

**WINDSOR CHARTER TOWNSHIP**  
**EATON COUNTY, MICHIGAN**  
**MICHIGAN CONSTRUCTION CODE ORDINANCE**  
**ORDINANCE NO. 49**

At a regular meeting of the Township Board of Windsor Charter Township, Eaton County, Michigan, held at the Windsor Charter Township Hall on January 9, 2024 at 7:00 p.m., Township Board Member Kern Slucter moved to adopt the following ordinance, which motion was seconded by Township Board Member Patricia Pisano.

*An Ordinance to promote the public health, safety and welfare of the residents of Windsor Charter Township, Eaton County, Michigan, by enforcing the Michigan Construction Code pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, Act 230 of 1972, MCL 125.1501 et seq. (the "Act"), to designate the Windsor Charter Township Building Official as the enforcing official to discharge the responsibilities of the Township under the provisions of the Act, to establish a violation of any provision of this Ordinance as a municipal civil infraction, and repeal all other ordinances or parts of ordinances in conflict with this Ordinance in their entirety.*

THE CHARTER TOWNSHIP OF WINDSOR ORDAINS:

**SECTION 1. TITLE.** This Ordinance shall be known and cited as the Windsor Charter Township Michigan Construction Code Ordinance.

**SECTION 2. ENFORCEMENT OF CONSTRUCTION CODES.** Pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, Act 230 of 1972, MCL 125.1501 *et seq.*, (the "Act"), Windsor Charter Township (the "Township") hereby assumes responsibility for the administration and enforcement of the State Construction Code.

**SECTION 3. WINDSOR CHARTER TOWNSHIP BUILDING OFFICIAL.** The Windsor Charter Township Board (the "Township Board") shall appoint a Windsor Township Building Official (the "Building Official") who will be an employee of the Township. The Building Official will be the enforcement official who shall discharge the responsibilities of the Township for the administration and enforcement of the State Construction Code. The Building Official shall be a licensed code inspector with sufficient expertise, technical competence, and is registered under Article 10 of the Skilled Trades Regulation Act, MCL 339.6001 *et seq.* The Township Board may approve contracts with independent contractors or other professional services to assist the Building Official with conducting inspections, reviewing plans, or otherwise enforcing the State Construction Code.

**SECTION 4. MICHIGAN CONSTRUCTION CODES.** Windsor Charter Township hereby assumes responsibility for the administration and enforcement of the State Construction Code within the Township pursuant to the Act, consisting of the Michigan Building Code, the Michigan Residential Code, the Michigan Uniform Energy Code, the Michigan Electrical Code, the

Michigan Mechanical Code, and the Michigan Plumbing Code, as amended within its political boundary (collectively the “Construction Code”) and hereby delegates responsibility for administration and enforcement of said Act to the Windsor Charter Township Building Official, including administration and enforcement of the Construction Code, and reviewing building permit applications and issuing building permits on behalf of the Township.

**SECTION 5. ISSUANCE OF BUILDING PERMITS/FEES.** Building permits provided for in the Act shall be issued pursuant to applications filed with the Township Building Official, and fees shall be collected from the applicant according to the building permit fee schedule approved by the Township Board, in conformity with the Act and any other applicable state law or regulation.

**SECTION 6. CONSTRUCTION BOARD OF APPEALS.**

- A. Pursuant to Section 14 of the Act, the Township establishes a Construction Code Board of Appeals (the “Board of Appeals”) consisting of three members. The members shall be appointed by the Township Supervisor with the advice and consent of the Township Board. At least one member shall be qualified with expertise and experience in building, one member shall be qualified with expertise and experience in electrical, and one member shall be qualified with expertise and experience in plumbing and mechanical. The term of members of the Construction Code Board of Appeals shall be three years.
- B. If the Building Official refuses to grant an application for a building permit or makes any other decision pursuant or related to the Act or the Construction Code, an interested person, or the person's authorized agent, may appeal in writing to the Construction Code Board of Appeals. An application for appeal shall be based on a claim that the true intent of the Construction Code or the rules governing construction have been incorrectly interpreted, the provisions of the Construction Code do not fully apply, or an equally good or better form of construction is proposed.
- C. When an appeal is made, notice of the hearing before the Board of Appeals shall be given according to applicable state or local law. The Board of Appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the Building Official from whom the appeal was taken not more than 30 days after submission of the appeal. Failure by the Construction Code Board of Appeals to hear an appeal and file a decision within the time limit is a denial of the appeal for purposes of authorizing the institution of an appeal to the State Construction Code Commission. A copy of the decision and statement of the reasons for the decision shall be delivered or mailed, before filing, to the party taking the appeal.

**SECTION 7. PENALTIES.**

- A. The Building Official, the Township Supervisor, the Township Zoning Administrator, or the Township’s Code Enforcement Officer are hereby designated as the authorized officials to issue municipal civil infraction citations or municipal civil infraction notices within the Township in accordance with the Act and the Township’s Municipal Civil Infractions Ordinance.

B. Any person, firm, association, partnership, corporation, or other entity who violates any of the provisions of this Ordinance shall be deemed responsible for a municipal civil infraction and is subject to a civil fine of not more than \$500.00, plus costs, which may include all direct or indirect expenses which the Township has incurred in connection with the violation, including attorney's fees. Each day on which any violation of the Construction Code or the Act occurs or continues constitutes a separate offense subject to separate sanctions.

C. A violation of this Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as authorized under Michigan law.

**SECTION 8. SEVERABILITY.** The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

**SECTION 9. REPEAL.** All other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed in their entirety.

**SECTION 10. EFFECTIVE DATE.** This Ordinance shall become effective immediately after notice of its adoption is published in a local newspaper and the Commission approves the Township's authority to administer and enforce the State Construction Codes.

On a roll call vote:

YEAS: Trustee Myers, Trustee Piper, Clerk Rumsey, Supervisor Slucter, Treasurer Fritts,  
Trustee Pray and Trustee Pisano

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.