

CITY OF LUNA PIER

ORDINANCE NO. 218
(Amendment to Ordinance No. 200)

MONROE, COUNTY, MICHIGAN

THE INTERNATIONAL PROPERTY MAINTENCE CODE

An ordinance of the City of Luna Pier adopting the 2009 edition of the *International Property Maintenance Code and any subsequent editions*, regulating and governing the conditions and maintenance of all property, building 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 City of Luna Pier; providing for the issuance of permits and collection of fees therefor; repealing all other ordinances and parts of the ordinances in conflict therewith.

The City Council of the City of Luna Pier does ordain as follows:

Section 1: City of Luna Pier property Maintenance Code

That a certain document, three (3) copies of which are on file in the office of the Building Department of the City of Luna Pier, being marked and designated as the *International Property Maintenance Code*, 2009 edition and any subsequent editions, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Luna Pier, in the State of Michigan 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 building and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided 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 on file in the office of the city Building Department are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section 2 of this ordinance.

Section 2: Revision

The following sections are hereby revised:

Section 101.1. Insert: the City of Luna Pier

Section 103.5. Insert: Fee schedule shall be set by Resolution of the Luna Pier City Council.

Section 302.4. Insert: six (6) inches in height

Section 304.14. Insert: May 1st to October 1st

Section 602.3. Insert: October 1st to May 1st

Section 602.4. Insert: October 1st to May 1st

Section 3: Violation and Penalty; Municipal Civil Infraction.

Whoever violates the provisions of this Ordinance, and in accordance with the provisions of section 106.3, which may either be the owner or occupants, or both such owner and occupant, is responsible for a municipal civil infraction as defined in Michigan law, and may be issued a municipal civil infraction citation and be subject to a civil fine determined by Resolution of the Luna Pier City Council. Upon failure, neglect, or refusal of any property owner to comply with the provisions of this Ordinance, the City, the Code Official or its authorized contractors or other designee(s) is (are) authorized and empowered to enter his property to abate the nuisance, which shall be charged and held as a lien on the property.

Section 4: Repeal

All other ordinances or part of ordinances in conflict herewith are hereby repealed.

Section 5: Constitutionality

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Luna Pier City Council 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 section, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6: Severability

That nothing in this ordinance or in the 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 cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7: Publication

That the City Clerk is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 8: Effective Date

That this ordinance and the rules, regulations, provisions, requirement, orders and matters established and adopted hereby shall take effect and be in full force and effect on the thirty-first (31st) day following the day it is published in a newspaper having general circulation in the City of Luna Pier, Monroe County, Michigan.

THE CITY COUNCIL,
CITY OF LUNA PIER,
COUNTY OF MONROE, STATE OF
MICHIGAN:

Adopted: August 8, 2013

Published: August 14, 2013

Effective: September 14, 2013

BY: _____
Crystal Manley, Deputy Clerk
City of Luna Pier