

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

SWIMMING POOL AND SPA

ORDINANCE NO. 87

AN ORDINANCE TO ADOPT BY REFERENCE THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.

THE CHARTER TOWNSHIP OF ORONOKO ORDAINS:

SECTION 1: TITLE AND PURPOSE

- (a) This Ordinance shall be known as the Oronoko Charter Township Swimming Pool and Spa Ordinance.
- (b) The purpose of this Ordinance is to provide a legally enforceable document to safeguard health, safety, property and public welfare in the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreational facilities, pools and spas.

SECTION 2: ADOPTION OF CODE

The 2015 International Swimming Pool and Spa Code as published by the International Code Council, Inc. is hereby adopted by reference as the Swimming Pool and Spa Code of the Charter Township of Oronoko.

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 is available at the office of the Township clerk for inspection by the public during regular business hours.

SECTION 4: ENFORCEMENT

The Swimming Pool and Spa 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 be a "Code Official". 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 shall be construed to mean said person(s).

SECTION 5: PENALTY

Any person, firm or corporation convicted of a violation of any provision of the Swimming Pool and Spa 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 6: 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 7: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after adoption and publication.

SECTION 8: 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 Robert Palmer

Supported by Board member: Trustee Don Damron

ROLL CALL:

Ayes: Trustee Marc Kerlikowske, Trustee Robert Palmer, Trustee Don Damron,
Clerk Suzanne Renton, Supervisor Mike Hildebrand.

Nays: None.

Abstain: None.

Absent: Treasurer Lawrence Schalk, Trustee Richard Albers.

ORDINANCE DECLARED ENACTED

The foregoing Ordinance was enacted by the Oronoko Charter Township Board of Trustees, Berrien County, State of Michigan on the 12th day of July 2016 and approved by its Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

By: _____
Michael Hildebrand, Supervisor

And

By: _____
Suzanne Renton, Clerk

First Reading: June 14, 2016

Second Reading: July 12, 2016

Publication of Notice: July 20, 2016