

VILLAGE OF CASNOVIA
COUNTIES OF KENT AND MUSKEGON, MICHIGAN

At a regular meeting of the Village Council of the Village of Casnovia, held at the Village Hall, 141 North Main St., within the Village, on the 8th day of November, 2021, at 7:00 p.m.

PRESENT: Members: Morris, Frary, Kahrs, Palinski, and Bennitt

ABSENT: Members: None

The following ordinance was offered by Member Kahrs and seconded by Member Palinski:

**AN ORDINANCE TO AMEND THE PROPERTY MAINTENANCE CODE SECTION
2(h) HEIGHT OF WEEDS FROM TWELVE (12) INCHES TO SEVEN (7) INCHES.**

THE VILLAGE OF CASNOVIA ORDAINS:

ORDINANCE NO. 2021-03

Section 1. Adoption of International Property Maintenance Code. The 2018 International Property Maintenance Code, as published by the International Code Council, Inc., and as it may be amended or updated, which is incorporated by reference in the current version of the Michigan Building Code as adopted and amended by the State of Michigan from time to time, is hereby adopted by reference and implemented as the Property Maintenance Code of the Village of Casnovia, for the control of buildings, structures, premises and other things as provided in said Code. All of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby adopted, as if fully set forth in this ordinance, with the additions, insertions, deletions and changes stated in Section 2.

Section 2. Additions, Changes and Other References. The International Property Maintenance Code is hereby amended and revised to be implemented in the Village of Casnovia as follows:

(a) **Jurisdiction.** Section 101.1 of the Code is amended to state the “Village of Casnovia” as the name of the jurisdiction.

(b) **Code Official.** Section 103.2 of the Code is hereby amended so as to read in its entirety as follows:

“**103.2 Appointment.** The official responsible for enforcement of the Building Code in the Village of Casnovia, an official appointed by the Village Council for ordinance enforcement, and the Village President shall each act as, and have the powers afforded to, the Code official hereunder. Provided, however, the Village President shall not exercise those powers with respect to matters governed by Michigan Building, Plumbing, Mechanical, or Electrical Code.”

(c) **Fees.** Section 103.5 of the Code is hereby amended so as to read in its entirety as follows:

“**103.5 Fees.** Fees, if any, for examinations, inspections, issuance of permits and all other activities of the property maintenance department shall be established by resolution of the Village of Casnovia Village Council from time to time.”

(d) **Penalties.** Section 106.4 of the Code is hereby amended so as to read in its entirety as follows:

“**106.4 Violation; Penalties.** Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be responsible for municipal civil infraction for which the fine shall be not less than \$100, nor more than \$500 for the first offense, and not less than \$500, nor more than \$1,000 for subsequent offenses, in the discretion of the Court, and the Village shall in addition be entitled to recover its actual costs of prosecution. For purposes of this section, “subsequent offense” means a violation of this ordinance committed with respect to a separate incident by the same person within 12 months of a previous violation of the ordinance for which said person admitted responsibility or was adjudicated to be responsible. Such remedies shall be in addition to all other costs, damages, expenses and other remedies provided by law. Each day that a violation continues shall be deemed a separate offense.”

(e) **Appeal Body.** Section 111.1 of the Code is hereby amended so as to read in its entirety as follows:

“**111.1 Application for Appeal.** Any person directly affected by a decision of the Code official or a notice or order issued under this Code shall have a right to appeal to the Village of Casnovia Village Council, provided that a written appeal is filed within 20 days after

the date of the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of the Code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of Code do not fully apply, or the requirements of this Code are adequately satisfied by other means.”

- (f) **Appeals.** Sections 111.2, 111.2.1, 111.2.2, 111.2.3, 111.2.4 and 111.2.5 of the Code are deleted in their entirety.
- (g) **Stop Work Violation.** Section 112.4 of the Code is hereby amended so as to read in its entirety as follows:

“**112.4 Failure to Comply.** Any person who shall violate any stop work order shall be subject to punishment as provided in section 106.4 above.”
- (h) **Height of Weeds.** Section 302.4 of the Code is hereby amended by inserting “7 inches” into said section.
- (i) **Window Screens.** Section 304.14 of the Code is hereby amended to insert “April 1” as the first specified date therein and “October 31” as the second specified date therein.
- (j) **Inoperable Vehicles.** Section 302.8 of the Code is hereby deleted in its entirety.
- (k) **Heat Supply – Residential.** Section 602.3 of the Code is hereby amended so as to insert “September 1” as the first specified date and “June 15” as the second specified date therein.
- (l) **Heat Supply – Work Spaces.** Section 602.4 of the Code is hereby amended so as to insert “September 1” as the first specified date and “June 15” as the second specified date therein.

Section 3. No provisions of this ordinance or in the Property Maintenance Code shall be construed to affect any suit or proceeding pending in any court as of the effective date of this ordinance.

Section 4. Ordinance No. 2000-1, as amended, is hereby repealed in its entirety.

Section 5. The terms and provisions of this ordinance shall be deemed to be severable, and should any section, clause or provision hereof be declared to be invalid, the same shall not

affect the validity of any other section, clause or provision of the ordinance, if the same may be given effect without the provisions thus declared to be invalid.

Section 6. This ordinance shall become effective 30 days following its publication or the publication of a summary of its provisions in a local newspaper of general circulation in the Village.

ORDINANCE DECLARED ADOPTED.

AYES: Members: Morris, Frary, Kahrs, Palinski, and Bennitt

NAYS: Members: None



Shelley Carr, Village Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Casnovia at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Shelley Carr, Village Clerk