

**STATE OF MICHIGAN  
COUNTY OF BERRIEN  
ORONOKO CHARTER TOWNSHIP**

**PROPERTY MAINTENANCE  
ORDINANCE NO. 77**

AN ORDINANCE TO ADOPT BY REFERENCE THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH CERTAIN INSERTIONS, AMENDMENTS, ADDITIONS AND DELETIONS AS THE PROPERTY MAINTENANCE ORDINANCE FOR ORONOKO CHARTER TOWNSHIP; TO ESTABLISH MINIMUM STANDARDS FOR THE MAINTENANCE AND CONDITIONS OF ALL PROPERTIES, BUILDINGS AND STRUCTURES; TO PRESCRIBE STANDARDS FOR SUPPLIED UTILITIES, FACILITIES AND EQUIPMENT AND FOR THE CONDITIONS ESSENTIAL FOR SAFE, SANITARY AND FIT OCCUPANCY AND USE; TO PROVIDE FOR THE ENFORCEMENT OF THE PROVISIONS CONTAINED HEREIN AND FOR PENALTIES AND OTHER REMEDIES FOR VIOLATIONS HEREOF.

THE CHARTER TOWNSHIP OF ORONOKO ORDAINS:

**SECTION 1 Title and Purpose**

- (a) This ordinance shall be known and may be cited as the “Property Maintenance Code” of Oronoko Charter Township (hereinafter sometimes referred to as the “Code”).
- (b) The purpose of the Property Maintenance Code is to establish minimum standards governing the maintenance and conditions of all properties, buildings and structures in the Charter Township of Oronoko and to prescribe minimum standards for supplied utilities, facilities and equipment and conditions essential for safe, sanitary and fit occupancy and use thereof; and to prescribe penalties and other remedies for violations.

**SECTION 2 Adoption of Code**

The 2009 International Property Maintenance Code, as published by the International Code Council, Inc., is hereby adopted by reference as the “Property Maintenance Code” of the Charter Township of Oronoko, subject to those certain insertions, amendments, additions and deletions set forth in this ordinance.

**SECTION 3 Notice to be published**

The Township Clerk shall publish a notice of the adoption of this ordinance in the manner required by law, stating that a copy of said Code and of all insertions, amendments, additions and deletions thereto is available at the office of the Township Clerk for inspection by the public during regular business hours.

#### **SECTION 4 Inspection of Code**

Copies of said Property Maintenance Code and all insertions, amendments, additions and deletions thereto, shall be kept in the offices of the Township Clerk, for inspection by the public during regular business hours.

#### **SECTION 5 Insertions in Code**

The Code shall contain the following insertions.

- (a) Section PM 101.1, insert: Oronoko Charter Township
- (b) Section PM 602.3, insert: November 1 to March 31
- (c) Section PM 602.4, insert: November 1 to March 31

#### **SECTION 6 Amendments of Code**

The following provisions of the Code are amended to read, instead of as indicated in the Uniform Code, as follows,

- (a) Section PM 302.4 Weeds. All premises and exterior property in the R - 1 (Residential Single Family), R - 2 (Residential Single & Two Family), R - 3 (General Residential), U - C (University - College), and B (Business) districts shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. 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.

The failure of the owner, agent or tenant having charge of a property to cut and destroy weeds after service of a notice of violation shall subject such person to prosecution in accordance with Section 106.3. Upon failure to comply with the notice of violation, any duly authorized employee of the Township or contractor hired by the Township 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 by any method permitted by law.

- (b) Section PM 302.8 Motor Vehicles. Except as provided in other ordinances of Oronoko Charter Township, no inoperative or unlicensed motor vehicle

or trailer shall be parked, kept or stored on any premises, except in an enclosed building.

## **SECTION 7 Deletions from Code**

The following provisions are deleted from the Code:

- a) Section PM 103.5
- b) Section PM 111.2 and subsections 111.2.1 through 111.2.5, inclusive
- c) Section PM 112.4
- d) Section PM 304.2
- e) Section PM 304.13 and subsections 13.1 and 13.2
- f) Section PM 304.14

## **SECTION 8 Enforcement**

The Property Maintenance Code shall be enforced by the Building Inspector or any Deputy Building Official and / or by such other person or persons as the Township Board may designate. References in said Code to a "Code Official" shall be construed to mean said person(s).

## **SECTION 9 Penalty**

Any person, firm or corporation convicted of a violation of any provision of the Property Maintenance Code or any amendment thereto, or of any rule or regulation adopted or issued in pursuance thereof, shall be punished by a fine of not more than five hundred dollars (\$500.) and cost of prosecution, or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. The Township may also enjoin or abate any violation of the Property Maintenance Code by appropriate court action.

## **SECTION 10 Severability**

The sections and provisions of this Ordinance are declared to be severable, and if any section, or part thereof, is declared to be illegal, unenforceable, unconstitutional, or void for any reason whatsoever, such illegality or unenforceability shall not affect the remaining section(s) or part(s) of this Ordinance.

## **SECTION 11 Effective Date**

This Ordinance shall become effective upon publication of notice of enactment.

## **SECTION 12 Publication 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: Clerk Suzanne Renton  
Supported by Board member: Trustee Don Damron

Roll Call:

Ayes: Trustees: Rich Albers, Marc Kerlikowske, Robert Palmer, Don Damron,  
Clerk Suzanne Renton, Supervisor Mike Hildebrand.  
Nays: Treasurer Lawrence Schalk.  
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 12 day of November, 2014 and approved by its Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

By: \_\_\_\_\_  
Michael Hildebrand, Supervisor

and

By: \_\_\_\_\_  
Suzanne Renton, Clerk

First Reading: October 14, 2014

Second Reading: November 12, 2014

Publication of Notice: November 19, 2014