

ORDINANCE NO. 1018

Adopted: April 7, 1967

AN ORDINANCE ADOPTING A FIRE PREVENTION CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HADARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDINF OFFICERS THEREFOR AND DEFINING THEIR POWERS ANS DUTIES.

The Village of Estral Beach ordains:

Section 1. Adoption of the fire Prevention Code. There is hereby adopted by reference for the purpose of prescribing regulations consistent with nationally recognized good pratice for the safe-guarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditiona hazardous to life or property in the use or occupancy of buildings or premises, that certain known as the Fire Prevention Code recommended by the National Board of Fire Underwriters, being particularly the 1960 Edition thereof and the whole thereof, save and except such portions as are hereinafter deleted. That one complete copy of said code shall be available for public use and inspection at the Office of the Village Clerk and prbvided further, that printed copies thereof are kept in the office of the Village Clerk, available for inspection by and distrubution to the public at all times, and the same are hereby adopted and incorporated as fully as if set out at length herein. That permits, when required by this Code shall be issued by the Village Building Inspector subject to the approval of the Fire Chief upon the payment of the required fee.

Section 2. Establish and duties of Bureau of Fire Prevention.

A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Drpartment, which is hereby established, and which shall be operated under the supervision as shall from time to time be necessary.

Section 3. Amendments made in the Fire Prevention Code. The Fire Prevention Code is amended and changed in the following respects: Sects. 16.22a, 16.51, 21.6b, are hereby deleted.

Section 4. Modifications.

The Chief of the Bureau of Fire Prevention shall have powers to modify any of the provisions of the Fire Prevention Code upon application, in writing, by the owner or lessee, or his duly appointed agent, when there are particular difficulties in the way of carrying ou the strict letter of code provided that the spirit of the Code shall be abserved, public safety secured, and substantial justice done. The particulars of such modifications when granted or allowed and the decision of the Chief of the Bureau of the Fire Prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

Section 5. Appeals.

Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the Village Council within thirty days from the date of the decision appealed, and the decision of the majority of them shall be final.

Section 6. Penalties.

A. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall build in violation of any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by a court of competent jurisdiction within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor punishable by a fine not less than ten (10.00) dollars, no more than One Hundred dollars, or by imprisonment not exceeding ninety days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each ten (10) days, that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited condition.

Section 7. Repeal of conflicting Ordinances.

All former Ordinances or parts, thereof, conflicting or inconsistent with the provisions of this Ordinance, or of the code hereby adopted are hereby repealed.

Section 8. That in the event that should any section, paragraph, sentence, or word of this Ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the Village Council that it would have passed all other portions if this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

A. This Ordinance shall be published in the Monroe Evening News, a newspaper having general circulation in Village of Estral Beach, Monroe County, Michigan.

B. This ordinance shall become effective twenty (20) days after the date of such publication.

Joseph Vasicek, President
Shirlann Wellner, Clerk

April 15, 1967