

PART 19: ORDINANCE 1

BUILDING REGULATIONS

SECTION 1: Code Adopted.

The Michigan State Construction Code, as amended, is hereby adopted by reference, consistent with the provisions of the Public Act No. 230 of 1972 (MCL 125.1501 et seq.).

SECTION 2: References In Code.

References in the Michigan State Construction Code to "State" and "Michigan" shall mean the State of Michigan; references to "municipality" shall mean the Township of Lenox; references to "local ordinances" shall mean ordinances of the Township of Lenox and references to "building officials" shall mean building inspectors employed by, or retained by contract, with the Township of Lenox.

SECTION 3: Administration and Enforcement of Code.

The Township assumes and shall be responsible for administering and enforcing the Single State Construction Code Act, Public Act No. 230 of 1972 (MCL 125.1501 et seq.), and State Construction Code prepared and promulgated as provided in that Act (referred to in this chapter as the State Construction Code and act within the boundaries of the Township).

SECTION 4: Code Appendix Enforced.

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the Township Building Officials within the Township.

SECTION 5: Designation of Regulated Flood Prone Hazard Areas.

All applicable Flood Insurance Rate Maps (FIRMS) panel numbers created by The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Flood Insurance Study, Macomb County, Michigan, and Incorporated Areas", are adopted by reference and declared to be part of the state construction code, where flood elevation issues are referenced.

SECTION 6: Enforcing Agency.

The Township's Building Department, its building inspectors, plan review and inspection personnel and consultants, enforcement officers and personnel and consultants of the Township's Building Department that perform acts or provide services in the administration and enforcement of the State Construction Code and Act, are hereby designated as the enforcing agency to discharge the responsibility of the Township to administer and enforce the State Construction Code and Act.

SECTION 7: Flood Plain Encroachment Review.

The Township Building Official shall conduct the review for permit issuance pursuant to Section G104 of the state construction code Appendix G for any proposed development in the Township within the flood hazard areas delineated on the flood insurance study (FIS) and flood insurance rate maps (FIRMs) set forth in this article. The Township Building Official review will focus on whether development in the floodplain should be permitted pursuant to Sections G301 through G701 of Appendix G based on compliance with State Construction Code requirements. The Township Building official shall review and approve the building plans pursuant to the State Construction Code as part of the building permit issuance. Applications for variances from decisions made by the Township Building Official shall be made to the Township Construction Board of appeals pursuant to Section G105 of Appendix G.

SECTION 8: Fees.

Permit and inspection fees for enforcement of the State Construction Code shall be as currently established or as hereafter adopted by resolution of the Township Board from time to time.

SECTION 9: Construction Board of Appeals.

A Township Construction Board of Appeals shall be created and consist of three members who shall be appointed by the Township Board for two-year terms. The Construction Board of Appeals is granted the powers and duties set forth in Public Act No. 230 of 1972 (MCL 125.1501 et seq.).

SECTION 10: Violations.

Any person erecting, using, moving, demolishing, occupying or maintaining any building or structure in violation of State Construction Code or causing, permitting or suffering any such violation to be committed, shall be penalized as specified in the Code and any other applicable Township Ordinance. In addition, any building or structure erected, used, moved, demolished, occupied or maintained in violation of this article is hereby declared to be a nuisance per se. Upon application to a court of competent jurisdiction, the court may order the nuisance abated or the violation, or threatened violation restrained or enjoined.