

ARTICLE IV. PROPERTY MAINTENANCE CODE*

***Editor's note:** Ord. No. 462, §§ 1, 2, adopted May 21, 2002, repealed article IV, sections 14-77--14-81, 14-91--14-94, 14-106--14-124, 14-136--14-164, 14-176--14-205, 14-216--14-228, 14-241--14-244, 14-256--14-263, 14-277--14-282, 14-296--14-301, 14-311--14-330, and replaced it with a new article IV, sections 14-77--14-79. Former article IV pertained to the housing code and derived from Ord. No. 372, §§ 1(6.148--6.166, 6.251, 6.51, 6.52, 6.54, 6.56--6.84, 6.90--6.105, 6.107--6.120, 6.123--6.126, 6.131--6.143, 6.174--6.181, 6.183, 6.187, 6.189--6.192, 6.206, 6.208--6.212; 6.225--6.244), adopted Oct. 20, 1981; Ord. No. 394, § 1, adopted Jan. 3, 1984; Ord. No. 448, §§ 12(14-91--14-94), adopted June 16, 1998; and Ord. No. 448-A1, § 5, adopted June 1, 1999.

Sec. 14-77. Property maintenance code adopted by reference.

(a) The 2003 International Property Maintenance Code, as published by the International Code Council, Inc., is hereby adopted by reference for the purpose of regulating 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 structures.

(b) References in the code adopted by subsection (1) to "name of jurisdiction" shall mean the City of Belding.

(c) References in the code adopted by subsection (1) to the "International Building Code," the "International Plumbing Code," the "International Mechanical Code" and the "International Electrical Code" shall be substituted with the "Michigan Building Code," the "Michigan Plumbing Code," the "Michigan Mechanical Code" and the "Michigan Electrical Code."

(d) References in the code adopted by subsection (1) to the "International Zoning Code" shall be substituted with the "City Zoning Ordinance."

(Ord. No. 462, § 1, 5-21-02; Ord. No. 480, § 1, 6-7-05)

Sec. 14-78. Modifications to the property maintenance code.

The following sections of the International Property Maintenance Code as adopted, and referred to in (1) through (12), are amended as set forth herein. Unless otherwise indicated, all sections below refer to like number sections of the International Property Maintenance Code.

(1) *Section 101.1* is amended to read in its entirety as follows:

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

(2) *Section 103.1* is amended to read in its entirety as follows:

Section 103.1 Enforcing agency. The city building official shall be responsible for administering and enforcing this code within the city and shall be known as the code official.

(3) *Section 103.2* is amended to read in its entirety as follows:

Section 103.2 Appointment. The code official shall be appointed by the Belding city manager, and the code official shall serve at the pleasure of, and be subject to removal, by the Belding city manager.

- (4) *Section 103.5* is amended to read in its entirety as follows:

Section 103.5 Fees. The fees for activities and services performed by the code official in carrying out his/her responsibilities under this code shall be as established by resolution of the city council.

- (5) *Section 106.3* is amended to read in its entirety as follows:

Section 106.3 Municipal civil infraction. A person who violates any provisions of this code is responsible for a municipal civil infraction, subject to pay a civil fine of not less than \$25.00, plus costs and other sanctions, for each infraction. Repeat offenses under this code shall be subject to increased fines as provided by section 1-24(h) of the City Code. Each day on which any violation of this code continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense. The building official is hereby designated as the authorized city official to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing alleged violators to appear at the City of Belding municipal ordinance violation bureau) for violations under this code as provided by sections 1-20 et seq. of the City Code.

- (6) *Section 106.4* is deleted in its entirety.

- (7) *Section 107.4* is amended to read in its entirety as follows:

Section 107.4 Penalties. Penalties for non-compliance with orders and notices shall be as set forth in section 106.3.

- (8) [*Section 111.*] All references to "chief appointing authority" within section 111 shall mean the Belding city council.

- (9) *Section 111.6.1* is amended to read in its entirety as follows:

Section 111.6.1 Resolution. Every action of the board shall be a concurring vote of at least two members, and true copies of the minutes which register that vote shall be furnished to the applicant and to the code official after approval of the minutes by the board.

- (10) *Section 303.14* is amended to read in its entirety as follows:

Section 303.14 Insect screens. During the period from April 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food services 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 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

- (11) *Section 602.3* is amended to read in its entirety as follows:

Section 602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room 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 not less than 65°F (18°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 locality shall be as indicated in the Michigan Plumbing Code.

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

Section 602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 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.

(Ord. No. 462, § 1, 5-21-02; Ord. No. 480, § 2, 6-7-05)

Sec. 14-79. Addition of municipal civil infraction fine amount.

Section 1-24(h) is amended to add municipal civil infraction fine amounts for violations of article IV, entitled "Property Maintenance Code," to chapter 14 of the City Code, to read in its entirety as follows:

Chapter 14, article IV, (property maintenance code)

Failure to comply with any provision of article IV (property maintenance code) of chapter 14 (building and building regulations) . . . \$25.00

First repeat offense . . . 500.00

Second (or any subsequent) repeat offense . . . 1,000.00

(Ord. No. 462, § 1, 5-21-02)