

The City of Ypsilanti

Ordinance No.

AN ORDINANCE TO AMEND CHAPTER 18 OF THE YPSILANTI CITY CODE, ENTITLED "BUILDINGS AND BUILDING REGULATIONS," ARTICLE V "PROPERTY MAINTENANCE CODE," BY AMENDING SECTION 18-92 "ADDITIONS, INSERTIONS, AND CHANGES," TO DEFINE WORKMANLIKE, TO PROHIBIT TEMPORARY EXPANDABLE SCREENS, AND TO REQUIRE COMPLIANCE WITH THE FIRE CODE, AND BY AMENDING ARTICLE VI "INSPECTION AND CONTROL OF CERTAIN BUILDINGS," DIVISION 3 "CERTIFICATE OF COMPLIANCE," BY AMENDING THE TITLE AND CONTENT OF SECTION 18-151 "EXPIRATION" TO SET FORTH RE-INSPECTION PROCEDURES PRIOR TO EXPIRATION.

THE CITY OF YPSILANTI ORDAINS

Section 1: Amendments, additions, and deletions to Chapter 18 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Building and Building Regulations."

That Chapter 18, "Buildings and Building Regulations," of the Ypsilanti City Code, Article V "Property Maintenance Code," Section 18-92 "Additions, insertions, and changes," be amended to read as follows:

The BOCA National Property Maintenance Code adopted in section 18-91 is amended and revised is in the following respects:

***Section PM-101.1* (page 1, second line). Insert: City of Ypsilanti**

***Section PM-106.2* (page 2, ~~third line~~). Delete section and insert:**

***Misdemeanor.* A person who violates any provision of this article shall be guilty of a misdemeanor punishable by a fine of not more than \$500.00 or by imprisonment for not more than 90 days, or both, at the discretion of the court. The imposition of a fine or imprisonment for any violation shall not excuse the violation nor permit the violation to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each day that violations continue shall constitute a separate offense.**

***Section PM-202.0* (page 8). Amend definition of workmanlike so that the definition reads as follows:**

***Workmanlike:* Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work. All materials and installation shall be per manufacturer's instructions and in accordance with trade and industry standards.**

***Section PM-304.15* (page 11, first line). Insert: April 1, December 1. Add to**

section: Temporary expandable screens are not permitted.

***Section PM-602.2.1* (page 17, fifth line). Insert: September 15, May 15. The residential building heat supply requirement is hereby changed to: 70 degrees Fahrenheit (21 degrees Celsius).**

***Section PM-602.2.3* (page 17, third line). Insert: September 15, May 15.**

Section PM-701.1 (page 19). Delete section and insert:

The provisions of this chapter and the fire code adopted by the City of Ypsilanti shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

That Chapter 18, "Buildings and Building Regulations," of the Ypsilanti City Code, Article VI "Inspection and Control of Certain Buildings," Division 3 "Certificate of Compliance," Section 18-151 "Expiration," be amended to read as follows:

Section 18-151. Expiration and re-inspection procedures.

Certificates of compliance shall normally expire two years after the date that they are issued unless earlier suspended by the building inspection department. The date of issuance shall be indicated on the certificate. ~~It is the duty of the owner of the property to arrange for the inspection necessary for the issuance of a new certificate prior to the expiration of the previous certificate of compliance.~~ If the previous certificate of compliance expires prior to a new certificate being issued, the new certificate shall expire two years after the previous certificate expired, unless more than two years have passed. If more than two years have passed the entire building must be re-inspected and a new certificate shall be issued which will expire two years after the re-inspection approval. If circumstances arise wherein a valid certificate of compliance expires, the owner has correctly made application for inspection, and the building department has not conducted the inspection within a reasonable time, a temporary certificate may be issued.

At least three months before the current, valid certificate of compliance expires, it is the duty of the owner of the property to arrange for the inspection necessary for the issuance of a new certificate prior to the expiration of the previous certificate. If the owner does not timely schedule the inspection, the building inspection department will schedule the inspection and send out a notice to the owner or the owner's agent. The building inspection department will schedule all necessary subsequent inspections following the initial scheduled inspection, whether or not the inspection was performed, and send out notices to the owners or the owners' agents for those re-inspections.

Section 2. Severability.

If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

Section 3. Repeal.

All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed.

Section 4. Savings Clause.

The balance of Chapter 18 of the Code of Ordinances, City of Ypsilanti, Michigan, entitled "Buildings and Building Regulations," except as herein or heretofore amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 5. Copies to be available.

Copies of the ordinance are available at the office of the city clerk for inspection by, and distribution to, the public during normal office hours.

Section 6. Publication and Effective Date.

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the Ypsilanti Courier. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS ____ DAY OF _____, 2005.

Cheryl Farmer, Mayor

Cherry Lawson, City Clerk

Attest

I do hereby confirm that the above Ordinance No. ____ was published in the Ypsilanti Courier on the ____ day of _____, 2005.

Cherry Lawson, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the ____ day of _____, 2005.

Cherry Lawson, City Clerk

Notice Published _____

First Reading _____

Second Reading _____

Published _____

Effective Date _____