

**SILVER CREEK TOWNSHIP
CASS COUNTY, MICHIGAN**

AMENDMENTS TO CODE OF ORDINANCES

ORDINANCE NO. 22-01

Adopted: July 13, 2022

Effective: August 22, 2022

An ordinance to make amendments to the Silver Creek Township Code of Ordinances to coincide with current state law, to provide municipal civil infraction penalties for violation of the State Construction Code; to repeal any ordinance or provision thereof in conflict herewith; and to set and effective date.

**TOWNSHIP OF SILVER CREEK
CASS COUNTY, MICHIGAN,**

ORDAINS:

SECTION 1

**AMENDMENT TO SECTION 152.36 OF THE
SILVER CREEK TOWNSHIP CODE OF ORDINANCES**

Chapter 152 “Building Codes” Section 15.36 “Property Code” of the Silver Creek Township Code of Ordinances is hereby amended to read:

“Pursuant to PA 230 of 1972, as amended, Silver Creek Township is the administering and enforcing agency of the State Construction Code, including the current state-designated International Property Maintenance Code as promulgated from time to time by the State Construction Codes Bureau”.

SECTION II

**AMENDMENT TO SECTION 152.99 OF THE
SILVER CREEK TOWNSHIP CODE OF ORDINANCES**

Chapter 152 “Building Codes” Section 152.99 “Penalty” of the Silver Creek Township Code of Ordinances is hereby amended to read, in its entirety, as follows:

“152.99 VIOLATION AND PENALTIES FOR CHAPTER 152.

A. VIOLATION

Any violation of the State Construction Code; of any of the nationally recognized codes incorporated into the State Construction Code; or of any nationally recognized Code adopted by the State of Michigan via administrative rule pursuant to the State Construction Code together with amendments, additions, or deletions as determined appropriate by the State of Michigan; or any part of the same shall be deemed to constitute a municipal civil infraction as authorized by 1972 PA 2003, being MCL 125.1523(3).

B. DESIGNATION AS MUNICIPAL CIVIL INFRACTION

Silver Creek Township as the administering and enforcing agency for 1972 PA 230 hereby designates violations of the State Construction Code; of any of the nationally recognized codes incorporated into the State Construction Code; or of any nationally recognized code adopted by the State of Michigan via administrative rule pursuant to the State Construction Code together with amendments, additions, or deletions as determined appropriate by the State of Michigan as municipal civil infractions as authorized by 1972 PA 230, as amended, being MCL 125.1523(3).

C. PENALTIES

Silver Creek Township, as the administering and enforcing agency for 1972 PA 230, as amended, hereby sets forth penalties for violation of the State Construction Code; of any of the nationally recognized codes incorporated into the State Construction Code; or of any nationally recognized Codes adopted by the State of Michigan via administrative rule pursuant to the State Construction Code together with amendments, additions, or deletions as determined appropriate by the State of Michigan; by amending the respective “penalty” provision in each as follows:

"Any person, firm, association, partnership, corporation or governmental entity that violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
-1 st Offense	\$ 150.00	\$ 500.00
-2 nd Offense*	\$ 250.00	\$ 500.00
-3 rd Offense*	\$ 375.00	\$ 500.00

-4th or More Offense* \$ 500.00 \$ 500.00

*Within 3-year period determined on the basis of the date of commission of the offense(s).”

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which Silver Creek Township has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 or more than \$500 be ordered. In addition the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, compliance order or other appropriate remedy to compel compliance with this ordinance. Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance.”

SECTION III

SAVINGS CLAUSE, REPEAL, AND EFFECTIVE DATE

Conflicting Ordinances; Ordinance Provisions and Code Provisions are repealed. This Ordinance shall take effect 30 days after publication, after adoption. Existing prosecutions under any provision herewith repealed are saved and may proceed to conclusion.

SILVER CREEK TOWNSHIP
Lorri Behnke, Clerk