

**ORONOKO CHARTER TOWNSHIP
COUNTY OF BERRIEN - STATE OF MICHIGAN
ORDINANCE FOR THE ADOPTION OF
THE INTERNATIONAL FIRE CODE**

ORDINANCE NO. 70

An ordinance of Oronoko Charter Township adopting the 2006 edition of the International Fire Code, including Appendix Chapters B, C, D and E as published by the International Code Council, regulating and governing the safe guarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Oronoko Charter Township; providing for the issuance of permits and collection of fees.

The Township Board of Oronoko Charter Township does ordain as follows:

SECTION 1:

That a certain document, three copies of which are on file in the office of the Clerk of Oronoko Charter Township, being marked and designated as the International Fire Code, 2006 edition, including Appendix Chapters B, C, D and E, as published by the International Code Council, be and is hereby adopted as the Fire Code of Oronoko Charter Township, in the State of Michigan regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Clerk 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.

SECTION 2:

That the following sections are hereby revised:

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|---------------|---|
| Section 101.1 | Insert: Oronoko Charter Township |
| Section 109.3 | Insert: Civil infraction; \$500.; 0 days. |
| Section 111.4 | Insert: \$100.; \$500. |

SECTION 3:

That the geographic limits referred to in certain sections of the 2006 International Fire Code are hereby established as follows:

Section 3204.3.1.1 **Prohibited in Residential Areas.**

Section 3404.2.9.5.1 **Requires special use permit except in agricultural areas.**

Section 3406.2.4.4 **Requires special use permit except in agricultural areas.**

Section 3804.2 **Allowed** but must meet the requirements of the IFC (2006).

SECTION 4:

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Oronoko Charter Township hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5:

Any person or entity aggrieved by a determination, decision or interpretation of a provision of this ordinance may, within thirty (30) days of the determination, decision or interpretation of a provision, file a written appeal to the Oronoko Charter Township Zoning Board of Appeals, which shall consider and resolve such appeal by a majority vote of said Board, affording a minimum twenty (20) day written notice of the date of hearing of the appeal to appellant of the time and date of the hearing. The Zoning Board of Appeals is granted authority to uphold, reverse or modify, consistent with all laws, codes and ordinances in effect in Oronoko Charter Township, the determination, decision or interpretation of a provision appealed.

SECTION 6:

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance existing in said Township at the date of this enactment,

nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 7:

That the Oronoko Charter Township Clerk is hereby ordered and directed to cause this ordinance to be published as required by statute.

SECTION 8:

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect upon publication of its enactment as required by statute.

SECTION 9: EFFECTIVE DATE

This Ordinance shall take effect upon publication of its enactment as required by statute.

SECTION 10: PUBLICATION OR POSTING

The Township Clerk shall certify to the adoption of this Ordinance and cause the same to be posted or published as required by law.

MOTION TO ADOPT ORDINANCE

Proposed by Board member Trustee Dorothy Hildebrand

Supported by Board member Trustee Philipp Riess

Roll Call:

Ayes: Trustee Philipp Riess, Trustee Dorothy Hildebrand, Treasurer Kendall Hill, Trustee August Zielke, Clerk Suzanne Renton, Trustee Marc Kerlikowske, Supervisor Ernest Hildebrand.

Nays: None.

Abstain: None.

Absent: None.

ORDINANCE DECLARED ENACTED

The foregoing Ordinance was enacted by the Oronoko Charter Township Board of Trustees, Berrien County, State of Michigan on the 14th day of September, 2010 and approved by its Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

By: _____
Ernest Hildebrand, Supervisor

and

By: _____
Suzanne Renton, Clerk

First Reading: August 10, 2010

Second Reading: September 14, 2010

Publication of Notice: September 22, 2010

ORDINANCE NO. 70 WAS FIRST PUBLISHED IN THE JOURNAL ERA ON THE 8th DAY OF SEPTEMBER 2010, AFTER FIRST BEING INTRODUCED. SAID ORDINANCE WAS THEREAFTER PUBLISHED IN THE JOURNAL ERA, AFTER ENACTMENT ON THE 22nd DAY OF SEPTEMBER 2010. SAID ORDINANCE IS IMMEDIATELY EFFECTIVE ON THE 22nd DAY OF SEPTEMBER 2010, THE DAY OF PUBLICATION.

A TRUE COPY OF THIS ORDINANCE MAY BE OBTAINED FOR PURCHASE AT REASONABLE COST, OR FOR INSPECTION, AT THE ORONOKO CHARTER TOWNSHIP HALL, LOCATED AT 4583 EAST SNOW ROAD, BERRIEN SPRINGS, MICHIGAN, DURING NORMAL BUSINESS HOURS OF 8:30 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY, EXCLUDING HOLIDAYS.