

MARATHON TOWNSHIP

ORDINANCE NO 2014-2

**ORDINANCE TO ADOPT THE INTERNATIONAL
PROPERTY MAINTENANCE CODE**

An ordinance to establish minimum regulations governing the conditions and maintenance of all property, buildings and structures; to provide 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; to provide for the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; and to accomplish that by adopting by reference the International Property Maintenance Code as published by the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, and the Southern Building Code Congress International, Inc.; and to proscribe penalties and sanctions for any violations thereof.

THE TOWNSHIP OF MARATHON ORDAINS:

Section 1. Adoption of International Property Maintenance Code.

“The International Property Maintenance Code, 2011” as published by the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, and the Southern Building Code Congress International, Inc., is hereby adopted as the Property Maintenance Code of Marathon Township; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the Property Maintenance Code 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 this ordinance.

Section 2. Local Revisions to International Property Maintenance Code.

The following sections of the International Property Maintenance Code are hereby revised as follows:

Section 101.1. Insert: Township of Marathon;

Section 103.5. This section is amended to read as follows:

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be those fees as shall be established by resolution of the Township Board from time to time.

Section 106.3 Deleted.

Section 107.4 Deleted

Section 304.14. Insert: April 1 to November 1

Section 602.3. Insert: September 1 to June 1

Section 602.4. Insert: September 1 to June 1

Section 3. Conflict With Other Ordinances.

When a provision of the International Property Maintenance Code is in conflict with a provision of any other ordinance currently existing or hereafter enacted by the Township, to the extent permitted by law, the provision which establishes the highest standard for the promotion and protection of the health, safety and welfare of the citizens of the Township shall prevail.

Section 4. Violations, Penalties and Sanctions.

- (1) A person or corporation, including an officer, director, or employee of a corporation, or a governmental official or agent charged with the responsibility of issuing permits or inspecting buildings or structures, who does any of the following is responsible for a municipal civil infraction and, except as modified below, shall be subject to the civil fines, sanctions, remedies and procedures as set forth in Ordinance No. 2014.2:
 - (a) Knowingly violates any provision of this ordinance or the Property Maintenance Code;
 - (b) Knowingly fails to comply with an order issued by an enforcing official, agency or a construction board of appeals;
 - (c) Knowingly makes a false or misleading written statement, or knowingly omits required information or a statement in an inspection report, application, petition, request for approval, or appeal to an enforcing official, agency or construction board of appeals;
 - (d) Knowingly refuses entry or access to an inspector lawfully authorized to inspect any premises, building, or structure pursuant to this ordinance.
- (2) Fines paid at Municipal Violations Bureau. The Marathon Township Municipal Violations Bureau is hereby authorized to accept civil fines in the

amounts specified herein. In the case of payment at the Municipal Violations Bureau, no costs shall be imposed or collected. Civil fines paid at the municipal violations bureau shall be as follows:

- (a) The initial fine shall be Fifty Dollars (\$50.00).
 - (b) Second Offense. In the case of a second occurrence of the same offense within one (1) year of the date of the initial infraction, the civil fine shall be One Hundred Dollars (\$100.00).
 - (c) Third Offense. In the case of a third occurrence of the same offense within one (1) year of the date of the initial infraction, the civil fine shall be Two Hundred Fifty Dollars (\$250.00).
 - (d) Fourth and Subsequent Offenses. In the case of a fourth or subsequent occurrence of the same offense within one (1) year of the date of the initial infraction, the civil fine shall be Five Hundred Dollars (\$500.00).
- (3) Civil fines imposed by a court. Where a civil fine is imposed by a court, in addition to the costs, penalties and sanctions provide for in Ordinance No ~~2014~~ 2014, the minimum civil fine imposed shall be as follows:
- (a) The initial fine shall be no less than One Hundred Dollars (\$100.00).
 - (b) Second Offense. In the case of a second occurrence of the same offense within one (1) year of the date of the initial infraction, the civil fine shall be no less than Two Hundred Dollars (\$200.00).
 - (c) Third Offense. In the case of a third occurrence of the same offense within one (1) year of the date of the initial infraction, the civil fine shall be no less than Three Hundred Fifty Dollars (\$350.00).
 - (d) Fourth and Subsequent Offenses. In the case of a fourth or subsequent occurrence of the same offense within one (1) year of the date of the initial infraction, the civil fine shall be Five Hundred Dollars (\$500.00).

Section 5. Effective date.

This ordinance shall become effective immediately upon publication.

Jim Chaffer
Fred Moorhouse moved for enactment of this ordinance and supported that motion.

Voting for: Moorhouse, Glesenkamp, Johnson, Webber, Chaffer

Voting against: NONE

The supervisor declared the ordinance adopted.

Dawn Johnson
Dawn Johnson
Township Clerk

Fred Moorhouse
Fred Moorhouse
Township Supervisor

CERTIFICATION

The foregoing is a true copy of Ordinance No 2014-2 which was enacted by the Marathon Township Board of Trustees at a regular meeting held on 9/9/2014, 2014.

Dawn D Johnson
Dawn Johnson
Township Clerk