

**ORDINANCE NO. 758**

**AN ORDINANCE AMENDING SECTION 8-142, ADOPTING ADDITIONS TO  
THE INTERNATIONAL PROPERTY MAINTENANCE CODE (2009)  
SECTION 106.4 OF THE OWOSSO CITY CODE REGARDING VIOLATION PENALTIES**

WHEREAS, the city of Owosso has previously adopted ordinances creating property maintenance and code enforcement regulations; and

WHEREAS, the city recognizes the need to amend section 8-142 of the *Code of Ordinances of the City of Owosso, Michigan*, which embodies details of the International Property Maintenance Code (2009), specifically Section 106.4 regarding violation penalties.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF OWOSSO ORDAINS that Chapter 8 Buildings and Building Regulations, Article VI. *Property Maintenance Code*, Section 8-142 of the *Code of Ordinances of the City of Owosso, Michigan* is amended to read as follows:

**Sec. 8-142. - Changes in Code.**

The following chapters, articles or sections of the International Property Maintenance Code (2009) adopted by the provisions of this article are hereby added, amended or deleted as hereinafter set forth. Subsequent articles, divisions, and sections numbers used in this section shall refer to the like numbered articles, divisions, and sections of such property maintenance code unless specified otherwise.

*Section 101.1:* Insert for name of jurisdiction: City of Owosso, Michigan

*Section 103.5:* Insert for fee schedule: Fees shall be set by resolution of the Owosso city council.

*Section 106.4:* Inserting section establishing violation penalties:

*106.4 Violation penalties.*

- a. First and Second Offenses. Any person, firm or corporation who shall violate any provision of this code for a first or second time, is responsible for a municipal civil infraction, for each violation, as provided for in Section 1-8(c) of the Code of Ordinances of the City of Owosso, Michigan, plus costs and other sanctions.
- b. Third and Subsequent Offenses. Any person firm or corporation who shall violate the same provision of this Code for a third or more instances shall be guilty of a misdemeanor, for each violation, punishable as provided in Sections 1-8(a) and (b) of the Code of Ordinances of the City of Owosso, Michigan, plus costs and other sanctions.
- c. The code official, building inspector, building official, code enforcement officer, police officer or firefighter are hereby designated and authorized to issue municipal civil infraction citations and municipal civil infraction violation notices pursuant to this section.

*Sections 111.2 through Section 111.2.5:* Delete Sections 111.2 through Section 111.2.5

*Section 111.2:* Insert the following wording:

*PM-111.2. Membership.* The Owosso Building Board of Appeals which serves as the construction board of appeals provided by the Michigan Uniform Construction Code Section 125.1514 (Act 230 Of 1972) shall hear all appeals of this ordinance.

*Section 112.4:* Insert amount of fine: \$50.00 and \$500.00

*Section 302.4:* Insert maximum height for weeds: Eight inches (8")

*Section 304.14:* Insert dates requiring window screens: April 15 and November 15

*Section 602.3:* Insert dates requiring heat: September 1 and May 1

*Section 602.4:* Insert dates requiring heat: September 1 and May 1


SECTION 1. SEVERABILITY. The various sections and provisions of this ordinance shall be deemed to be severable, and should any section or provision of this ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this ordinance as a whole or any section or provision of this ordinance other than the section or provision so declared to be unconstitutional or invalid.

SECTION 2. INCONSISTENT ORDINANCES. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed.

SECTION 3. EFFECTIVE DATE. This amendment shall become effective January 26, 2015.

SECTION 4. AVAILABILITY. This ordinance may be purchased or inspected in the city clerk's office, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

*I hereby certify that the foregoing document is a true and complete copy of action taken by the Owosso City Council at the regular meeting of January 5, 2015.*

  
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Amy K. Kirkland, City Clerk