



BRILEY TOWNSHIP DANGEROUS BUILDING ORDINANCE

ADOPTED/REVISED: 06/03/93

07/16/93

07/12/99

An ordinance to promote the health and welfare of the people of Briley Township, Montmorency County, Michigan by regulating the maintenance and safety of certain buildings and structures; to define the classes of buildings and structures; to define the classes of buildings and structures affected by the ordinance; to establish administrative requirements and prescribe procedures for the maintenance or demolition of certain buildings and structures; to establish remedies provide for enforcement and fix penalties for the violation of this ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

The Township of Briley, Montmorency County, Michigan ordains:

SECTION I TITLE: This ordinance shall be known as the Briley Township Dangerous Buildings Ordinance.

SECTION II. DEFINITIONS OF TERMS: As used in this ordinance, including in this section the following words and terms shall have the meanings stated herein:

A. "Dangerous building" means any building or structure, residential or otherwise, that has one or more of the following defects or is in one or more of the following conditions:

1. A door, aisle, passageways, stairway or other means of exit does not conform to the County Building Code.

2. A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and he does not meet the minimum requirements of the Housing Law of the State of Michigan, Act No 167 of the Public Acts of 1917, as amended, being section 125.401 et seq. Of the Michigan Compiled Laws, or the Township Building Code for a new building structure purpose or location.

3. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.

4. A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Section 125.40 et seq. Of the Michigan Compiled Laws.

5. The building structure or a part of the building structure, because of dilapidation, deterioration, decay, faulty construction or the removal or movement of some portion of the ground necessary for the support or for other reasons, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

6. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used.

7. The building or structure is damaged by fire, wind or flood, or is dilapidated or deteriorated and has become an attractive nuisance to children who might play in the building or structure to their danger, or become a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

8. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer of the township or county determines is likely to cause sickness or disease, or is likely to injure the health safety or general welfare of people living in the dwelling.

9. A building or structure is vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

C. " County Building Code" means the building code administered and enforced in the Township pursuant to the State Construction Code Commission Act, Act No. 230 of the Public Acts of 1972, as amended, being section 125.1501 et seq. of the Michigan Compiled Laws.

SECTION III. PROHIBITION OF DANGEROUS BUILDINGS: It shall be unlawful for any owner or agent thereof to keep or maintain any building or part thereof which is a dangerous building as defined in this ordinance.

SECTION IV. NOTICE OF DANGEROUS BUILDING;

A. NOTICE REQUIREMENT Notwithstanding any other provision of this ordinance, if a building or structure is determined by the enforcement officer to be a dangerous building, the enforcing officer shall issue notice that the building or structure is a dangerous building.

B. PARTIES ENTITLED TO NOTICE. The notice shall be served on each owner of or

party in interest in the building or structure in whose name the property appears on the past local tax assessment records of the township and any occupant of the property.

C. The notice shall specify the dangerous conditions alleged to exist and further specify the action necessary to eliminate the condition. The owner/occupant shall be given a minimum of ten(10) days in order to eliminate the dangerous condition . Additional time may be granted by the enforcement officer where bonafide efforts to remove or rectify the condition are in progress.

D. SERVICE OF NOTICE. The notice shall be in writing and shall be served upon the person to whom the notice is directed either personally or by certified mail, return receipt requested. If served upon a person by certified mail, a copy of the notice shall also be posted upon a conspicuous part of the building or structure.

SECTION V. ENFORCEMENT AND PENALTIES

A. This ordinance shall be enforced by such persons who shall be so designated by the Township Board.

B. Failure to comply with such notice within time allowed by the owner and or occupant shall constitute a violation of the Ordinance.

C. Any person or other entity who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by the Michigan Law and subject to acivil fine determined in accordance with the following schedule:

	MINIMUM	MAXIMUM
1st violation within a three-year period	\$ 50.00	\$500.00
2 nd violation within a three-year period	\$100.00	\$500.00
3rd violation within a three-year period	\$300.00	\$500.00

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the Township has been put in connection with the violation. In no case, however shall costs of less than \$50.00 or more than \$500.00 be ordered. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as authorized under Michigan Law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

SECTION VI: EFFECTIVE DATE

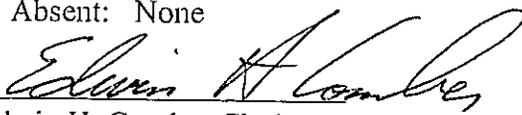
This Ordinance shall become effective 30 days following its publication after adoption as required by law.

The foregoing Ordinance was submitted upon motion by Clerk Comber, second by Treasurer Cheedie. Upon roll call the following voted:

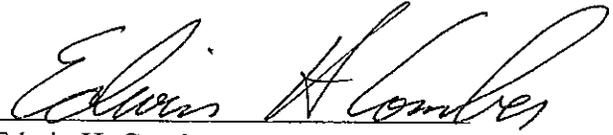
Aye: Supervisor Edwards, Clerk Comber, Treasurer Cheedie, Trustee Wasek, Trustee Gohl

No: None

Absent: None


Edwin H. Comber, Clerk

I hereby certify that the foregoing constitutes a true copy of an Ordinance duly adopted by the Township Board of the Township of Briley, Montmorency County, Michigan, at a Regular Meeting held on the 12th day of July, 1999, the same was published in the Montmorency County Tribune on July 21st, 1999.
Effective Date August 20, 1999.



Edwin H. Comber,
Briley Township Clerk

BRILEY TOWNSHIP DANGEROUS BUILDING ORDINANCE
ORDINANCE NUMBER 01-07-16-93

Adopted/Revised: 06/03/93
Effective: 07/16/93

An Ordinance to promote the health, safety and welfare of the people of Briley Township, Montmorency County, Michigan by regulating the maintenance and safety of certain buildings and structures; to define the classes of buildings and structures affected by the ordinance; to establish administrative requirements and prescribe procedures for the maintenance or demolition of certain buildings and structures; to establish remedies, provide for enforcement, and fix penalties for the violation of this ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

The Township of Briley, Montmorency County, Michigan Ordains:

SECTION I. TITLE: This ordinance shall be known and cited as the Briley Township Dangerous Buildings Ordinance.

SECTION II. DEFINITIONS OF TERMS: As used in this ordinance, including in this section, the following words and terms shall have the meanings stated herein:

- A. "dangerous building" means any building or structure, residential or otherwise, that has one or more of the following defects or is in one or more of the following conditions:
1. A door, aisle, passageway, stairway or other means of exit does not conform to the County Building Code.
 2. A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being section 125.401 et seq. of the Michigan Compiled Laws, or the Township Building Code for a new building or structure, purpose or location.
 3. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.
 4. A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as

amended, being Section 125.401 et seq. of the Michigan Compiled Laws.

5. The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
 6. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used.
 7. The building or structure is damaged by fire, wind or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
 8. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer of the township or county determines is likely to cause sickness or disease, or is likely to injure the health, safety or general welfare of people living in the dwelling.
 9. A building or structure is vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- B. "Enforcing agency" means this Township, through the County Building Official and/or such other official(s) or agency as may be designated by the Township Board to enforce this ordinance.
- C. "County Building Code" means the building code administered and enforced in the Township pursuant to the State Construction Code Commission Act, Act No. 230 of the Public Acts of 1972, as amended, being section 125.1501 et seq. of the Michigan Compiled Laws.

SECTION III. PROHIBITION OF DANGEROUS BUILDINGS: It shall be unlawful for any owner or agent thereof to keep or maintain any building or part thereof which is a dangerous building as defined in this ordinance.