

CHAPTER 6  
BUILDING CODE ENFORCEMENT

SECTION 6.00 - AGENCY DESIGNATED

Pursuant to the provisions of Sec. 8 of Act 230 of the Public Acts of 1972, the Building Official of the Township of Rives is hereby designated as the enforcing agency to discharge the responsibilities of the Township of Rives under Act 230 of the Public Acts of 1972, State of Michigan. The Township of Rives hereby assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

(Ord. No. 22, Adopted 5-2-00, Published 5-9-00)

SECTION 6.01 – PENALTY FOR VIOLATION OF CONSTRUCTION CODES

A. Any person or corporation, including an officer, director, or employee of a corporation, or any governmental official or agent charged with the responsibility of issuing permits or inspecting buildings or structures, who violates any provision of the Township Construction Codes is responsible for a municipal civil infraction and subject to payment of a civil fine of not less than one hundred (\$100.00) dollars and not more than five hundred (\$500.00) dollars, plus costs, attorney fees and other sanctions as permitted under Chapter 87 of the Revised Judicature Act, P.A. 236 of 1961, being MCL 66.8701 et. seq., as amended. In addition to any other violations listed in the Construction Codes, the following shall constitute a municipal civil infraction violation:

- (i) Knowingly violating any provision of the Construction Codes or any rule for the enforcement of the Construction Codes.
- (ii) Knowingly constructing or building a structure or building, or part thereof, in violation of a condition of a building permit.
- (iii) Knowingly failing to comply with an order issued under any of the Construction Codes by an enforcing agency, a construction board of appeals, a board, or the Construction Code Commission.
- (iv) Knowingly making a false or misleading written statement, or knowingly omitting required information or a statement in an inspection report, application, petition, request for appeal or appeal to the Rives Township Building Department, or a construction board of appeals.
- (v) Knowingly refusing entry or access to an inspector lawfully authorized to inspect any premises, building, or structure pursuant to any of the Construction Codes.
- (vi) Unreasonably interfering with an authorized inspection.
- (vii) Knowingly issuing, failing to issue, causing to be issued or assisting in the issuance of a certificate, permit or license in violation of the Construction Codes, or any rule promulgated under the Construction Codes.
- (viii) Having a duty to report violations of any of the above Construction Codes, or a rule

promulgated under the Construction Codes, or other applicable laws, knowingly concealing a violation.

B. With respect to subsection (A) (iii) above, a person is responsible for a separate offense for each day that the person fails to comply with a stop construction order validly issued by a Township Building Official and for each week that the person fails to comply with any other order validly issued by a Township Building Official. With respect to subsection (A) (i) and (iv), a violation of any of the Construction Codes or a rule promulgated under the Construction Codes and for each false or misleading written statement or omission of required information or statement knowingly made in an application, petition, request for approval, or appeal to the Township Building Official, the Construction Board of Appeals, the Township Board, or the State Construction Code Commission. With respect to subsection (A) (ii), a person is responsible for a separate offense for each knowing violation of a condition of a building permit. With respect to any other violation of the Construction Codes, a person is responsible for a separate offense for each day the violation continues.

C. Civil fines shall be assessed for each violation of any of the Construction Codes as follows:  
**1<sup>st</sup> offense** - A minimum fine of one hundred (\$100.00) dollars and maximum of five hundred (\$500.00) dollars, plus costs;

**1<sup>st</sup> repeat offense** - A minimum fine of two hundred (\$200.00) dollars and maximum of five hundred (\$500.00) dollars, plus costs; and

**2<sup>nd</sup> repeat offense** - A minimum fine of three hundred (\$300.00) dollars and maximum of five hundred (\$500.00) dollars, plus costs.

For the purpose of this section, a “repeat offense” means a second or subsequent violation of the same requirement or provision of any of the Construction Codes. Nothing in this Ordinance shall be interpreted as abrogating the Township’s right to proceed with an appropriate equitable action in the Jackson County Circuit Court to enjoin and/or abate any violation of the terms of this Ordinance and/or the Township Construction Codes. (Ord. No. 32, Adopted June 4, 2002).

## SECTION 6.02 - CONFLICTING PROVISIONS REPEALED

All ordinances inconsistent with the provisions of this Chapter are repealed. (Ord. No. 22, Adopted 5-2-00, and Ord. No. 32, Adopted June 4, 2002)

## SECTION 6.03 – ADOPTION HISTORY

The provisions stated in this Chapter were made effective by adoption of Ord. No. 22 on May 2, 2000, and Ord. No. 32 to provide for municipal civil infraction penalties on June 4, 2002.