

CODIFIED ORDINANCES OF NEGAUNEE

PART FOURTEEN - BUILDING AND HOUSING CODE

CHAPTER 1420
Building Code

EDITOR'S NOTE: Council, by an unnumbered ordinance passed May 9, 1996, designated Marquette County as the enforcing agency to discharge the responsibilities of the City of Negaunee under Act 230 of the Public Acts of 1972, as amended, throughout the corporate limits of the City.

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CROSS REFERENCES

Adoption of technical codes by reference - see CHTR. §5.12;
M.C.L.A. §117.3(k)
State Construction Code - see M.C.L.A. §§125.1501 et seq.
Construction noise - see GEN. OFF. 672.01(d)
Applicability to trailer and tourist camps - see B.R. & T. 876.13
Construction at Teal Lake - see S.U. & P.S. 1064.07
Construction in subdivisions - see P. & Z. 1244.05, Chs. 1246, 1248

**1420.01 ADOPTION OF 1965 EDITION OF THE BOCA BUILDING CODE;
VIOLATIONS; FILE AND DISTRIBUTION COPIES.**

(a) The regulations of the 1965 abridged edition of the BOCA Building Code, recommended and published by the Building Officials Conference of America, Inc. published in book form, excepting Sections 104.5 through 104.68 thereof relating to violations and the Board of Appeals, are hereby adopted as the regulations governing the construction of buildings and other structures in the City, and it shall be unlawful to erect or construct any building or structure in the City in violation of, or without complying with, such regulations, the same being hereby adopted by reference and made a part of these Codified Ordinances with the same effect as if said BOCA Building Code were repeated herein, word for word.

(b) The BOCA Building Code, as adopted in subsection (a) hereof, shall be published by providing to the public in the office of the City Clerk printed copies in book form available for inspection by and distribution at cost to the public at all times, and the public is hereby notified that a complete copy or copies thereof are available for public use and inspection at the office of the City Clerk.
(Ord. Unno. Passed 5-13-82.)

1420.02 ENFORCEMENT; FEES.

The Building Inspector shall have the power and duty to enforce the provisions of this Code; and all fees provided herein shall be paid to the City Clerk. All permits shall be issued by the Building Inspector.

The term "Building Inspector," as used in this chapter, means the Building Inspector or any other officer of the City designated by the City Manager having the duty to enforce the building regulations of the City.

(Ord. Unno. Passed 5-13-82.)

1420.03 BUILDING PERMIT REQUIRED

(a) No person shall construct any building or structure, other than a fence, in the City, where the cost of such construction exceeds one hundred dollars (\$100.00), or alter or remodel any building or structure so as to change the bearing walls, beams, supports or the roof thereof, without having first secured a permit therefore, or in violation of the terms of such permit or of the terms of this chapter.

(b) No permit shall be issued for the construction of any building or structure, or for remodeling or repairs affecting bearing walls, roofs, other than resurfacing, or chimneys, or for moving a building onto premises in the City, unless the application is accompanied by a plat or sketch of the proposed location showing lot boundaries and by plans and specifications showing work to be done. Such plans shall bear the signature of a licensed architect, recognized contractor or the Building Inspector.

(Ord. Unno. Passed 5-13-82.)

1420.04 COMPLIANCE WITH OTHER CODES; FEES.

All work undertaken pursuant to any permit issued hereunder shall be in full compliance with the Zone Code, other codes pertaining to water and street excavation. In addition to the fees for permits herein provided for, the applicant shall pay the fees prescribed in any applicable code. Fees for permits under this Code shall be charged and collected in accordance with the schedule thereof fixed by Council by resolution from time to time. Such fees shall be sufficient to pay for the cost of administration and inspections required by this Code.

(Ord. Unno. Passed 5-13-82.)

1420.05 STOP WORK ORDERS.

Whenever any work is being done in violation of the provisions of this Code, or at variance with the terms of any permit issued for such work, the Building Inspector may order all work on the job stopped until such time as any violation or variance is eliminated and any work or installation made in violation of this Code corrected. Such stop order, if oral, shall be followed by a written stop order within twenty-four hours of the issuance of the verbal stop order (excluding Saturday, Sunday or holidays). No person shall do or perform any work in violation of such stop order, except as may be necessary to prevent injury or damage to persons or property. Such stop order may be revoked by the Building Inspector or Council.

(Ord. Unno. Passed 5-13-82.)

1420.06 CERTIFICATES OF OCCUPANCY.

No certificate of occupancy for any building or structure erected, altered or repaired after the adoption of this Code shall be issued unless such building or structure was erected, altered or repaired in compliance with the provisions of this Code.

(Ord. Unno. Passed 5-13-82.)

1420.07 LIMITATION OF AUTHORITY OF BUILDING INSPECTOR OR OTHER OFFICER.

Wherever in the building regulations it is provided that anything must be done subject to the approval or direction of the Building Inspector or any other officer of the City, it shall be construed to give such officer only the discretion of determining whether the rules and standards established by the Code have been complied with. No such provision shall be construed as giving any officer discretionary powers as to what such regulations or standards shall be, the power to require conditions not prescribed by the Code or the authority to enforce Code provisions in an arbitrary or discriminatory manner.

(Ord. Unno. Passed 5-13-82.)

1420.08 APPEALS.

(a) Board of Zoning Appeals to Hear Building Code Appeals. The Board of Appeals, as established in the Zoning Code heretofore adopted, shall constitute the Board of Appeals to pass upon matters pertaining to building construction under the terms of this Code. Provisions relating to terms of office, quorum, meetings, records and procedures shall be the same as provided in the Zoning Code for such Board of Appeals.

(b) Procedure; Exception.

- (1) Any person aggrieved, or the head of any agency of the Municipality, may take and appeal to the Board of Appeals from any decision of the Building Inspector.
- (2) An appeal may be taken within thirty days from the date of the decision being appealed by filing with the Building Inspector and with the Board of Appeals notice of appeal, specifying the grounds thereof. However, in the case of a building or structure which, in the opinion of the Building Inspector, is unsafe or dangerous, the Building Inspector may, in his or her order, limit the time for such appeal to a shorter period. The Building Inspector shall forthwith transmit to the Board of Appeals all the papers upon which the action appealed from was taken.

(c) Modifications and Variations.

- (1) The Board of Appeals, when so appealed to and after a public hearing, may vary the application of any provision of this Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this Code or public interest, or when, in its opinion, the interpretation of the Building Inspector should be modified or reversed.
- (2) A decision of the Board of Appeals to vary the application of any provision of this Code, or to modify an order of the Building Inspector, shall specify in what manner such variation or modification is to be made, the conditions upon which it is to be made and the reasons therefor.

(d) Decisions of the Board of Appeals

- (1) The Board of Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Every decision of the Board of Appeals shall be in writing and shall indicate the vote upon the decision. Every decision of the Board shall be promptly filed in the office of the Building Inspector and shall be open to public inspection. A certified copy shall be sent by first-class U.S. mail to the appellant and a copy shall be kept for public inspection in the office of the Building Inspector for two weeks after filing.

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- (2) If a decision of the Board of Appeals reverses or modifies a refusal, order or disallowance of the Building Inspector, or varies the application of any provision of this Code, the Building Inspector shall take action immediately in accordance with such decision.

(e) Appeals From Decisions of the Board of Appeals. A person aggrieved by a decision of the Board of Appeals, whether previously a party to the proceeding or not, or an officer or Board, may, within fifteen days after filing of such decision in the office of the Building Inspector, apply to the appropriate court to correct errors of law in such decisions.
(Ord. Unno. Passed 5-13-82.)

1420.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

CHAPTER 1422
Plumbing Code

EDITOR'S NOTE: Under authority of State law, Marquette County enforces the Marquette County Plumbing Code within the City.

There are no sections in Chapter 1422. This chapter has been established to provide a place for cross references and any future legislation.

CROSS REFERENCES

Adoption of technical codes by reference - see CHTR. §5.12; M.C.L.A. 117.3(k)

Plumbing Code in home rule cities - see M.C.L.A. §117.3

State Plumbing Code - see M.C.L.A. §§125.1501 et seq.

Plumbers and plumbing generally - see M.C.L.A. §§338.901 et seq.

Applicability to trailer and tourist camps - see B.R. & T. 876.13

Sewers generally - see S.U. & P.S. Ch. 1040

Water generally - see S.U. & P.S. Ch. 1042

Water supply cross-connections - see S.U. & P.S. Ch. 1044

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CHAPTER 1424
Mechanical Code

EDITOR'S NOTE: Under authority of State law, Marquette County enforces the Marquette County Mechanical Code within the City.

There are no sections in Chapter 1424. This chapter has been established to provide a place for cross references and any future legislation.

CROSS REFERENCES

Adoption of technical codes by reference - see CHTR. §5.12;

M.C.L.A. §117.3(k)

Heat and heating companies in home rule cities - see M.C.L.A.
§117.4f

Ventilation - see M.C.L.A. §§125.419, 125.454, 125.461, 125.471,
125.489

Repair of heating apparatus - see M.C.L.A. §125.471

Legislative action by municipalities to correct heating and
ventilating violations - see M.C.L.A. §125.501a

State Mechanical Code - see M.C.L.A. §§125.1501 et seq.

Applicability to trailer and tourist camps - see B.R. & T. 876.13

CHAPTER 1426
Electrical Code

EDITOR'S NOTE: Under authority of State law, Marquette County enforces the Marquette County Electrical Code within the City.

There are no sections in Chapter 1426. This chapter has been established to provide a place for cross references and any future legislation.

CROSS REFERENCES

Adoption of technical codes by reference - see CHTR. §5.12;

M.C.L.A. §117.3(k)

Electrical Code in home rule cities - see M.C.L.A. §117.3

Electricians and electrical contractors generally - see M.C.L.A.

§§338.881 et seq.

Negligence of electricians and electrical contractors; accrual

of claims; limitation of actions - see M.C.L.A. §§600.2912,

600.5805, 600.5838

Applicability to trailer and tourist camps - see B.R. & T. 876.13

CODIFIED ORDINANCES OF NEGAUNEE
PART SIXTEEN - FIRE PREVENTION CODE

Chap. 1610. BOCA National Fire Prevention Code.