

**ORDINANCE #06-03
BIRCH RUN TOWNSHIP
SAGINAW COUNTY MICHIGAN**

**Adoption: July 11, 2006
Publication Date: July 26, 2006
Effective Date: July 25, 2006**

An ordinance to designate an enforcing agency to discharge the responsibilities of the Township of Birch Run located in Saginaw County, under the provisions of the State Construction Code Act, Act 230 of the Public Acts of 1972, as amended.

The Township of Birch Run Ordains:

Section 1. AGENCY DESIGNATED.

Pursuant to the provisions of the Michigan Building, Electrical, Mechanical, Plumbing and Residential Code, in accordance with Section 8b (6) of 1972 PA230, as amended, the Building, Electrical, Mechanical and Plumbing Official of the Township of Birch Run is hereby designated as the enforcing agency to discharge the responsibilities of the Township of Birch Run under PA230, as amended, State of Michigan. The Township of Birch Run assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

Section 2. REPEALS.

All other Birch Run Township ordinances in conflict with this ordinance are hereby repealed.

Section 3. VIOLATION PENALTIES. Any person or other entity that violates any of the provisions of this ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule:

Each Offense: \$100.00

Repeat Offences:

1. The Court shall exercise its discretion in setting the appropriate fine, and shall take into consideration, among other relevant factors, the ongoing, flagrant and/or abusive nature of the violation and the repetitive nature of the offense.

2. Additionally, the violator shall be ordered to pay restitution to the Township of Birch Run, which may include all direct and indirect

expenses which the Township has incurred in connection with the violation enforcement action for each such citation. In no case, however, shall restitution of less than \$9.00 or more than \$500.00 be ordered each such citation.

3. A violator of the Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law.

Section 4. PUBLICATION/EFFECTIVE DATE.

This ordinance shall take effect thirty days (30). All ordinances or parts of ordinances in conflict herewith are hereby repealed.

STATE OF MICHIGAN)
COUNTY OF SAGINAW)

I, the undersigned, the fully qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete Copy of a resolution adopted at a regular meeting of the Township Board of the Township of Birch Run, Michigan, held on the 11th day of July, 2006, the original of said meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 12th day of July 2006.

Amy Cook, Clerk
Birch Run Township