

**TOWNSHIP OF PENTWATER**  
**COUNTY OF OCEANA, MICHIGAN**

At a regular meeting of the Township Board of the Township of Pentwater, Oceana County, Michigan, held at the Pentwater Township Hall, 327 Hancock Street, within the Township, on the 11<sup>th</sup> day of February, 2015, at 7:00 p.m.

PRESENT: Members: Smith, Holub, Flynn, Siska

ABSENT: Members: Ruggles

The following ordinance was offered by Member Smith and supported by Member Holub:

**ORDINANCE NO. 15-1**

**AN ORDINANCE TO ADOPT BY REFERENCE  
CERTAIN PROVISIONS OF THE 2009 INTERNATIONAL PROPERTY  
MAINTENANCE CODE;  
TO PROVIDE FOR CERTAIN MODIFICATIONS THEREOF; AND  
TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF**

THE TOWNSHIP OF PENTWATER ORDAINS:

Section 1. Adoption of Certain Provisions of International Property Maintenance Code.

Section 101.1, Title; Section 103, Department of Property Maintenance Inspection; Section 104, Duties and Powers of the Code Official; Section 106, Violations; Section 107, Notices and Orders, Section 108, Unsafe Structures and Equipment; Section 109, Emergency Measures; Section 110, Demolition; Section 111, Means of Appeal; Section 112, Stop Work Order; Section 201, General; Section 202, General Definitions; Section 302.4, Weeds; Section 302.8, Motor Vehicles; Section 304.3, Premises Identification; and Section 308, Rubbish and Garbage of the 2009 edition of the International Property Maintenance Code, as published by the International Code Council, Inc., are hereby adopted as the Property Maintenance Code of the Township of Pentwater, for the control of the interior and exterior of buildings and structures and exterior property as provided in the International Property Maintenance Code. The regulations, provisions, penalties, conditions and

terms of these Sections of International Property Maintenance Code are hereby adopted, as if fully set forth in this Ordinance, with the additions, insertions, deletions and changes stated in Section 2 of this Ordinance.

Section 2.     Additions, Changes and Other References in Said Code. The International Property Maintenance Code, as adopted by the Township, is hereby amended and revised as follows:

(a)     Section 101.1 is amended to state “Township of Pentwater” as the name of the jurisdiction.

(b)     Section 103.5 is hereby amended so as to read in its entirety as follows:  
“**103.5 Fees:** Fees for examinations, inspections, issuance of permits and all other activities related to this Code shall be established and may be revised from time to time by resolution of the Township Board of the Township of Pentwater.”

(c)     Section 106.4 is hereby amended so as to read in its entirety as follows:  
“**106.4 Penalty:** A violation of this Code shall be a municipal civil infraction, for which the fine shall be not less than \$100 nor more than \$500 for a first offense and not less than \$200 nor more than \$2,500 for each subsequent offense, in addition to all the costs, damages and expenses, including reasonable attorneys fees, incurred by the Township of Pentwater by reason of the violation, as provided by law. For purposes of this section, a subsequent offense shall mean a violation of this Code occurring within one year after a previous violation. Each day that a violation continues shall be deemed to be a separate offense. The issuance of a municipal civil infraction citation shall not be an exclusive remedy, but may be undertaken by the Township in addition to other means of enforcement, as provided by law, including but not limited to the seeking of injunctive and other relief.”

(d)     Section 112.4 is hereby amended so as to read in its entirety as follows:  
“**112.4 Failure to Comply:** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a municipal civil infraction as provided for in Section 106.4.”

(e)     Section 202 is hereby amended to insert the definition of the term “motor vehicle” in the appropriate alphabetical order to read in its entirety as follows:

**“MOTOR VEHICLE or VEHICLE.** A vehicle as defined in the Michigan Motor Vehicle Code, being MCL 257.1 et seq., as that code may be amended from time to time or its successor code.”

(f) Section 302.4 is hereby amended to state “ten inches” as the maximum height for weeds and plant growth.

(g) Section 302.8 is hereby amended to read in its entirety as follows:

**302.8 Motor vehicles.** Except as otherwise provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises unless said vehicle is stored in an enclosed structure, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside an enclosed structure or similarly enclosed area designed and approved for such purposes.

Section 3. Pending Proceedings. No provision of this Ordinance or in the Property Maintenance Code shall be construed to affect any suit or proceeding pending in any court as of the effective date of this Ordinance.

Section 4. Severability. The terms and provisions of this Ordinance shall be deemed to be severable, and should any section, clause or provision hereof be declared to be invalid, the same shall not affect the validity of any other section, clause or provision of the Ordinance, if the same may be given effect without the provision thus declared to be invalid.

Section 5. Publication/Effective Date. This Ordinance shall become effective 30 days following its publication or the publication of a summary of its provisions in a local newspaper of general circulation.

AYES: Smith, Holub, Flynn, Siska

NAYS: None

ORDINANCE DECLARED ADOPTED.

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Dean Holub, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of the Township of Pentwater at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

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Dean Holub, Township Clerk