

ORDINANCE NUMBER FOURTEEN

AN ORDINANCE TO ESTABLISH A BUILDING CODE FOR THE CITY OF CARSON CITY, STATE OF MICHIGAN, IN ACCORDANCE WITH THE PROVISIONS OF ACT 3, PUBLIC ACTS OF 1895, AS AMENDED; TO PROVIDE FOR THE ADMINISTRATION OF THIS ORDINANCE.

Article I. Preamble

SECTION I. Name--This Ordinance shall be known and cited as the "Carson City Building Code."

SECTION II. Purpose--The fundamental purpose of this Ordinance is to promote the public health, safety, morals and general welfare. The provisions are intended to encourage the orderly development of the community, to provide for adequate light, air and health conditions in dwellings and buildings hereafter erected or altered.

ARTICLE II. Definitions

SECTION I. Building--Any structure, either temporary or permanent, having a roof and used or built for the shelter or inclosure of persons, animals, chattels or property of any kind.

SECTION II. Dwellings--Any building or structure, or part thereof, occupied as the home, residence or sleeping place of one or more persons.

SECTION III. Altered--Any change in the location or use of the building or structure and/or any change in the construction or the structural members of a building or structure such as bearing walls, columns, posts, beams, girders and similar components.

SECTION IV. Erected--Includes built, constructed, reconstructed, moved upon, or any physical operations on the land required for the building. Excavations, fill, drainage and the like shall be considered a part of the erection.

SECTION V. Lot--The parcel of land on which one principal building and its accessories are located or intended to be located together with any open spaces required by this ordinance.

SECTION VI. Lot Lines--The line dividing a lot from a street. On a corner lot only one street line shall be considered as a front lot line and the shorter street line shall be considered the front lot line.

ARTICLE III. General Provisions

SECTION I. Scope--Beginning with the effective date of this Ordinance, and except as otherwise provided in this Ordinance, no new building, or structure, or part thereof, shall be erected, and no existing building or structure shall be enlarged, rebuilt or altered other than in conformity with the provisions of this Ordinance pertaining thereto.

(Ordinance Number Fourteen Con't.) (Article III Con't)

SECTION II. Construction or alteration permits--

a. Before any new building or dwelling is erected and before any existing building or dwelling is altered a building permit shall be obtained from the City Council on application made to the Comptroller.

b. On application filed for a building permit the Comptroller will present the application for the Council's consideration at its next regular or special meeting called for that purpose. The Comptroller shall collect a fee of three (\$3) dollars for each application and said fees so collected shall become a part of the City General Fund.

c. Each application will have incorporate therewith a sketch of the proposed building or dwelling as it will be situated on the lot, drawn to scale, along with competent evidence of the lot lines and a descriptive analysis of the exterior materials to be used.

d. Notice of acceptance or rejection of the application with reasons therefore, if rejected, shall be mailed to the applicant at his listed address on the application by the Comptroller within ten (10) days after the City Council has acted thereon. The issuance of a building permit will constitute notice of acceptance.

e. The City Council shall have the power to revoke or cancel any permit in case of failure or neglect to comply with any of the provisions of this Ordinance or in case of any false statement or misrepresentation made in the application. The applicant shall be notified of such revocation or cancellation in writing.

SECTION III. Requirements:

a. No building for dwelling purposes shall be erected or altered which provides less than six hundred (600) square feet of floor area at first floor level, exclusive of any garage area or area of any accessory or attached structure.

b. The exterior finish of erected or altered buildings or dwellings shall be of materials generally accepted by the construction trade.

c. New buildings or dwellings, or alterations or additions to existing building or dwellings, shall be a minimum of twenty-five (25) feet from the front lot line or shall conform in placement, relative to the front lot line, with existing buildings or dwellings not conforming to this minimum.

(Ordinance Number Fourteen Cont'd)

SECTION IV. Occupance Certificate--No dwelling or building, subject to the provisions of this Ordinance, shall be occupied or used until the City Council shall have issued a certificate of compliance and occupance to the owner or his duly authorized agent. Within five (5) days after notification to the Comptroller that the dwelling or building is ready for occupance, the City Council shall make final inspection thereof, and if it is found to be in conformity with the provisions of this Ordinance, shall issue the owner or his agent a Certificate of Compliance and Occupance. The Comptroller shall record this action on a copy of the application retained on file as a record.

SECTION V. Validity--This Ordinance and the various parts, sections, subsections, phases and clauses thereof are hereby declared to be severable and, if any part is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this ordinance shall not be effected thereby.

SECTION VI. Amendments--Amendments or supplements to this Ordinance may be made from time to time in the same manner provided in Act 3, Public Acts of 1895, as amended, for the enactment of the original Ordinance.

SECTION VII. Penalties--Any building or dwelling which is erected, constructed, reconstructed, altered, converted, maintained or used, of any use of the land or premises which is begun, maintained or changed in violation of any provision of this Ordinance are hereby declared to be a nuisance per se. Any person, firm or corporation or the agent in charge of such building or land who violates, omits, neglects or refuses to comply with, or resists the enforcement of this Ordinance, or any amendment thereof, shall be fined upon conviction not less than ten (10) dollars nor more than one hundred (100) dollars together with the costs of prosecution, or shall be punished by imprisonment in the county jail for not less than one day or more than ten (10) days. Each and every day during which any illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. The City Council or any owner or owners within the City may institute appropriate actions to enjoin, abate or remove any said unlawful erection, construction, alteration, reconstruction, maintenance or use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

SECTION VIII. This Ordinance shall be in effect twenty-one days after its adoption.

Passed and approved by the City Council this 19th day of July, A.D. 1956.

AMENDMENT OF ORDINANCE NUMBER FOURTEEN
"BUILDING CODE"

THE CITY OF CARSON CITY ORDAINS:

Ordinance Number Fourteen is hereby amended as follows:

SECTION II. Construction or alteration Permits.

a. Before any new building or dwelling is erected and before any existing building or dwelling is altered, a building permit shall be obtained from the City Council on application made to the Comptroller. CONSTRUCTION UNDER ANY PERMIT, OR EXTENSION THEREOF, MUST COMMENCE WITHIN NINETY (90) DAYS OF THE DATE THEREOF, ONE EXTENSION PERIOD OF NINETY (90) DAYS TO THE ORIGINAL PERMIT MAY BE PROCURED FROM THE CITY COMPTROLLER IF APPLIED FOR WITHIN THE ORIGINAL NINETY (90) DAY PERIOD. UPON EXTENSION APPLICATION THE CITY COMPTROLLER SHALL INSCRIBE "EXTENDED 90 DAYS" ON THE ORIGINAL AND COPY OF THE PERMIT, DATE SAME AND SUBSCRIBE HER OR HIS NAME THERETO.

This amendment to take effect on the 15th day of January, 1963.