302.4 of the IPMC shall be amended to read as follows: “Reserved.”
- m. Section 304.3 shall be amended to read as follows: “Reserved.”
- n. Section 304.14 shall be amended to read as follows: “Reserved.”
- o. The first paragraph of Section 602.3 shall be amended to read as follows:

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupant thereof shall supply heat to maintain a temperature of not less than 60°F in all habitable rooms, bathrooms, and toilet rooms.

The "**Exceptions**" paragraphs, 1 and 2, shall remain the same.

ARTICLE II

Registration and Inspection of Multi-Family Dwellings in the Township of Gerrish, Inspection of Full Time Long Term Rental Units in the Township

Section 1. Purpose

The following sections augment the IPMC in protecting and promoting the health, safety and welfare of the citizens of the Township of Gerrish by requiring the registration of all Multi-Family Rental Dwelling Unit(s) and all Full Time Long Term Rental Unit(s) in the Township of Gerrish. This registration, combined with regular systematic inspections, will help prevent overcrowding, the incidence of communicable diseases, and will aid in the enforcement of the IPMC, which sets

minimum allowable standards for adequate maintenance of habitable dwellings. These sections

are not intended, nor shall be used for the purpose of including the Township in civil disputes between rental owners and tenants involving, but not limited to, non-payment of rent, evictions and/or personal disputes.

Section 2. Registration of Multi-Family Rental Dwelling Unit(s) and all Full Time Long Term Rental Unit(s)

a. **Registration Required Before Rental.** An owner of any multi-family rental dwelling (MFD) and/or Full Time Long Term Rental Unit(s) located within the Township shall not rent any rental unit unless such rental unit is registered pursuant to this Ordinance and is in compliance with all applicable federal, state, and local laws, rules, and Ordinances and regulations.

b. **Initial Registration.**

(1) Within 90 days following the effective date of this ordinance, all owners of Multi-Family Rental Dwelling (MFD) and/or Full Time Long Term Rental Unit(s) shall register with the Township Building Department each MFD and Full Time Long Term Rental Unit(s) within the boundaries of the Township.

(2) Newly constructed MFD and/or Full Time Long Term Rental Unit(s) will be registered by the Township at the time a certificate of occupancy is issued, and then must be subsequently registered and inspected as required by this Ordinance.

c. **Registration Requirements.** The registration of any MFD and/or Full Time Long Term Rental Unit(s) shall require the Residential Registration Form be completed as provided by the Township:

(1) The address of the rental property with each rental unit contained therein enumerated. If the rental units are within a rental complex, the property manager's address shall also be included.

(2) If applicable, the number of buildings, including rental dwellings, in the rental complex.

(3) The number of rental units per rental dwelling.

(4) The name, address and telephone number of the owner or owner's authorized agent designated by the owner, to receive official notices, legal processes, tenant concerns and correspondence from the Township.

(5) The owner or owner's authorized agent shall sign the registration attesting to the truth and accuracy of its contents.

(6) Payment of all applicable fees as established by resolution of the Township Board.

- (7) Changes in registration information. The owner or his/her agent shall provide written notification to the Township Building Department of any change in the above information.
- (8) Agreement to permit inspections. Included with the registration application shall be an agreement, signed by the owner, permitting inspections of his/her rental properties by authorized officials or agents of the Township and affirming that all tenants of the subject properties have been or will be informed of the regulations contained in this ordinance and of inspections of the rental properties, including common areas, by authorized Township officials. Owners shall provide, or cause to be provided, a copy of the agreement to all existing tenants, as well as tenants who enter into leases or come to reside in or occupy a rental property after the agreement takes effect. All leases executed after the effective date of this article shall contain a provision requiring the tenant(s) to consent to such inspection upon notice as provided in Section 5 of this Article.
- (9) Additional requirements. An Authorized Township Official (ATO) may, with written notice, require additional information of any or all registrants in order to reasonably further the purposes of this ordinance.

Section 3. Registration, Expiration, and Re-registration. All MFD and Full Time Long Term Rental Unit(s) within the Township of Gerrish shall be registered with the Township Building Department within 90 days from the adoption of this Ordinance. Thereafter, all MFD and Full Time Long Term Rental Unit(s) shall be registered once every three (3) years, or with change in ownership, at least 30 days before the expiration date assigned by the Township, following the same requirements set forth in Section 2 of this Article.

Section 4. Transfer of MFD Rental Property/Full Time Long Term Rental Unit(s) Registration and Change of Status.

- a. **Registration Transfers and Fees.** A purchaser of a MFD and/or Full Time Long Term Rental Unit(s) defined as Rental Property shall cause a registration to be transferred upon the sale of a MFD or Full Time Long Term Rental Unit(s) property. The new owner shall sign all appropriate agreements and affidavits for registration and shall complete a new registration application. All the above shall be provided to the Township by the new owner or the real estate closing institution within 30 days of closing the sale. There is no fee for transferring registration.
- b. **Change of Status.** If a structure previously used as an MFD or Full Time Long Term Rental Unit(s) is no longer to be used as an MFD or Full Time Long Term Rental Unit(s) defined as rental property, a statement and affidavit to this effect must be provided to the Township Building Department. No inspections or transfer fees shall be required.
- c. **Existing Violations.** It shall be unlawful to sell an MFD or a Full Time Long Term Rental Unit(s) rental property having outstanding violations unless the "transfer of

ownership" stipulations of the IPMC, as amended, have been satisfied.

Section 5. Inspections of All Rental Units

a. **MFD and Full Time Long Term Rental Unit(s) Periodic Inspections.** It is the intention of the Township to inspect all MFD and Full Time Long Term Rental Unit(s) rental properties, including common areas, every three (3) years. However, this section shall not be construed as creating a responsibility for the Township to inspect such properties.

b. **MFD and Full Time Long Term Rental Unit(s) Periodic Inspection Scheduling.** The owner shall be notified of the date and time of a periodic inspection via first class mail at least 30 days prior to the inspection date. Owners shall be required to provide all notices of inspection to the tenant(s) as required by law. A list of inspection guidelines, prepared by the Township Building Department, shall be given to all owners at the time of residential rental property registration. Periodic inspections shall be conducted between the hours of 8:00 a.m. to 4:00 p.m., Monday-Friday.

c. **Other Rental Property Inspections.** Any rental property, including a MFD or Full Time Long Term Rental Unit(s), even though not scheduled for a periodic inspection, may be inspected by an Authorized Township Official without prior notice, where there is an imminent threat to persons or property, to the owner and/or tenant. Other inspections by an ATO may occur on reasonable notice based upon the following:

- (1) A written complaint basis from the tenant.
- (2) A recurrent violations basis where any rental property which is found to have a high incidence of recurrent or uncorrected violations.
- (3) A follow-up inspection, so that a previous violation is inspected for correction and compliance.

ARTICLE III
General Provisions

Section 1. Notice of Violations. Upon inspection by an Authorized Township Official of any structure in the Township, rental or non-rental, if a violation of the IPMC code or this Ordinance is discovered, the ATO shall provide notice of a violation in conformance with Section 107 of the IPMC. The owner shall be advised of the time period to correct the violation.

Section 2. Re-inspection. Re-inspections shall occur on the date specified on the notice of violation, or sooner if requested by the owner and Township scheduling permits such inspection. It shall be the owner's responsibility to coordinate the access to all areas of their rental properties.

Section 3. Correction Schedules. Time schedules for the correction of violations shall be

reasonable as determined by the Authorized Township Official. Correction periods exceeding 60 days require an application for extension be filed by the owner or his/her designee and approved by the authorized Township official.

Section 4. Warrants for Inspection. If access to any structure, premises or area for the purpose of inspection authorized by this section is refused, an Authorized Township Official may petition and obtain such appropriate warrant or order from a court which has jurisdiction.

Section 5. Violations that Threaten Life, Limb or Property. If upon inspection of a rental property the Authorized Township Official determines that a violation is of such serious nature so as to immediately threaten the health, safety or welfare of the public or the occupants thereof, the official shall demand that the violation(s) be corrected immediately and/or the rental property be vacated immediately in accordance with applicable IPMC provisions.

Section 6. Other Permits. Owners shall procure the appropriate building, mechanical, plumbing, and/or electrical permits from the respective departments for all corrections requiring such permits.

Section 7. Fees

- a. Owners shall be required to pay a fee for registration and for any inspections, including re-inspections of a rental property prior to the inspection or re-inspection taking place. If an owner and/or his agent fail to coordinate access to a rental property for any reason for inspection or re-inspection, the owner may be subject to no show/re-inspection fees. The Township Board shall establish by resolution an appropriate fee schedule.
- b. All fees required must be paid at the Township office. The Authorized Township Official may not accept payment while conducting an inspection under this ordinance.
- c. A failure to pay any fee required by this article shall constitute a violation of this ordinance.
- d. Any unpaid fee and/or cost under this article may be collected by the Township as allowed by law.

Section 8. Appeals and Variances. An owner may appeal an application of the IPMC or of this Ordinance, or request a variance, to the Construction Board of Appeals as provided for under Section 111 of the IPMC, as amended by this Ordinance.

Section 9. Enforcement. This ordinance shall be enforced by the Township Building Official, Building Inspectors, Code Enforcement Officer, Zoning Administrator and Gerrish Township Police Department.

Section 10. Prosecution as a Municipal Civil Infraction.

Any person failing to comply with a notice of violation or order served in accordance with Section 107 of the IPMC shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute or otherwise in violation of any section of this ordinance which shall be punishable by a civil fine for each violation in accordance with the schedule set forth herein, along with costs which may include all expenses, direct and indirect, to which the Township of Gerrish has been put in connection with the municipal infraction. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan law. Each day that a violation continues to exist shall constitute a separate violation. The provision of this ordinance may also be enforced by suit for injunctive relief.

Civil Fines for Municipal Infractions

Unless otherwise provided elsewhere within this Ordinance for specific violations, Civil Fines for municipal civil infractions shall be assessed in accordance with the following schedule.

	<u>Fine</u>
1 st violation within 3-year period*	\$ 75.00
2 nd violation within 3-year period*	\$ 250.00
3 rd or subsequent violation within 3-year period*	\$ 500.00

*determined on the basis of the date of violation(s)

Section 11. Persons Authorized to Serve Citations and Notices. The following persons are authorized to issue notices of violation, and to issue municipal civil infraction citations pursuant to Public Act 12 of 1994 (MCL 600.8701, *et seq.*, as amended):

- a. Gerrish Township Police Department Officer
- b. Code Enforcement Officer
- c. Zoning Administrator
- d. Township Building Official
- e. Gerrish Township Fire Department Officer or Designee

Section 12. Conflicting Ordinances. Any other ordinances or parts of ordinances in conflict herewith are repealed.

Section 13. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Gerrish Township Board hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared invalid.

Section 14. Suits or Proceedings. Nothing in this Ordinance or in the International Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any causes of action acquired or

existing, under any act or ordinance hereby repealed as cited in Section 14 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 15. Effective Date. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 90 days after the date of publication.

Adopted at a regular meeting of the Board of Trustees of Gerrish Township, held on the 9th day of April 2019.

Upon roll call vote, the following voted:

Ayes: Patchin, Udy, Link, Lippert, Tulgetske

Nays: None

Abstain: None

Absent: None

A copy of this Ordinance may be inspected at the office of the Township of Gerrish located at 2997 E Higgins Lake Dr, Roscommon, Michigan, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

Published: May 9, 2019

Effective: August 9, 2019

Kathleen Patchin
Gerrish Township Clerk