

BAINBRIDGE TOWNSHIP

ORDINANCE NO. 54

Adopted October 11, 2010  
Effective November 13, 2010

***Adoption of Michigan Housing Law***

An ordinance to promote the health, safety and welfare of the people of Bainbridge Township by adoption of the Michigan Housing Law (Act 167 of the Public Acts of 1917, as amended); to provide for the demolition of dangerous and unsafe buildings and to provide for the maintenance and improvement of buildings and the enforcement of the Act, and to repeal all existing Township ordinances in conflict herewith.

***The Township of Bainbridge, Berrien County, Michigan, ordains:***

***Section 1. Adoption of Michigan Housing Law.*** In accordance with and pursuant to Public Act 1945, No. 246 (MCL 41.181 *et seq*) Bainbridge Township hereby adopts the Michigan Housing Law provided at Act 167 of the Public Acts of 1917, as amended (MCL 125.401 through 125.543) (the "Act").

***Section 2. Enforcement.*** The designated Zoning Administrator, Code Enforcement Officer and Building Official are hereby designated as the enforcing agents to discharge the responsibilities of the Township of Bainbridge under Act 167 of the Michigan Public Acts of 1917, as amended.

***Section 3. Establishment of Fee Schedule.*** The Township of Bainbridge shall have authority to establish, by resolution, at any regular or special meeting, a schedule of fees, rates and charges for the administration and enforcement of this Ordinance, and the Michigan Housing Law promulgated thereunder and adopted herein; provided further that any violation of this Ordinance or the adopted Housing Law shall require those deemed responsible for violation to pay all attorney fees, court costs and costs of prosecution that may be incurred in the enforcement of said Housing Law. It is further provided that the fees shall be reasonable and bear a reasonable relationship to the cost and expense of such administration, enforcement and activity. The Township of Bainbridge shall further have the right to amend by resolution the aforementioned schedules from time to time.

***Section 4. Violations and Penalties.*** Any person, firm or corporation who violates or fails to comply with the provisions of this Ordinance or the Act shall be deemed responsible for a civil infraction and shall, upon conviction, be punished by a fine not to exceed \$100.00, court costs, in the discretion of the court. Each day that a violation of this Ordinance exists shall constitute a separate offense. In addition, the Township of Bainbridge shall have authority to proceed in any court of competent jurisdiction for the purpose of obtaining injunctive relief or other appropriate remedy to compel compliance with the Ordinance.

**Section 5. Repeal of Conflicting Ordinances.** All other Ordinances or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and each Section of this Ordinance, and each subdivision of any Section thereof, is hereby declared to be independent, and in finding or holding of any Section or subdivision thereof to be invalid or void, shall not be deemed or held to affect the validity of any other Section or subdivision of this Ordinance.

**Section 6. Effective Date.** This Ordinance and its provisions established and adopted hereby shall take effect and be in full force and effect 30 days after its adoption and publication in accordance with the State statute.

A motion that said the foregoing Ordinance be adopted was made by Jerry Jollay and supported by Debra Grieser at a regular meeting of the Bainbridge Township Board on the 11<sup>th</sup> day of October, 2010.

The names of the Township Board members and their votes are as follows:

| NAME             | YES | NO |
|------------------|-----|----|
| Jerry Jollay     | X   |    |
| Debra A. Grieser | X   |    |
| Nancy Weber      | X   |    |
| Donald Baiers    | X   |    |
| John Yetzke      | X   |    |

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of the Ordinance Adopting the Michigan Housing Law by the Bainbridge Township Board at a meeting held on the 11<sup>th</sup> day of October, 2010, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: October 11, 2010

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Debra A. Grieser, Township Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the Tri-City Record, Watervliet, Michigan, on the 14<sup>th</sup> day of October, 2010.

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Debra A. Grieser, Township Clerk