

ORDINANCE NO. 02-16

CITY OF SOUTH LYON
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE CITY OF SOUTH LYON CODE OF ORDINANCES, CHAPTER 18 - "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III - "PROPERTY MAINTENANCE CODE," BY REPEALING THE CITY'S ADOPTION OF THE BOCA PROPERTY MAINTENANCE CODE, FIFTH EDITION, 1996 AND EXISTING SECTIONS 18-111 AND 18-112 IN THEIR ENTIRETY AND ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH, AND BY ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, AND NEW SECTIONS 18-111 AND 18-112 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 IN THE CITY OF SOUTH LYON; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR.

THE CITY OF SOUTH LYON ORDAINS:

PART I. Repeal of Sections 18-111 and 18-112. Existing Sections 18-111 and 18-112, of the City of South Lyon Code of Ordinances and the City's adoption of the BOCA Property Maintenance Code, fifth edition, 1996 are hereby repealed in their entirety.

PART II. Adoption of New Sections 18-111 and 18-112 and Adoption of the 2012 Edition of the International Property Maintenance Code. Sections 18-111 and 18-112 of the City of South Lyon Code of Ordinances, are hereby adopted to read as follows:

Sec. 18-111. Adoption of property maintenance code.

That a certain document, three (3) copies of which are on file at the City of South Lyon, 335 S. Warren, Michigan, being marked and designated as the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of South Lyon, 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 therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of South Lyon 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 2 of this ordinance.

Sec. 18-112. Additions, insertions and changes.

The following sections of the *International Property Maintenance Code*, 2012 edition, are hereby revised as follows:

Section 101.1. Title. These regulations shall be known as the *International Property Maintenance Code* of the City of South Lyon, hereinafter referred to as "this code".

Section 103.5. Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule: City of South Lyon Schedule of Fees, as amended from time to time.

Section 111.2. Membership of Board. The construction board of appeals of the jurisdiction for purposes of the state construction code shall serve as the board of appeals for purposes of this code.

Section 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 to a fine of not less than \$100.00 or more than \$500.00.

Section 302.4. Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of eight (8) 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, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

Section 304.14. Insect Screens. During the period from June 15 to September 1, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied

with *approved* tightly-fitting screens of not less than 16 mesh per inch (16 mesh per 25mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

Section 602.3. Heat Supply. Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from September 1 to June 15 to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature of the locality shall be as indicated in Appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

Section 602.4. Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from September 1 to June 15 to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

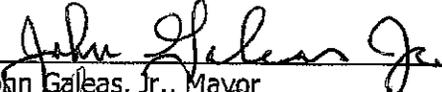
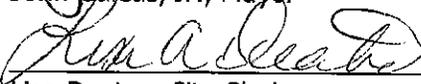
PART III. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART IV. Savings Clause. The amendment of the City of South Lyon Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the City of South Lyon Code of Ordinances set forth in this Ordinance.

PART V. Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART VI. Effective Date; Publication. The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

Made, Passed and Adopted by the South Lyon City Council this 8 day of Feb., 2016.


John Galeas, Jr., Mayor

Lisa Deaton, City Clerk

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the South Lyon City Council held on the 8 day of February 2016.


Lisa Deaton, City Clerk

Adopted: 2/8/16
Published: 2/18/16
Effective: 2/23/16