

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-1

An Ordinance to amend the Township Building Code Ordinance and the Township Building Code by the adoption herein of the 1979 Editions of the Uniform Building Code, Uniform Mechanical Code, and the Uniform Plumbing Code, and the 1981 Edition of the National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq;) to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, and to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31.

THE CHARTER TOWNSHIP OF HAMPTON

BAY COUNTY, MICHIGAN ORDAINS:

SECTION I.

The Township Building Code Ordinance previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq), pursuant to Section 8 thereof, is hereby amended by the addition thereto and the adoption hereof of the following:

A. That certain document entitled, "The Uniform Building Code, 1979 Edition", issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

B. That certain document entitled, "The Uniform Mechanical Code, 1979 Edition", issued by the International Conference Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The ICBO Plumbing Code, 1979 Edition", issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The National Electrical Code, 1981 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

## SECTION II

Any provisions of any code adopted by the Township in this Ordinance which pertains to fees to be paid to the Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, provided that the same are reasonable and bear a reasonable relationship to cost and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

## SECTION III

The codes set forth in Section I hereof are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq.), pursuant to Section 8 of said Act shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any right, authority or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

## SECTION IV

Wherever the words "city", "village", "municipality", or "municipal corporation" appear in said Codes they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes they are hereby deemed to mean the supervisor of the Township.

## SECTION V

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or

confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VI

Should any part of this Ordinance or any Code adopted hereby be declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VII

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance including, but not necessarily limited to, the Charter Township of Hampton Ordinance No. 31.

#### SECTION VIII

This Ordinance shall take effect on April 28th, 1981, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

  
Ella Jane Martini  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-2

An Ordinance to amend the Township Building Code Ordinance and the Township Building Code, being Charter Township of Hampton Ordinance No. 31-1, to provide for the adoption therein of the 1979 Edition of the Uniform Plumbing Code.

THE CHARTER TOWNSHIP OF HAMPTON

BAY COUNTY, MICHIGAN ORDAINS:

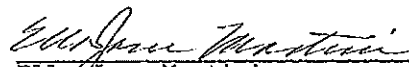
SECTION I.

Sub-Section C of the Township Building Code Ordinance, being Charter Township of Hampton Ordinance No. 31-1, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2040(1) et seq), pursuant to Section 8 thereof, is hereby amended to read as follows:

C. That certain document entitled, "The Uniform Plumbing Code, 1979 Edition," issued by the International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part here of by this reference as if fully set out in this Ordinance.

SECTION II.

This Ordinance shall take effect on June 6, 1981, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

  
Ella Jane Martini  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-3

An Ordinance to amend the Township Building Code Ordinance and the Township Building Code by the adoption herein of the 1982 Editions of the Uniform Building Code, Uniform Mechanical Code, and the Uniform Plumbing Code, and the 1984 Edition of the National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq;) to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, and to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal, existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31-1 and 31-2.

THE CHARTER TOWNSHIP OF HAMPTON

BAY COUNTY, MICHIGAN ORDAINS:

SECTION I:

The Township Building Code Ordinance previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq), pursuant to Section 8 thereof, is hereby amended by the addition thereto and the adoption hereof of the following:

A. That certain document entitled, "The Uniform Building Code, 1982 Edition", issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, with the exception of subsection (b), Section 301, Chapter 3, which subsection is hereby deleted.

B. That certain document entitled, "The Uniform Mechanical Code, 1982 Edition", issued by the International Conference Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The ICBO Plumbing Code, 1982 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The National Electrical Code, 1984 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

## SECTION II

Any provision of any code adopted by the Township in this Ordinance which pertains to fees to be paid to the Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

## SECTION III

The codes set forth in Section I hereof are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.294(1) et seq.), pursuant to Section 8 of said Act shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code and/or commission any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

## SECTION IV

Wherever the words "city", "village", or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

## SECTION V

Any violation of this Ordinance or any code adopted hereunder or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction,

restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VI

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VII

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance including, but not necessarily limited to, the Charter Township of Hampton Ordinance No. 31.

#### SECTION VIII

This Ordinance shall take effect on April 21, 1984, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

  
ELLA JANE MARTINI  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-3

An Ordinance to amend the Township Building Code Ordinance and the Township Building Code by the adoption herein of the 1982 Editions of the Uniform Building Code, Uniform Mechanical Code, and the Uniform Plumbing Code, and the 1984 Edition of the National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq;) to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, and to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal, existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31-1 and 31-2.

THE CHARTER TOWNSHIP OF HAMPTON

BAY COUNTY, MICHIGAN ORDAINS:

SECTION I:

The Township Building Code Ordinance previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq), pursuant to Section 8 thereof, is hereby amended by the addition thereto and the adoption hereof of the following:

A. That certain document entitled, "The Uniform Building Code, 1982 Edition", issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, with the exception of subsection (b), Section 301, Chapter 3, which subsection is hereby deleted.

B. That certain document entitled, "The Uniform Mechanical Code, 1982 Edition", issued by the International Conference Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The ICBO Plumbing Code, 1982 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.



D. That certain document entitled, "The National Electrical Code, 1984 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance; each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

#### SECTION II

Any provision of any code adopted by the Township in this Ordinance which pertains to fees to be paid to the Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

#### SECTION III

The codes set forth in Section I hereof are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.247(1) et seq.), pursuant to Section 8 of said Act shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code and/or commission any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

#### SECTION IV

Wherever the words "city", "village", or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

#### SECTION V

Any violation of this Ordinance or any code adopted hereunder or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction,

restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VI

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VII

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance including, but not necessarily limited to, the Charter Township of Hampton Ordinance No. 31.

#### SECTION VIII

This Ordinance shall take effect on April 21, 1984, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

  
ELLA JANE MARTINI  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-4

An Ordinance to amend the Township Building Code Ordinance; to adopt by reference the 1985 Editions of the Uniform Building Code; the Uniform Mechanical Code, and the Uniform Plumbing Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal; existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinances No. 23, 26, 29, 31, 31-1, 31-2, 31-3.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That the Township Building Code Ordinance, to-wit: Ordinance No. 23 as amended by Ordinances 26, 29, 31, 31-1, 31-2, 31-3, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.), is hereby further amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Township Building Code Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "The Uniform Building Code, and Appendix 1985 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, with the exception of subsection (b), Section 301, Chapter 3, which subsection is hereby deleted.

B. That certain document entitled, "The Uniform Mechanical Code, 1985 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, and the International Association of Plumbing and Mechanical Officials 5032 Alhambra Avenue, Los Angeles, California 90032 official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each

and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The Uniform Plumbing Code, 1985 Edition," issued by the International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The National Electrical Code, 1984 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, with the exception of subsection (b), Section 301, Chapter 3, which subsection is hereby deleted.

### SECTION III: FEES

Any provision of any code adopted by the Township in this Ordinance which pertains to fees to be paid to the Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifi-

cally reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

#### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

#### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VIII: CONFLICTING ORDINANCES

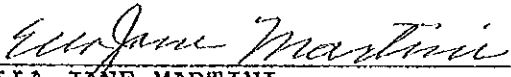
All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

#### SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect 30 days from date of publication, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

  
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ELLA JANE MARTINI  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-5

An Ordinance to amend the Township Building Code Ordinance; to adopt by reference the 1985 Editions of the Uniform Building Code; the Uniform Mechanical Code, and the Uniform Plumbing Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal, existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinances No. 23, 26, 29, 31, 31-1, 31-2, 31-3, 31-4.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That the Township Building Code Ordinance, to-wit: Ordinance No. 23 as amended by Ordinances 26, 29, 31, 31-1, 31-2, 31-3, 31-4 previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.), is hereby further amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Township Building Code Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "The Uniform Building Code, and Appendix 1985 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, with the exception of subsection (b), Section 301, Chapter 3, which subsection is hereby deleted.

B. That certain document entitled, "The Uniform Mechanical Code, 1985 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, and the International Association of Plumbing and Mechanical Officials 5032 Alhambra Avenue, Los Angeles, California 90032 official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each

and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The Uniform Plumbing Code, 1985 Edition," issued by the International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The National Electrical Code, 1987 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, with the exception of subsection (b), Section 301, Chapter 3, which subsection is hereby deleted.

#### SECTION III: FEES

Any provision of any code adopted by the Township in this Ordinance which pertains to fees to be paid to the Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

#### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifi-



cally reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

#### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

#### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VIII: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

#### SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect 30 days from date of publication, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

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ELLA JANE MARTINI  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-6

An Ordinance to amend Township Ordinance 31-5; to adopt by reference the 1988 Uniform Building Code; the 1988 Uniform Mechanical Code; the 1988 Uniform Plumbing Code; the 1988 Uniform Fire Code, and the 1988 National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq.; MSA 5.2949 (1) et seq.); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal, existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31.5.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That Ordinance No. 31.6, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of act Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq.; MSA 5.2949 (1) et seq.), is hereby amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "The Uniform Building Code, and Appendix 1988 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, excepting and not adopting Subsection (b), Section 301 of Chapter 3 of the Code proper, and the following portion of the Appendix, to-wit: Division II of Chapter 23 and all Chapters 1, 7, 35, 38, 51 and 57.

B. That certain document entitled, "The Uniform Mechanical Code, 1988 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, and the International Association of Plumbing and Mechanical Officials 5032 Alhambra Avenue, Los Angeles, California 90032 official

copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The Uniform Plumbing Code, 1988 Edition," issued by the International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The National Electrical Code, 1987 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

E. That certain document entitled, "The Uniform Fire Code, 1988 Edition," issued by the International Conference of Building Officials and Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

### SECTION III: FEES

Any provision of any code adopted by the Township in this Ordinance which pertains to fees to be paid to Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

#### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949 (1) et seq.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

#### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

#### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VIII: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect 30 days from date of publication, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.



SALLY SHEPARDSON  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-7

An Ordinance to amend Township Ordinance 31-6; to adopt by reference the 1988 Uniform Building Code; the 1988 Uniform Mechanical Code; the 1988 Uniform Plumbing Code; the 1988 Uniform Fire Code, and the 1990 National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal; existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31.5.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That Ordinance No. 31.6, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.), is hereby amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "The Uniform Building Code, and Appendix 1988 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, excepting and not adopting Subsection (b), Section 301 of Chapter 3 of the Code proper, and the following portion of the Appendix, to-wit: Division II of Chapter 23 and all of Chapters 1, 7, 35, 38, 51 and 57.

B. That certain document entitled, "The Uniform Mechanical Code, 1988 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California

90601, and the International Association of Plumbing and Mechanical Officials 5032 Alhambra Avenue, Los Angeles, California 90032 official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The Uniform Plumbing Code, 1988 Edition," issued by the International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The National Electrical Code, 1990 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

E. That certain document entitled, "The Uniform Fire Code, 1988 Edition," issued by the International Conference of Building Officials and Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

### SECTION III: FEES

Any provision of any code adopted by the Township in this Ordinance which pertains to fees to be paid to the Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.



#### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

#### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

#### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$100 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VIII: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

#### SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect 30 days from date of publi-

cation, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

  
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SALLY SHEPARDSON  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-8  
HAMPTON CHARTER TOWNSHIP UNIFORM CODES ORDINANCE

An Ordinance to amend Township Ordinance 31-7; to adopt by reference the 1991 Uniform Building Code; the 1991 Uniform Mechanical Code; the 1991 Uniform Plumbing Code; the 1991 Uniform Fire Code; and readopt by reference the 1990 National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise, to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal; existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31.7.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That Ordinance No. 31.7, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.), is hereby amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "The Uniform Building Code, 1991 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, excepting and not adopting Subsection (b), of Section 301 of Chapter 3 of the Code proper, and the following portions of the appendix, to wit: all of Chapter 1; all of Chapter 7; all of Chapter 10; Division III of Chapter 12; Division II and III of Chapter 23; all of Chapter 24; all of Chapter 25, all of Chapter 35; all of Chapter 38; all of Chapter 51 and all of Chapter 57.

B. That certain document entitled, "The Uniform Mechanical Code, 1991 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, and the International Association of Plumbing and Mechanical Officials 5032 Alhambra Avenue, Los Angeles, California 90032 official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The Uniform Plumbing Code, 1991 Edition," issued by the International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The Uniform Fire Code, 1991 Edition," issued by the International Conference of Building Officials and Western Fire Chiefs Association, 5360 South workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, excepting and not adopting Sections 1-A and 1-B of Division of Part VIII-Appendices. However, wherever this Code refers to the term Marshall or Fire Marshall or Fire Prevention Engineer or other similar designations shall be construed to mean the Fire Inspector employed by the Charter Township of Hampton.

E. That certain document entitled "The National Electrical Code, 1990 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts, 02210, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

### SECTION III: BOARD OF APPEALS

A. The Hampton Township Zoning Board of Appeals shall act as a Board of Appeals to hear and decide appeals of orders, decisions, and/or determinations made by any township official relative to the application of the five codes adopted by this Ordinance. The Board shall adopt rules of procedures for conducting its business and shall render all decisions and findings in writing to the person making the appeal with a duplicate copy to the appropriate township officials. Section 203(A) of the Uniform Mechanical Code, Section 204(A) of the Uniform Building Code and Section 2.303 of the Uniform Fire Code are hereby deleted and shall be of no force and effect.

B. After a public hearing the board of appeals may grant a specific variance to a substantive requirement of the code if the literal application of the substantive requirement would result in an exceptional, practical difficulty to the applicant, and if both of the following requirements are satisfied:

(1) The performance of the particular item or part of the building or structure with respect to which the variance is granted shall be adequate for its intended use and shall not substantially deviate from performance required by the code of that particular item or part for the health, safety and welfare of the people of this state.

(2) The specific condition justifying the variance shall be neither so general nor recurrent in nature as to make an amendment of the code with respect to the condition reasonably practical or desirable.

C. The board of appeals may attach in writing any condition in connection with the granting of a variance that in its judgment is necessary to protect the health, safety and welfare of the people of this state. The breach of a condition shall automatically invalidate the variance and any permit, license and certificate granted on the basis of it. In no case shall more than minimum variance from the code be granted than is necessary to alleviate the exceptional, practical difficulty.

### SECTION IV: FEES

Any provision of any code adopted by the Township in this Ordinance which pertains to fees to be paid to the Township or otherwise are hereby repealed and in lieu thereof the Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and

activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

#### SECTION V: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

#### SECTION VI: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

#### SECTION VII: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$500 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VIII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and

effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

SECTION IX: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

SECTION X: EFFECTIVE DATE

This Ordinance shall take effect 30 days from date of publication, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION XI: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

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SALLY SHEPARDSON  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-9  
HAMPTON CHARTER TOWNSHIP UNIFORM CODES ORDINANCE

An Ordinance to amend Township Ordinance 31-8; to adopt by reference the 1994 Uniform Building Code; the 1994 Uniform Mechanical Code; the 1994 Uniform Plumbing Code; the 1994 Uniform Fire Code; and re-adopt by reference the 1993 National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise; to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; to delete Section III of Ordinance 31-8; to amend Section IV of Ordinance 31-8; and to repeal existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31-8.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That Ordinance No. 31-8, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et seq.; MSA 5.2949(1) et seq.), is hereby amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "The Uniform Building Code, 1994 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, excepting and not adopting Subsection (b), of Section 301 of Chapter 3 of the Code proper, and the following portions of the appendix, to wit: all of Chapter 1; all of Chapter 7; all of Chapter 10; Division III of Chapter 12; Division II and III of Chapter 23; all of Chapter 24; all of Chapter 25, all of Chapter 35; all of Chapter 38; all of Chapter 51 and all of Chapter 57.



B. That certain document entitled, "The Uniform Mechanical Code, 1994 Edition," issued by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, and the International Association of Plumbing and Mechanical Officials 5032 Alhambra Avenue, Los Angeles, California 90032 official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

C. That certain document entitled, "The Uniform Plumbing Code, 1994 Edition," issued by the International Association of Plumbing and Mechanical Officials, 5032 Alhambra Avenue, Los Angeles, California 90032, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

D. That certain document entitled, "The Uniform Fire Code, 1994 Edition," issued by the International Conference of Building Officials and Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, California 90601, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, excepting and not adopting Sections 1-A and 1-B of Division of Part VIII-Appendices. However, wherever this Code refers to the term Marshall or Fire Marshall or Fire Prevention Engineer or other similar designations shall be construed to mean the Fire Inspector employed by the Charter Township of Hampton.

E. That certain document entitled "The National Electrical Code, 1993 Edition," issued by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts, 02210, official copies of which are on file in the office of the Township Clerk, is hereby re-adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

### SECTION III: FEES

The Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949(1) et seq.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$500 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

SECTION VIII: CONFLICTING ORDINANCES

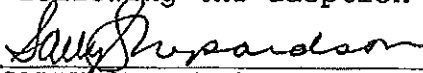
All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect 30 days from date of publication, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

  
\_\_\_\_\_  
SALLY SHEPARDSON  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-10  
HAMPTON CHARTER TOWNSHIP UNIFORM CODES ORDINANCE

An ordinance to amend Township Ordinance 31-9; to adopt by reference the 1997 Uniform Building Code; the 1997 Uniform Mechanical Code; the 1997 Uniform Plumbing Code; the 1997 Uniform Fire Code; and the 1997 National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501 et seq.; MSA 5.2949 (1) et seq. ); to continue to exempt the Township from the operation and effect of said Act; to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise; to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal or amend existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31-9.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That Ordinance No. 31-9, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et sec.; MSA 5.2949 (1) et sec.), is hereby amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "The Uniform Building Code, 1997 Edition," issued by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California, 90601-2298, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

B. That certain document entitled, "The Uniform Mechanical Code, 1997 Edition," issued by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California 91789-2825, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

- (i) Section 304.6 LPG, Appliances, is hereby deleted in its entirety.
- (ii) Section 1313.5 is hereby deleted in its entirety.
- (iii) Section 1313.6 is hereby deleted in its entirety.

C. That certain document entitled, "The Uniform Plumbing Code, 1997 Edition," issued by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California, 91789-2825, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed and made a part hereof by this reference as if fully set out in this Ordinance.

- (i) Section 1213.5 is hereby deleted in its entirety.
- (ii) Section 1213.6 is hereby deleted in its entirety.

D. That certain document entitled, "The Uniform Fire Code, 1997 Edition," issued by the International Conference of Building Officials and Western Fire Chiefs Association, 5360 Workman Mill Road, Whittier, California 90601-2298, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance, excepting and not adopting Section 1.2 of Part IX-Appendices, Division I, Existing Buildings, Appendix 1-A.

E. That certain document entitled "The National Electrical Code, 1997 Edition," issued by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set out in this Ordinance.

### SECTION III: FEES

The Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

#### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for the purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949 (1) et sec.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay Charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

#### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

#### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$500 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VIII: CONFLICTING ORDINANCES

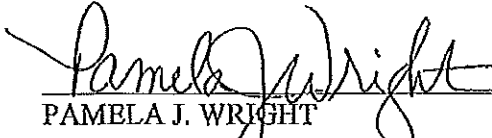
All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect 90 days from date of publication, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

  
PAMELA J. WRIGHT  
Hampton Township Clerk

**CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-10A  
HAMPTON CHARTER TOWNSHIP UNIFORM CODES ORDINANCE**

An Ordinance to amend Township Ordinance 31-10 to delete reference to the 1997 National Electrical Code and to instead, adopt by reference the 1996 National Electrical Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501, et. seq.; MSA 5.2949 (1), et. seq.), and to amend existing ordinances in conflict therewith including but, not necessarily limited to, the Charter Township of Hampton Ordinance No. 31-10.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN ORDAIN:

That Ordinance No. 31.10, previously enacted by the Township for the purpose of exempting the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501 et sec.; MSA 5.2949 (1) et sec.), is hereby amended to read as follows:

**SECTION I: TITLE**

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

**SECTION II: UNIFORM CODES**

A. No change.

B. No change.

C. No change.

D. No change.

E. That certain document entitled "The National Electrical Code, 1996 Edition," issued by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as a part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereafter be amended, shall be deemed adopted and made part hereof by this reference as if fully set out in this Ordinance.



### SECTION III: FEES

The Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township for purpose of continuing to exempt the Township from the operation and effect of Act No. 230 of the Public acts of the State of Michigan 1972 (MCLA 125.1501 et seq; MSA 5.2949 (1) et sec.), shall be administered and enforced by the Township as provided for in this Ordinance and in said Codes. The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township. The Township specifically reserves the right to provide by agreement or contract with any other Township, Village, City or County in the State of Michigan for doing enforcement and administration of this Ordinance and the Codes adopted herein.

### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$500 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

#### SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

#### SECTION VIII: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

#### SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect 90 days from date of publication, and a certified copy of this Ordinance shall be delivered to the Michigan State Construction Code Commission. Building permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with said permit, or renewal therefore, and in compliance with any previous Township Building Code under which the permit was issued.

#### SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

  
PAMELA J. WRIGHT  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-11  
HAMPTON CHARTER TOWNSHIP UNIFORM CODES ORDINANCE

An ordinance to amend Township Ordinance 31-10; to adopt by reference the 2000 Michigan Residential Code and the 2000 International Fire Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501, et seq.); to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise; to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal or amend existing ordinances in conflict therewith, including, but not necessarily limited to, the Charter Township of Hampton Ordinance No. 31-10.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN, ORDAIN:

That Ordinance No. 31-10, previously enacted by the Township for the purpose of adopting by reference the 1997 Uniform Building Code; the 1997 Uniform Mechanical Code; the 1997 Uniform Plumbing Code; the 1997 Uniform Fire Code; and the 1997 National Electrical Code, and to further exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501), is hereby amended to delete reference to said Uniform Codes and shall instead, read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "Michigan Residential Code," which, in turn, incorporates the 2000 addition of the International Residential Code for one (1) and two (2) family dwellings, the Michigan Rehabilitation Code for Existing Buildings which in turn adopts the International Existing Building Code, 2003 final draft, dated August 2001, and the Michigan Uniform Energy Code, official copies of which are on file in the office of the Township Clerk, are hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this Ordinance.

B. That certain document entitled, "The 2000 International Fire Code," published by the International Code Council, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and

all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this Ordinance.

**CHANGES IN CODE.** The following sections and subsections of the International Fire Code are hereby amended or deleted as set forth, and additional sections and subsections are added as indicated. Subsequent section numbers used in this chapter shall refer to the like numbered sections of the International Fire Code.

**101.1 Title.** These regulations shall be known as the Fire Prevention Code of The Charter Township of Hampton, hereinafter referred as "this code."

**102.6 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 45 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards. The provisions which establish the higher standard for the promotion of the safety and welfare of the public and the protection of the public, or as otherwise determined by State of Michigan law, shall apply.

**103.1 General.** The Charter Township of Hampton Fire Department shall be responsible for fire prevention inspection activities and code enforcement of buildings and occupancies as related to the risk of fire or explosion within the Charter Township of Hampton. The department of fire prevention is established within the jurisdiction under the direction of the code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and the codes and standards referenced in Chapter 45 of this code.

**104.11.4 Unlawful boarding or tampering with fire department emergency equipment.** A person shall not, without proper authorization from the fire official in charge of said fire department emergency equipment, cling to, attach to, climb upon or into, board, or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, operate any emergency warning equipment, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of, any fire department emergency vehicle.

**104.11.5 Damage/injury to fire department equipment/personnel.** It shall be unlawful for any person to damage or deface, or attempt or conspire to damage or deface, any fire department emergency vehicle or equipment at any time; or to injure, or attempt or conspire to injure, fire department personnel while performing departmental duties.

**105.1 General.** Permits shall be in accordance with Section 105. Where reference is made to this section for permits elsewhere in this code and there are no provisions for issuing said permits by the department of fire prevention, the code official is authorized to waive the particular permit requirement.

**105.6 Required operational permits.** The code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.46. Where there are no provisions for issuing said permits, the code official is authorized to waive the particular permit requirement.

**105.6.14 Exhibits, crafts and trade shows.** An operational permit is required to operate exhibits, crafts and trade shows.

**105.6.21 Hazardous materials.** An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amount listed in Table 105.6.21.

## **SECTION 112**

### **MISCELLANEOUS HAZARDS**

**112.2 Cost recovery - hazardous materials.** The fire department may recover all costs for use of equipment, personnel, and supplies associated with incidents involving hazardous materials resulting from accidents, fires, spills, leaks, or release of product. Such costs shall include but are not limited to those associated with incident abatement, mitigation, and clean up, extinguishment; and stand-by, including any related third-party costs. Such costs shall be the responsibility of the owner, operator or agent of the building, property, equipment, vehicle, or container causing or contributing to a hazardous condition, fire, or dangerous situation.

## **SECTION 202**

### **GENERAL DEFINITIONS**

**CODE OFFICIAL.** The fire chief, fire marshal, code enforcement officer, or other designated authority charged by the applicable governing body with the duties of administration and enforcement of the code, or duly authorized representative. The term "fire official" may be used interchangeably with "code official" in this code.

**FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire,

raising an alarm of fire and notifying the fire department by method(s) approved or recommended by the code official.

### **302.1 Definitions.**

**GROUND FIRE.** An outdoor fire for the purpose of viewing or warming, or utilized to cook food for human consumption, or for ceremonial purposes, which burns only seasoned dry firewood or commercially available charcoal briquettes intended to minimize the generation of air contaminants.

### **307.2 Permit Required for any Open Burning.**

**307.3 Location.** The location of open burning shall not be less than 50 feet (15 240mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240mm) of any structure.

#### **Exceptions:**

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure or not less than the appliance manufacturer's recommended safe distance.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

**307.3.1 Bonfires.** An outdoor fire which burns only seasoned dry firewood or clean untreated lumber intended to minimize the generation of air contaminants and is utilized for occasional special events subject to the following provisions:

1. Compliance with any special restrictions as determined by the fire official.
2. Payment of costs associated with special fire protection as determined by the fire official.

Once approved, the intended maximum size and duration of a bonfire shall not be increased unless by the Board of Trustees of the Charter Township of Hampton and only after it has been determined by the fire official that fire safety requirements of the situation and the desirable duration of burn warrant the increase prior to the bonfire.

**307.3.3 Ground fires.** A ground fire shall be the minimum size for the intended purpose but not larger than 3 feet by 3 feet in dimension and shall be contained in a safe manner.

**307.6 Fire department training.** Open burning is allowed for the purpose of training fire fighters for fire fighting practice, or for the purpose of training the public, including workers or employees, or for the purpose of demonstration by the fire official or other trained fire personnel, when such burning is done in accordance with accepted practice.

**308.3 Open flame.** A person shall not utilize or allow to be utilized, an open flame in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in assembly or educational occupancies without first obtaining approval from the code official.

**508.5.4.1 Removal of obstructions.** If, upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments to a fire hydrant, or to other fire protection equipment, are not removed, the code official shall proceed to remove or have removed the same. The expense incurred shall be a debt to the Township from the responsible person and shall be collected as any other debt to the Township.

## **SECTION 610.0 COMMERCIAL KITCHEN EXHAUST FANS**

**804.1.1 Restricted occupancies.** Natural cut trees shall be prohibited in Group A, B, E, F, H, I, M, R-1, R-2, R-4, S, and U occupancies.

**Exception:** Trees located in areas protected by an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, B, E, F, M, R-1, R-2, S, and U.

**901.6.2 Records.** Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 1 year and made available to the code official upon request. A copy shall also be sent to the code official by the service company or individual performing such work.

**904.3.5 Monitoring.** Automatic fire extinguishing systems shall be monitored by a supervising station in accordance with NFPA 72 as approved by the code official. Where a building fire alarm system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system in accordance with NFPA 72 and shall automatically annunciate their location at the building's fire alarm control panel, and activate the building's appropriate fire protective signaling sequence.

**907.4.4 Signs.** Where fire alarm systems are not monitored by a supervising station, an approved permanent sign that reads: THIS ALARM DOES NOT NOTIFY THE FIRE DEPARTMENT - TO REPORT A FIRE DIAL 911. Such sign shall be installed adjacent to each manual fire alarm box.

**Exception:** Where the manufacturer has permanently provided this information on the manual fire alarm box and as approved by the code official.

**3301.1.1 Explosive material standard.** In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials, and the Michigan Explosives Law 1970 PA 202, as amended, or its equivalent.

**3301.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless in compliance with the Michigan Fireworks Law 1931 PA 328, as amended, or its equivalent.

**3301.1.4 Rocketry.** The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125, and NFPA 1127, and the Michigan Model Rocket Law 1965 PA 333, as amended, or its equivalent.

**3301.2.4 Bond for public display:** The permit holder shall furnish a bond in an amount approved by the Charter Township of Hampton for the payment of all potential damage caused either to the person or property due to the permitted display, and arising from any acts of the permit holder or the agent of the permit holder.

**3308.1 General.** The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter and NFPA 1123 or NFPA 1126. Approved public displays shall be handled by an approved competent operator, and the fireworks shall be arranged, located, discharged and fired in a manner that will not be a hazard to property or endanger any person.

**3308.11 Retail display and sale.** A permit shall be required as set forth in Section 105.6 and regulated in accordance with this section. Fireworks displayed for retail sale shall not be made readily accessible to the public. A minimum of one pressurized-water portable fire extinguisher complying with Section 906 shall be located not more than 15 feet (4572 mm) and not less than 10 feet (3048 mm) from the hazard. "No Smoking" signs complying with Section 310 shall be conspicuously posted in areas where fireworks are stored or displayed



for retail sale. No person under the age of 18 years shall sell, purchase or possess fireworks unless accompanied by a parent or legal guardian.

**3401.3 Referenced documents.** The applicable requirements of Chapter 27, other chapters of this code, the *International Building Code* and the *International Mechanical Code* pertaining to flammable liquids, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent shall apply.

**3401.4 Permits.** Permits shall be required as set forth in Sections 105.6 and 105.7, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

**3404.2.9 Above-ground tanks.** Above-ground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.9.1 through 3404.2.9.6.10, and the Michigan Aboveground Storage Tank Rules, or their equivalent.

**3404.2.11 Underground tanks.** Underground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.11.1 through 3404.2.11.5.2, and the Michigan Underground Storage Tank Rules, or their equivalent.

**3406.2.5.2 Tanks for gravity discharge.** Tanks with a connection in the bottom or end for gravity-dispensing liquids shall be mounted and equipped as follows:

1. Supports to elevate the tank for gravity discharge shall be designed to carry all required loads and provide stability.
2. Bottom or end openings for gravity discharge shall be equipped with a valve located adjacent to the tank shell which will close automatically in the event of fire through the operation of an effective heat-activated releasing device. Where this valve cannot be operated manually, it shall be supplemented by a second, manually operated valve. The gravity discharge outlet shall be provided with an approved hose equipped with a self-closing valve at the discharge end of a type that can be padlocked to its hanger.

**3801.2 Permits.** Permits shall be required as set forth in Sections 105.6 and 105.7 and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

**Chapter 45**  
**REFERENCED STANDARDS**

**Appendix D**  
**FIRE APPARATUS ACCESS**  
**ROADS**

**D101.1 Scope.** Fire apparatus access roads shall be in compliance with this appendix and all other applicable requirements of the *International Fire Code*, and the Charter Township of Hampton Ordinances.

**D103.5** Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet unless otherwise approved by the code official.
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools carried by the fire department.
7. Locking device specifications shall be submitted for approval by the code official.

**State of Michigan Laws, Rules, or Requirements, including but not necessarily limited to the following with amendments:**

**Michigan Fire Prevention Code 1941 PA 207**

**Michigan Explosives Law 1970 PA 202**

**Michigan Fireworks Law 1931 PA 328**

**Michigan Model Rocket Law 1965 PA 333**

**Michigan Storage and Handling of Flammable and Combustible Liquids Rules**

**Michigan Underground Storage Tank Rules 1999**

### SECTION III: FEES

The Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

### SECTION IV: ENFORCEMENT

The codes set forth in Section I hereof which are adopted and enacted by the Township shall be administered and enforced by the Township as provided for in this Ordinance, in said Codes, and pursuant to Act No. 245 of the Public Acts of the State of Michigan, 1999 (MCLA 125.1501, et seq.). The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township.

### SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

### SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$500 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

SECTION VIII: CONFLICTING ORDINANCES

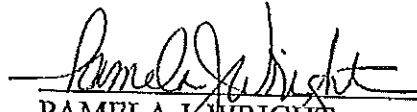
All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect seven (7) days from date of publication.

SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

  
PAMELA J. WRIGHT  
Hampton Township Clerk

CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 31-12  
HAMPTON CHARTER TOWNSHIP UNIFORM CODES ORDINANCE

An ordinance to amend Township Ordinance 31-11; to adopt by reference the 2003 Michigan Residential Code and the 2003 International Fire Code, pursuant to Act No. 230 of the Public Acts of 1972 (MCLA 125.1501, et seq.); to provide for the administration and enforcement of this Ordinance by the Township through agreement or otherwise; to permit the Township Board to set fees by Resolution of said Township Board; to provide for penalties for violations thereof; and to repeal or amend existing ordinances in conflict therewith, including, but not necessarily limited to, the Charter Township of Hampton Ordinance No. 31-11.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON  
BAY COUNTY, MICHIGAN, ORDAIN:

That Ordinance No. 31-11, previously enacted by the Township for the purpose of adopting by reference the 2000 addition of the International Residential Code for one (1) and two (2) family dwellings, the Michigan Rehabilitation Code for Existing Buildings which in turn adopts the International Existing Code, 2003 final draft, dated August 2001, the Michigan Uniform Energy Code, and to further exempt the Township from the operation and effect of Act No. 230 of the Public Acts of the State of Michigan of 1972 (MCLA 125.1501), is hereby amended to read as follows:

SECTION I: TITLE

This Ordinance shall be known and cited as the Hampton Township Uniform Codes Ordinance.

SECTION II: UNIFORM CODES

A. That certain document entitled, "Michigan Residential Code," which, in turn, incorporates the 2003 addition of the International Residential Code for one (1) and two (2) family dwellings, the Michigan Rehabilitation Code for Existing Buildings which in turn adopts the International Existing Building Code, 2003 final draft, dated February 2004, and the Michigan Uniform Energy Code, official copies of which are on file in the office of the Township Clerk, are hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this Ordinance.

B. That certain document entitled, "The 2003 International Fire Code," published by the International Code Council, official copies of which are on file in the office of the Township Clerk, is hereby adopted by reference as part of this Ordinance. Each and all of the regulations, provisions, penalties, conditions, appendices and terms thereof, except as may hereinafter be amended, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this Ordinance.

**CHANGES IN CODE.** The following sections and subsections of the International Fire Code are hereby amended or deleted as set forth, and additional sections and subsections are added as indicated. Subsequent section numbers used in this chapter shall refer to the like numbered sections of the International Fire Code.

**101.1 Title.** These regulations shall be known as the Fire Prevention Code of The Charter Township of Hampton, hereinafter referred as "this code."

**102.6 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 45 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards. The provisions which establish the higher standard for the promotion of the safety and welfare of the public and the protection of the public, or as otherwise determined by State of Michigan law, shall apply.

**103.1 General.** The Charter Township of Hampton Fire Department shall be responsible for fire prevention inspection activities and code enforcement of buildings and occupancies as related to the risk of fire or explosion within the Charter Township of Hampton. The department of fire prevention is established within the jurisdiction under the direction of the code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and the codes and standards referenced in Chapter 45 of this code.

**104.11.4 Unlawful boarding or tampering with fire department emergency equipment.**

A person shall not, without proper authorization from the fire official in charge of said fire department emergency equipment, cling to, attach to, climb upon or into, board, or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, operate any emergency warning equipment, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of, any fire department emergency vehicle.

**104.11.5 Damage/injury to fire department equipment/personnel.** It shall be unlawful for any person to damage or deface, or attempt or conspire to damage or deface, any fire department emergency vehicle or equipment at any time; or to injure, or attempt or conspire to injure, fire department personnel while performing departmental duties.

**105.1 General.** Permits shall be in accordance with Section 105. Where reference is made to this section for permits elsewhere in this code and there are no provisions for issuing said permits by the department of fire prevention, the code official is authorized to waive the particular permit requirement.

**105.6 Required operational permits.** The code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.46. Where there are no provisions for issuing said permits, the code official is authorized to waive the particular permit requirement.

**105.6.14 Exhibits, crafts and trade shows.** An operational permit is required to operate exhibits, crafts and trade shows.

## **SECTION 112** **MISCELLANEOUS HAZARDS**

**112.2 Cost recovery - hazardous materials.** The fire department may recover all costs for use of equipment, personnel, and supplies associated with incidents involving hazardous materials resulting from accidents, fires, spills, leaks, or release of product. Such costs shall include but are not limited to those associated with incident abatement, mitigation, and clean up, extinguishment; and stand-by, including any related third-party costs. Such costs shall be the responsibility of the owner, operator or agent of the building, property, equipment, vehicle, or container causing or contributing to a hazardous condition, fire, or dangerous situation.

## **SECTION 202** **GENERAL DEFINITIONS**

**CODE OFFICIAL.** The fire chief, fire marshal, code enforcement officer, or other designated authority charged by the applicable governing body with the duties of administration and enforcement of the code, or duly authorized representative. The term "fire official" may be used interchangeably with "code official" in this code.

**FIRE WATCH.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department by method(s) approved or recommended by the code official.

### **302.1 Definitions.**

**GROUND FIRE.** An outdoor fire for the purpose of viewing or warming, or utilized to cook food for human consumption, or for ceremonial purposes, which burns only seasoned dry firewood or commercially available charcoal briquettes intended to minimize the generation of air contaminants.

### **307.2 Permit Required for any Open Burning.**

**307.3 Location.** The location of open burning shall not be less than 50 feet (15m 240mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15m 240mm) of any structure prior to ignition.

#### **Exceptions:**

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure or not less than the appliance manufacturer's recommended safe distance.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

**307.3.1 Bonfires.** An outdoor fire which burns only seasoned dry firewood or clean untreated lumber intended to minimize the generation of air contaminants and is utilized for occasional special events subject to the following provisions:

1. Compliance with any special restrictions as determined by the fire official.
2. Payment of costs associated with special fire protection as determined by the fire official.

Once approved, the intended maximum size and duration of a bonfire shall not be increased unless by the Board of Trustees of the Charter Township of Hampton and only



after it has been determined by the fire official that fire safety requirements of the situation and the desirable duration of burn warrant the increase prior to the bonfire.

**307.3.3 Ground fires.** A ground fire shall be the minimum size for the intended purpose but not larger than 3 feet by 3 feet in dimension and shall be contained in a safe manner.

**307.6 Fire department training.** Open burning is allowed for the purpose of training fire fighters for fire fighting practice, or for the purpose of training the public, including workers or employees, or for the purpose of demonstration by the fire official or other trained fire personnel, when such burning is done in accordance with accepted practice.

**308.3 Open flame.** A person shall not utilize or allow to be utilized, an open flame in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in assembly or educational occupancies without first obtaining approval from the code official.

**508.5.4.1 Removal of obstructions.** If, upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments to a fire hydrant, or to other fire protection equipment, are not removed, the code official shall proceed to remove or have removed the same. The expense incurred shall be a debt to the Township from the responsible person and shall be collected as any other debt to the Township.

## **SECTION 610.0 COMMERCIAL KITCHEN EXHAUST FANS**

**804.1.1 Restricted occupancies.** Natural cut trees shall be prohibited in Group A, B, E, F, H, I, M, R-1, R-2, R-4, S, and U occupancies.

**Exception:** Trees located in areas protected by an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, B, E, F, M, R-1, R-2, S, and U.

**901.6.2 Records.** Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 1 year and made available to the code official upon request. A copy shall also be sent to the code official by the service company or individual performing such work.

**904.3.5 Monitoring.** Automatic fire extinguishing systems shall be monitored by a supervising station in accordance with NFPA 72 as approved by the code official. Where

a building fire alarm system is installed, automatic fire-extinguishing systems shall be monitored by the building fire alarm system in accordance with NFPA 72 and shall automatically annunciate their location at the building's fire alarm control panel, and activate the building's appropriate fire protective signaling sequence.

**907.4.4 Signs.** Where fire alarm systems are not monitored by a supervising station, an approved permanent sign that reads: THIS ALARM DOES NOT NOTIFY THE FIRE DEPARTMENT - TO REPORT A FIRE DIAL 911. Such sign shall be installed adjacent to each manual fire alarm box.

**Exception:** Where the manufacturer has permanently provided this information on the manual fire alarm box and as approved by the code official.

**2201.1 Scope.** Automotive service stations, marine service stations, fleet vehicle service stations and repair garages shall be in accordance with this chapter and the *International Fuel Gas Code*, *International Building Code*, and the *International Mechanical Code*, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent. Such operations shall include both public accessible and private operations.

**2206.1 General.** Storage of flammable and combustible liquids shall be in accordance with Chapter 34 and Section 2206, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent.

**3301.1.1 Explosive material standard.** In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials, and the Michigan Explosives Law 1970 PA 202, as amended, or its equivalent.

**3301.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless in compliance with the Michigan Fireworks Law 1931 PA 328, as amended, or its equivalent.

**3301.1.4 Rocketry.** The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125, and NFPA 1127, and the Michigan Model Rocket Law 1965 PA 333, as amended, or its equivalent.

**3301.2.4 Bond for public display:** The permit holder shall furnish a bond in an amount approved by the Charter Township of Hampton for the payment of all potential damage caused either to the person or property due to the permitted display, and arising from any acts of the permit holder or the agent of the permit holder.

**3308.1 General.** The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter and NFPA 1123 or NFPA 1126. Approved public displays shall be handled by an approved competent operator, and the fireworks shall be arranged, located, discharged and fired in a manner that will not be a hazard to property or endanger any person.

**3308.11 Retail display and sale.** A permit shall be required as set forth in Section 105.6 and regulated in accordance with this section. Fireworks displayed for retail sale shall not be made readily accessible to the public. A minimum of one pressurized-water portable fire extinguisher complying with Section 906 shall be located not more than 15 feet (4572 mm) and not less than 10 feet (3048 mm) from the hazard. "No Smoking" signs complying with Section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for retail sale. No person under the age of 18 years shall sell, purchase or possess fireworks unless accompanied by a parent or legal guardian.

**3401.3 Referenced documents.** The applicable requirements of Chapter 27, other chapters of this code, the *Michigan Building Code* and the *International Mechanical Code* pertaining to flammable liquids, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent shall apply.

**3401.4 Permits.** Permits shall be required as set forth in Sections 105.6 and 105.7, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

**3404.2.9 Above-ground tanks.** Above-ground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.9.1 through 3404.2.9.6.10, and the Michigan Aboveground Storage Tank Rules, or their equivalent.

**3404.2.11 Underground tanks.** Underground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.11.1 through 3404.2.11.5.2, and the Michigan Underground Storage Tank Rules, or their equivalent.

**3406.2.5.2 Tanks for gravity discharge.** Tanks with a connection in the bottom or end for gravity-dispensing liquids shall be mounted and equipped as follows:

1. Supports to elevate the tank for gravity discharge shall be designed to carry all required loads and provide stability.

2. Bottom or end openings for gravity discharge shall be equipped with a valve located adjacent to the tank shell which will close automatically in the event of fire through the operation of an effective heat-activated releasing device. Where this valve cannot be operated manually, it shall be supplemented by a second, manually operated valve. The gravity discharge outlet shall be provided with an approved hose equipped with a self-closing valve at the discharge end of a type that can be padlocked to its hangar.

Appendix D  
**FIRE APPARATUS ACCESS ROADS**

**3801.2 Permits.**  
Permits shall be required as set forth in Sections 105.6 and 105.7 and the

Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

**Chapter 45  
REFERENCED STANDARDS**

**D101.1 Scope.** Fire apparatus access roads shall be in compliance with this appendix and all other applicable requirements of the *International Fire Code*, and the Charter Township of Hampton Ordinances.

**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet unless otherwise approved by the code official.
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.

5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools carried by the fire department.
7. Locking device specifications shall be submitted for approval by the code official.

**State of Michigan Laws, Rules, or Requirements, including but not necessarily limited to the following with amendments:**

**Michigan Fire Prevention Code 1941 PA 207**

**Michigan Explosives Law 1970 PA 202**

**Michigan Fireworks Law 1931 PA 328**

**Michigan Model Rocket Law 1965 PA 333**

**Michigan Storage and Handling of Flammable and Combustible Liquids Rules**

**Michigan Underground Storage Tank Rules 1999**

### **SECTION III: FEES**

The Township Board is hereby given the authority to establish by Resolution at any regular public meeting a schedule of fees, rates, and charges for the administering of said codes and conducting its various activities thereunder, and expense of such administration and activity. Such governing body shall further have the right to amend the aforementioned Resolution from time to time within the foregoing limits of reasonableness. Similarly, any Construction Board of Appeals shall establish fees for hearing appeals, which fees may be revised from time to time in accordance with the foregoing limitations.

### **SECTION IV: ENFORCEMENT**

The codes set forth in Section I hereof which are adopted and enacted by the Township shall be administered and enforced by the Township as provided for in this Ordinance, in said Codes, and pursuant to Act No. 245 of the Public Acts of the State of Michigan, 1999 (MCLA 125.1501, et seq.). The State Construction Code Commission and/or any agency of the County of Bay charged with the responsibility of enforcing said Act is hereby relieved of any rights, authority, or responsibility for the enforcement of any such code within the Township.

## SECTION V: DEFINITIONS

Wherever the words "city," "village," or "municipal corporation" appear in said Codes, they are hereby deemed to mean the Township.

Wherever the words "mayor" or "president" appear in said Codes, they are hereby deemed to mean the supervisor of the Township.

## SECTION VI: VIOLATIONS & PENALTIES

Any violation of this Ordinance or any code adopted hereunder or any part thereof shall be punishable by a fine not to exceed \$500 plus costs and/or confinement in the County Jail for a term of not to exceed 90 days. In addition, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance and said Code. Each day that a violation continues to exist shall constitute a separate offense.

## SECTION VII: SEVERABILITY

Should any part of this Ordinance or any Code adopted hereby declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any part or portion thereof.

## SECTION VIII: CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with any of the provisions contained herein are hereby repealed and shall be of no further force or effect on the effective date of this Ordinance.

## SECTION IX: EFFECTIVE DATE

This Ordinance shall take effect seven (7) days from date of publication.

## SECTION X: PUBLICATION

A copy of this Ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.