

**NOTICE OF PUBLICATION BY POSTING
YORK CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
(Property Maintenance Code)
Ordinance No. 122**

Effective Date: March 20, 2008

Please take notice that the final reading of Ordinance No. 122 was accepted at the regular meeting of the York Charter Township Board of Trustees on Tuesday, March 11, 2008 held at the York Township Hall located at 11560 Stony Creek Road, Milan, MI 48160 and said Ordinance No. 122 was adopted.

Publication of the proposed Ordinance was made by posting, and a copy of the proposed Ordinance may reviewed and inspected, in the Office of the York Township Clerk, 11560 Stony Creek Road, Milan, MI 48160, and on the Township's website at www.twp-york.org pursuant to Section 8 of the Charter Township Act, being MCL 42.8,3(b).

Helen Neill, Clerk, Charter Township of York

Published: March 20, 2008

**YORK CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
(Property Maintenance Code)
Ordinance No. 122
Effective Date: March 20, 2008**

AN ORDINANCE OF YORK CHARTER TOWNSHIP ADOPTING THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 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 INSURE 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 STRUCTURE; FIXING PENALTIES FOR VIOLATION; APPEALS; AND TO REPEAL YORK CHARTER TOWNSHIP ORDINANCE 70 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE CHARTER TOWNSHIP OF YORK, WASHTENAW COUNTY, MICHIGAN HEREBY ORDAINS:

Section 1. Short Title.

This Ordinance shall be known as and may be cited as the "*Property Maintenance Code of York Charter Township.*"

Section 2. Adoption of Property Maintenance Code.

That a certain document, copies of which are on file in the office of the Clerk of the Charter Township of York, being marked and designated as "*The International Property Maintenance Code*", 2006 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code

of the Charter Township of York, County of Washtenaw, 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 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 on file in the office of the Charter Township of York 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 3 of this Ordinance.

Section 3. Additions, Insertions, and Changes.

The following sections of the International Property Maintenance Code herein adopted are hereby amended and revised as follows:

Section 101.1 - Insert: "*Charter Township of York.*"

Section 103.5 - Delete and replace the language of Section 103.5 with the following.

***Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as stated in a fee schedule established and adopted by resolution of the Township Board.*

Section 106.4 - Delete and replace the language of Section 106.4 with the following.

***Violation Penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be responsible for a municipal civil infraction and subject to a fine as follows:*

- *Seventy five (\$75.00) dollars for any first offense, plus costs;*
- *One hundred and fifty (\$150.00) dollars for a first repeat offense, plus costs;*
- *Three hundred (\$300.00) dollars for a second repeat offense, plus costs; and*
- *Five hundred (\$500.00) dollars for any third or subsequent repeat offenses, plus costs.*

Each day that a violation continues after due notice has been served shall be deemed a separate offense for which a separate penalty may be assessed.

Section 111.0 - Delete the entirety of Section 111 and insert the following new language to replace Section 111:

Any person affected by any notice or determination which has been issued in connection with the enforcement of any provision of this code, or of any rule or regulation adopted pursuant thereto, shall have the right to request and be granted a hearing on the matter before the construction board of appeals established by the Township pursuant to Section 14 of the State Construction Code of 1972, Act 230 of Public Acts of 1972, as amended, (Act).

The procedures for appeal established under the Act shall govern appeals under this Code. An appeal from a final decision of the construction board of appeals may be made to a court of competent jurisdiction as provided by law.

Section 302.4 - Delete and replace the first paragraph only of Section 302.4 with the following.

Except for fallow farm fields for a period not to exceed two (2) years, and except for new construction so long as construction progress is being made to the code officials satisfaction, all premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided however, noxious weeds shall not include cultivated flowers and gardens.

Section 304.14 - Insert: *April 1st to October 1st.*

Section 602.3 - Insert: *September 1st to May 31st.*

Section 602.4 - Insert: *September 1st to May 31st.*

Section 4. Inconsistent Ordinances Repealed.

York Charter Township Ordinance Number 70 entitled the "*Property Maintenance Code of York Township*" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Saving Clause.

Nothing in this Ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinances hereby repealed as cited in Section 4 of this Ordinance, nor shall any just right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 6. Effective Date; Publication.

The Township Clerk shall cause this Ordinance to be published in the manner required by law. This Ordinance shall be effective as of the date of final publication of the ordinance.

This Ordinance was duly adopted by the York Charter Township Board at its regular meeting called and held on the 11th day of March, 2008, and was ordered given publication in the manner required by law.

Helen Neill, Clerk
York Charter Township

Joseph B. Zurawski, Supervisor
York Charter Township_____

First Reading: February 12, 2008

First Publication: February 28, 2008

Adoption: March 11, 2008

Final Publication & and Effective Date: March 20, 2008

CERTIFICATE

I, Helen Neill, Clerk of the Charter Township of York, Washtenaw County, Michigan, hereby certify that the foregoing constitutes a true and complete copy of York Charter Township Ordinance No. 122, which was duly adopted by the Township Board of York Charter Township at a Regular Meeting of said Board, held on March 11, 2008, after said Ordinance had previously been introduced at a Regular Meeting of the Board held on February 12, 2008, and published in the form it was introduced in accordance with P.A. 359 of 1947, as amended.

I further certify that Member Sally Donahue moved for adoption of said Ordinance, and that Member Neill supported said motion.

I further certify that the following Members voted for adoption of said Ordinance: Meier, Neill, Zurawski, Donahue, Kartje, Bulmer, and that the following Members voted against adoption of said Ordinance: None, and that the following Members were absent or abstained from voting on the adoption of said Ordinance: Kipley.

I further certify that after its passage the Ordinance was published in *The Milan News-Leader* and *The Saline Reporter* on March 20, 2008, in accordance with P.A. 359 of 1947, as amended.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.

Dated: _____, 2008

Helen Neill, Clerk
Charter Township of York