

VILLAGE OF PINCKNEY

ORDINANCE NO. _____

ORDINANCE AMENDING THE VILLAGE OF PINCKNEY CODE OF
ORDINANCES BY AMENDING TITLE XV, LAND USAGE,
TO ADD A NEW CHAPTER 157, PROPERTY MAINTENANCE CODE

THE VILLAGE OF PINCKNEY ORDAINS:

Section 1. Title XV, *LAND USAGE*, of the Village of Pinckney Code of Ordinances, is hereby amended to add a new Chapter 157, *Property Maintenance Code*, to read as follows:

Chapter 157 - Property Maintenance Code.

§ 157.01 International Property Maintenance Code Adopted.

The International Property Maintenance Code, 2021 Edition, as published by the International Code Council, is hereby adopted as the Property Maintenance Code (the "Property Maintenance Code") of the Village of Pinckney in the State of Michigan, County of Livingston, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village Clerk of the Village of Pinckney 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 Subsection B of this Ordinance.

§ 157.02 Revisions to Code.

The International Property Maintenance Code, adopted by the provisions of this Ordinance as the property maintenance code of the Village, is hereby amended, changed and altered as follows.

(A) Section 101.1 is amended to read in its entirety as follows:

101.1 *Title.* These regulations shall be known as the Property Maintenance Code of the Village of Pinckney.

- (B) Section 102.3 is amended to read in its entirety as follows:

102.3 *Application of other codes.* Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the Michigan Electrical Code, Michigan Fuel Gas Code, the Michigan Rehabilitation Code for Existing Buildings, and the Village of Pinckney International Fire Code Ordinance. The references in the Code to International Codes shall be amended as follows: whenever the "International Building Code" or "building code" is referenced in this Code it shall mean the Michigan Building Code; whenever the "International Mechanical Code" is referenced in this Code it shall mean the Michigan Mechanical Code; whenever the "International Plumbing Code" is referenced in this Code it shall mean the Michigan Plumbing Code; whenever the "International Electrical Code" or "National Electrical Code (NEC)" or "NFPA 70" is referenced in this Code it shall mean the Michigan Electrical Code; whenever the "International Fire Code," "fire code" or "NFPA 25" is referenced in this Code it shall mean the Village of Pinckney International Fire Code; whenever the "International Zoning Code" is referenced in this Code it shall mean the Village of Pinckney Zoning Ordinance. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the Pinckney Zoning Ordinance, as amended, being Pinckney Code, Chapter 152, *Zoning*, as amended; or the Pinckney Code, Chapter 154, *Unsafe Buildings*, as amended.

- (C) Section 103.1 is amended to read in its entirety as follows:

103.1 *Code Official.* References to the "code official" shall be deemed to refer to the Village of Pinckney Village Manager, or the Village Manager's designee.

- (D) Section 103.2 is deleted in its entirety.

- (E) Section 104.1 is amended to read in its entirety as follows:

104.1 *Fees.* The Rates/Fees/Charges shall be adopted by a separate schedule approved by resolution of the Village Council.

- (F) Section 104.3 is added to read in its entirety as follows:

104.3 *Unpaid fees.* Any unpaid fees, as required by this Code that remain unpaid after ninety (90) days, shall become a debt to the Village from the owner or person otherwise to be assessed on Tax Day provided by law.

Such unpaid fees shall become a lien upon such real property and the lien for such amounts and all associated interest and penalties shall continue until payment. All such lien amounts shall be collected in the same manner as real property taxes.

- (G) Section 105.1 is amended to read in its entirety as follows:

105.1 *General.* The code official shall enforce the provisions of this code. The code official shall have authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code such policies and procedures shall not have the effect of waiving requirements specifically provided in this code. Under the direction of the code official, the personnel designated in Pinckney Village Code of Ordinances, Section 10.10, as amended, or authorized under Code Chapter 131, as amended, are also authorized to issue municipal civil infraction citations and notices to enforce this Ordinance.

- (H) Section 107 is deleted in its entirety.

- (I) Section 108 is amended to read in its entirety as follows:

108.1 *Appeals board.* In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals, hereafter referred to as the "Board". The Village of Pinckney Zoning Board of Appeals is hereby designated as the Code Appeals Board required by the International Property Maintenance Code hereby adopted and shall have the power and duty to hear and decide such appeals as are prescribed therein.

108.2 *Vote.* The Board shall hear all appeals relative to the enforcement of the International Property Maintenance Code, and by a concurring vote of the majority of its members may reverse or affirm wholly or partly or may modify the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed an appeal denial and confirmation of the decision of the Code Official.

- (J) Section 109.3 is amended to read in its entirety as follows:

109.3 *Prosecution of violation.* Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 shall be deemed civil infraction as provided for in Chapter 10, Section 10.99 and

Chapter 131 of the Pinckney Village Code of Ordinances, as amended, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(K) Section 109.4 is amended to read in its entirety as follows:

109.4 Violation Penalties.

- (1) Any person who shall violate any provision of this code or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted under a Municipal Civil Infraction and shall be prosecuted within the limits provided by state or local laws.
- (2) Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.
- (3) The Village may also seek any and all remedies available to it by law, including bringing an action for an injunction or other process against a person to restrain, prevent or abate any violation of this chapter.

(L) Section 110.4 is amended to read in its entirety as follows:

110.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$50 dollars or more than \$500 dollars.

(M) Section 201.3 is amended to read in its entirety as follows:

201.3. Terms defined in other codes. Where terms are not defined in this Code and are defined in the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the Michigan Electrical Code, Michigan Fuel Gas Code, the Michigan Rehabilitation Code for Existing Buildings, and the Village of Pinckney International Fire Code Ordinance the Pinckney Fire Code or the Pinckney Zoning Ordinance, such terms shall have the meanings ascribed to them as stated in those codes or ordinances.

Exception: When used within this code, the terms unsafe and dangerous shall have only the meanings ascribed to them in this code and shall not have the meanings ascribed to them by the Michigan Rehabilitation Code for Existing Buildings.

- (N) Section 302.4 is amended, in part, to read as follows:

302.4 *Weeds*. Premises and exterior property shall be maintained in compliance with Pickney Code of Ordinances Chapter 94, *Weeds*.

- (O) Section 304.14 is amended, in part, to read as follows:

304.14 *Insect screens*. During the period from May through October, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

- (P) Section 602.3 is amended to read in its entirety as follows:

602.3 *Heat supply*. Every owner or operator of any building who rents, leases, or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of 68 0F (200C) in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the Village, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the Village of Pinckney shall be as indicated in the Michigan Plumbing Code.

- (Q) Section 602.4 is amended to read in its entirety as follows:

602.4 *Occupiable work spaces*. Indoor occupiable workspaces shall be supplied with heat during the period from October 1 to May 1 to maintain a temperature of 65 0F (18 0C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage, and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

§ 157.03 References to International Codes.

Whenever reference is made in the Property Maintenance Code, adopted pursuant to this Ordinance, to the International Building Code, International Fire Code, International Plumbing Code, International Mechanical Code, or International Electrical Code, such references shall be construed as being in reference to the parallel State of Michigan codes enforced within the Village.

§ 157.04 Copy of Code.

A complete copy of the International Property Maintenance Code, 2021 Edition, adopted by reference herein, together with all amendments thereto, shall be maintained in the office of the Village Clerk and made available to the public.

§ 157.05 Pending Litigation.

That nothing in this Ordinance or in the Property Maintenance 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 hereby repealed as cited in Section 6 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 2. Repealer Clause. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4. Adoption. This Ordinance is hereby declared to have been adopted by the Village Council of the Village of Pinckney, County of Livingston, State of Michigan, at a regular meeting, called and held on the ____ day of _____, 2025, and ordered to be given publication in the manner prescribed by law.

Section 5. Effective Date. This Ordinance shall become effective fifteen (15) days from its adoption by the Village of Pinckney Village Council and its publication.

Jeffrey Buerman, Village President

Andrea McCall, Village Clerk

Village Council Member _____ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member _____, and upon being put to a vote, the vote was as follows:

Jeffrey Buerman, President	_____
Justin Bierman, Trustee	_____
Stacy Conquest, Trustee	_____
Rob Coppersmith, Trustee	_____
Keri Hochertz, Trustee	_____
Nick Kane, Trustee	_____
Jo Self, Trustee	_____

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Pinckney this ____ day of _____ 2025.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. _____ adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on _____, 2025.

Andrea McCall, Village Clerk