

**22.0100 FIRE PREVENTION CODE RESPONSIBILITY RESTATED ORDINANCE
CHARTER TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. 529 eff. March 2, 2015**

An Ordinance to assume responsibility for enforcement of a fire prevention code and to provide penalties for its violation.

THE CHARTER TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, AND STATE OF MICHIGAN, ORDAINS:

22.0101 Sec. 1 ADOPTION OF FIRE PREVENTION CODE; PURPOSE:

Pursuant to the provisions of Public Act 359 of 1947, as amended, the Township adopts by reference the INTERNATIONAL FIRE CODE AND REFERENCE STANDARDS, 2012 Edition, including the Appendix Chapters A, B, C, D, E, F, G, H, I, and J, and the NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101 LIFE SAFETY CODE, 2012 Edition, which together create the fire prevention code (the "Code") of the Township. The Code is adopted for the purposes of protecting life, property, and public welfare from the hazards of fire and explosion, providing minimum standards for the design, operation, use, and maintenance of buildings and structures, and providing minimum standards for the storage, handling, or use of substances, materials, or devices involved in the use or occupancy of buildings or structures. In the case of any conflict between the provisions of the International Fire Code and the provisions of the NFPA 101 Life Safety Code, the provisions of the NFPA 101 Life Safety Code shall be deemed to control to the extent of the conflict. (ord. no. 147 eff. March 3, 1991; amend by ord. no. 188 eff. Sept. 11, 1993; amended by ord. no. 220 eff. June 11, 1995; repealed by ord. no. 233 eff. March 18, 1996; amended by ord. no. 359 eff. April 12, 2002; amended by ord. no. 529 eff. March 2, 2015)

22.0102 Sec. 2 DESIGNATION OF ENFORCEMENT AGENCY:

The Township's Fire Chief, or the Fire Chief's authorized representative, shall have the responsibility for enforcement and administration of this Ordinance and of the Code as the fire code official, and shall have the authority to enter premises for the purpose of inspecting them for compliance with the Code.

22.0103 Sec. 3 ADDITIONS, INSERTIONS, CHANGES:

1. The following provisions or sections of the International Fire Code, 2012 Edition, are revised as indicated.

Section 101.1: **Title.** Grand Haven Charter Township shall be inserted.

Section 109.4: **Violation penalties.** Persons who violate a provision of this code or who fail to comply with any of its requirements or who erect, install, alter, repair or do work in violation of the approved construction documents

or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be responsible for a civil infraction, subject to a fine of \$50.00, plus costs and other sanctions for each infraction. Each day during which any violation continues shall be deemed a separate and distinct offense. Increased civil fines may be imposed for repeated violations; a repeat violation means a second or subsequent municipal civil infraction committed by a person within any six month period and for which a person admits responsibility or is determined to be responsible. The increased fine for a first repeat (i.e., second) violation shall be \$250.00, plus costs and other sanctions. The increased fine for a second repeat (i.e., third or subsequent) violation shall be \$500.00, plus costs and other sanctions.

Section 111.4: **Failure to comply.** \$50.00 and \$500.00 shall be inserted.

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

2. No provisions or sections of the NFPA 101 Life Safety Code, 2012 Edition, are revised or eliminated.

22.0104 Sec. 4 LIMITATION:

Nothing in this Ordinance or the Code shall be construed to affect any suit or proceeding pending in court. No just or legal right or remedy of any character shall be lost, impaired, or affected by this Ordinance or the Code.

22.0105 Sec. 5 SEVERABILITY AND CAPTIONS:

This Ordinance and its various parts, sections, subsections, sentences, phrases, and clauses are severable. If any part, section, subsection, sentence, phrase, or clause is

adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. The captions included at the beginning of each Section are for convenience only and shall not be considered as part of this Ordinance.

22.0106 Sec. 6 ADMINISTRATIVE LIABILITY:

No officer, agent, employee, or member of the Township Board shall be personally liable for any damage that may accrue to any Person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.

22.0107 Sec. 7 REPEAL:

All ordinances or parts of ordinances which are in conflict in whole or in part with any of the provisions of this Ordinance as of the date of this Ordinance are repealed to the extent of such conflict.

22.0108 Sec. 8 EFFECTIVE DATE:

This Ordinance was approved and adopted by the Township Board on January 26, 2015, after its introduction and first reading on January 12, 2015, and after its publication in the manner provided by Public Act 359 of 1947, as amended. This Ordinance shall take effect 30 days after its publication following adoption.