

ORDINANCE NO. 239
INTERNATIONAL PROPERTY MAINTENANCE

AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES, BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES, AND REQUIRING THAT OTHER PHYSICAL STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPATION AND USE; AND PROVIDING FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY, AND THE DEMOLITION OF SUCH STRUCTURES; AND ADOPTING THE CODE KNOWN AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 VERSION; THE COUNCIL OF THE CITY OF WAKEFIELD ORDAINS:

WHEREAS, the Council of the City of Wakefield deems it be in the best interest and general welfare of the citizens and the residents of this City to prohibit the unreasonable, unwarrantable, or unlawful use of private or public property which causes injury, damage, inconvenience, annoyance, or discomfort to the person or property of others; and

WHEREAS, the Council of the City of Wakefield seeks to promote the health, comfort, and safety of its citizens by establishing regulations for the Property Maintenance set forth herein; and

WHEREAS, Act No. 279 of the Public Acts of the State of Michigan of 1909, as amended, authorizes the City to enact ordinances to protect the health, safety, and comfort of its citizens.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Council of the City of Wakefield as follows:

Section 1. Adoption by reference.

Adoption of code by reference. That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Wakefield, being marked and designated as the International Property Maintenance Code, 2021 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Wakefield, 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 Clerk of the City of Wakefield are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

This Ordinance is enacted by the City of Wakefield City Council under the authority vested in the Council by Act No. 279 of the Public Acts of the State of Michigan of 1909, as amended.

Section 2. Changing to the property maintenance code.

The Following section are here by adopted as though fully set forth at length herein with the insertions, additions, deletions, and changes, if any, prescribed as follows:

Section 101.1. Insert: City of Wakefield

Section 103.1. Insert: Code Enforcement Department

Section 302.4. Insert: Eight Inches (8")

Section 304.14. Insert: April 15 to October 15

Section 602.3. Insert: October 1 to June 30

Section 602.4. Insert: October 1 to June 30

Section 3. Repeal.

All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Codification; Scrivener's Errors.

- (a). Section 1 of this Ordinance shall be codified, and all other sections shall not be codified.
- (b). The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the Code codifier.
- (c). Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Administrator, or designee, without the need for a public hearing.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6.

Effective Date. This Ordinance shall become effective thirty (30) days after its publication by the City Clerk (or publication of a summary thereof) in a newspaper in general circulation within the City of Wakefield.

CERTIFICATION:

Ordained and Enacted into an Ordinance at a regular meeting of the City Council of the City of Wakefield this 28 day of March, 2021.

First Reading: January 11, 2022

Second Reading: February 1, 2022

Public Hearing: March 15, 2022

Published: March 31, 2022

ATTEST:

Susan Ahonen, City Clerk