

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

ORDINANCE NO. 92

An ordinance of Oronoko Charter Township adopting the 2012 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, 2012 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:

- |               |   |
|---------------|---|
| Section 101.1 | Insert: Oronoko Charter Township          |
| Section 109.4 | 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 2012 International Fire Code are hereby established as follows:

Section 5704.2.9.6.1	<b>Prohibited in Residential Areas.</b>
Section 5706.2.4.4	<b>Requires special use permit except in agricultural areas.</b>
Section 5806.2	<b>Requires special use permit</b>
Section 6104.2	<b>Allowed</b> but must meet the requirements of the IFC (2012)

### **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:**

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

**Section 10:**

The provisions of Ordinance No. 70 of Oronoko Charter Township are revoked as of the effective date of this Ordinance, provided all proceedings and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and shall be governed, contained and completed according to the provisions of the Ordinance in effect when the violation was committed.

**Section 11:**

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: Clerk Suzanne Renton.

Roll Call:

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

Nays: None.

Abstain: None.

Absent: Treasurer Lawrence Schalk

**ORDINANCE DECLARED ENACTED**

The foregoing Ordinance was enacted by the Oronoko Charter Township Board of Trustees, Berrien County, State of Michigan on the 11<sup>th</sup> day of April, 2017 and approved by its Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

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

And

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

First Reading: March 14, 2017

Second Reading: April 11, 2017

Publication of Notice: April 19, 2017