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ORDINANCE NO. C-392-78

AN ORDINANCE TO ADOPT BY REFERENCE THE 1975 BOCA BASIC BUILDING CODE

THE CITY OF FARMINGTON ORDINANCES

Section 1. Adoption of Code by Reference. Pursuant to the provisions of Section 8 of the State Construction Code Act, Act 230 of 1972, Compiled Laws 1969, Section 125.1301 et seq., of the 1975 Edition of the Boca Basic Building Code, as published by the Building Officials and Code Administration International, Inc., is hereby adopted by reference.

Section 2. Code on File. Complete printed copies of the 1975 Edition of the Boca Basic Building Code, herein adopted, are available for public use and inspection at the Office of the City Clerk.

Section 3. References in Code. References in the 1975 Edition of the Boca Basic Building Code to "State" and "name of State" shall mean the State of Michigan; references to "Municipality" or "jurisdiction" and "name of municipality or jurisdiction" shall mean the City of Farmington; references to the "municipal charter" shall mean the Charter of the City of Farmington; and references to "local ordinances" shall mean the Farmington City Code.

This Ordinance was introduced at a Regular Meeting of the Farmington City Council on May 17, 1978, was adopted and enacted at the next Regular Meeting of the Council on June 7, 1978, and will become effective after publication in accordance with the Charter of the City of Farmington and sixty (60) days after the date of passage of this ordinance and sixty (60) days after a Certified Copy thereof is delivered to the State Construction Code Commission.

ORDINANCE NO. C-393-78

AN ORDINANCE TO AMEND THE 1975 BOCA BASIC BUILDING CODE AND TO PROVIDE CERTAIN MODIFICATIONS THEREIN FOR ITS APPLICATION TO THE CITY OF FARMINGTON

THE CITY OF FARMINGTON ORDINANCES

Pursuant to the provisions of Section 8 of the State Construction Code Act, Act 230 of 1972, Compiled Laws 1969, Section 125.1301 et seq., of the City of Farmington hereby amends the 1975 Edition of the Boca Basic Bldg. Code.

Section 1. Change in Code. The following Chapters, Sections and Subsections of the Boca Basic Building Code are hereby amended, added or deleted as indicated. The referenced Chapters, Sections and Subsections shall be taken from the Chapters and Sections of the Boca Basic Building Code.

ARTICLE 1 - ADMINISTRATION AND ENFORCEMENT

SECTION 100.0 - SCOPE

100.0 Title: Amend as follows:

Insert "City of Farmington" for name of jurisdiction.

100.2 Scope: Amend as follows:

Insert "City of Farmington" for name of jurisdiction.

SECTION 102.0 - ORDINARY REPAIRS

102.1 General: Add the following:

Ordinary repairs to buildings costing less than one hundred (\$100.00) dollars may be made without application or notice to the Building Official, but such repairs shall not include the cutting away of any wall, partition, or portion thereof, the removal or cutting of any structural beam or support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the structural integrity of the building. Ordinary repairs include additions to or alterations of any room or space, new or existing, including additions to, alterations of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent or similar piping, electrical wiring or mechanical equipment, and work affecting public health or general welfare.

SECTION 105.0 - CHANGE IN EXISTING USE

105.1 Continuation of Existing Use: Amend as follows:

Insert "the date of adoption of the Code by City Council" instead of the date of adoption.

SECTION 107.0 - DEPARTMENT OF BUILDING INSPECTION

107.1 Building Official: Amend as follows:

Insert "City of Farmington" instead of name of jurisdiction.

SECTION 110.0 - APPLICATION FOR PERMIT

110.1.1 Application for Permit: Add the following:

No building or structure or part thereof shall be erected, constructed, converted, repaired, altered or enlarged, moved or demolished until a building permit has been obtained by the owner or his agent. The application for a permit shall be made in writing on approved forms, and shall be accompanied by two (2) complete sets of dimensioned plans showing all habitable floors, basement, cellar, foundations and sections, and by specifications describing the kind, size, quality and grade of all construction materials and service equipment. The Building Official may waive the requirement for filing plans when the work involved is of a minor nature and the building operation is adequately described in the application. All plans submitted for filing shall be prepared and signed as required by the statutes governing building construction. The application shall be accompanied by a set of plans approved by the designated authority. Applications for a building permit to move any building shall show the depth and cubic content of the building to be moved, its location and address and the location and address to which it is being moved and the route of travel. In the case of a building permit, in addition to the information required by this section for building permits for other types of operations. No permit to move a building shall be granted except upon compliance with Chapter 10 of this code.

SECTION 115.0 - CONDITIONS OF PERMIT

115.0 Conditions - Add as follows:

No permit shall be issued for any building or other structure upon any land which has been condemned for any public improvement, or on any land or derived condemnation by the City Council for any public improvement, until notice of such proposed condemnation has been filed to the plans, application and permit. Nor shall a permit be issued for any building or structure upon which a notice of violation of any permit, law or ordinance has been issued, unless there shall be included in the application proposed work to correct the violation at the same time.

SECTION 116.0 - FEES

116.1.1 Fees: Add the following:

City Council shall adopt by Resolution, a Fee Schedule for application for permit, examination of plan, issuance of permits, inspection of construction and issuance of certificates of use and occupancy and issuance of licenses and registration. Such fees shall be based on the relationship to all work including overhead of services rendered. See Fee Schedule under separate ordinance.

116.1.2 - Fee Computation: Add the following:

The estimated cost of a building or other structure for which a permit is requested, shall be determined by multiplying the cubic contents thereof by the cubic cost per foot of similar purpose buildings constructed of like or similar materials, as shown in the Table of Building Costs, now on file hereafter adopted or used by the Department of Building and Safety Engineering of the City of Detroit, Wayne County, Michigan. The cubic contents of a building shall be measured from the outside walls, and where a basement exists or is to be constructed, from the basement floor to the mean point of a pitched roof or to the highest point of a flat roof. In case of buildings without basements, measurements shall be taken from the ground line. In case of large buildings having deep foundations the height shall be measured from a point below the basement floor by an amount equal to one-fifth (1/5) of the depth of the foundation.

Valuation of Work	Fee
Up to \$1,000.00	\$10.00
Each Additional \$1,000.00	4.00

116.1.3 - Deposits: Add the following:

Before receiving a building permit, the owner or his agent shall deposit with the City a deposit of one hundred (\$100.00) Dollars. The owner or agent of a garage building permit or remodeling permit shall deposit with the City a deposit of Fifty (\$50) Dollars to protect the City against the costs of any expense which the City may incur as the result of work covered by the permit, including but not limited to the cost of the cost of further repairs, removal of debris, restoration of ground levels, use of un-metered water, repair of damaged streets and sidewalks and other property and charges in connection with establishing and discontinuing water connections. In the case of remodeling permits, issued under Chapter 80 of this Code, it shall be not less than Two Hundred (\$200.00) Dollars nor more than one Thousand (\$1,000.00) Dollars in the discretion of the Building Official, based on his opinion as to the likelihood of damage arising from the movement of City Streets. All such deposits shall be retained by the City until the permittee shall present to the City Treasurer a certificate of compliance and occupancy for the building at which time the deposit shall be refunded less any amounts owed by the permittee. In the case of any moving permit issued for a structure not subject to the provisions of Chapter 80 of this Code, the Treasurer shall accept the certificate of the Director of Public Safety that the structure has been removed outside the City as a basis for refunding the deposit.

116.1.4 - Fees for Licenses: Add the following:

Fees for licenses shall be as prescribed in Chapter 80 of the Farmington City Code. The issuance, expiration, renewal and transfer of such licenses shall be in accordance with Chapter 80 of the Farmington City Code.

116.4 - Moving of Buildings: Add the following:

Insert: \$10.00 for the first one thousand dollars; and \$4.00 for each additional one thousand dollars; for amount.

116.5 - Demolitions: Add the following:

Insert the following: "\$12.50 for a building less than ten (10) feet wide and containing less than twenty-five hundred (2500) cubic feet; and \$25.00 for a building over ten feet wide and containing more than twenty-five hundred (2500) cubic feet" for amount.

SECTION 122.0 - VIOLATIONS

122.1 Violation Penalties: Add the following:

Insert the word "Misdemeanor" for "specify offense".

Insert "\$500.00" for amount.

Insert "70 days" for number of days.

SECTION 123.0 - STOP WORK ORDER

123.2 Unlawful: Amend as follows:

Insert "\$500.00" for amount.

SECTION 124.0 - BOARD OF SURVEY

124.2 Composition of Board of Survey: Add the following:

Insert "\$25.00" for amount.

SECTION 127.0 - BOARD OF APPEALS

127.2 Composition of Board of Appeals: Add the following:

The Board of Zoning Appeals of the City of Farmington is hereby constituted the Building Code Board of Appeals under the Building Code.

SECTION 128.0 - VALIDITY

128.4 - Severability: Add the following:

If any clause, sentence, section, paragraph or part of this Ordinance, or the application thereof to any person, firm, corporation, legal entity or circumstance, shall be for any reason adjudged by a Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, and such provisions of such provision to other persons, firms, corporation, legal entities or circumstances but said judgment shall be confined in its operation to the clause, sentence, section, paragraph or part of this Ordinance thereof directly involved in the case and controversy in which said judgment shall have been rendered and to the person, firm, corporation and circumstance then and there involved. It is hereby declared to be the legislative intent of this body that this Ordinance would have been adopted had such invalid or unconstitutional provision not been included in this Ordinance.

ARTICLE 2 - DEFINITIONS AND CLASSIFICATIONS

SECTION 200.0 - GENERAL

200.1 - Scope: Add the following:

Insert "City of Farmington" for name of jurisdiction.

200.2 - Application of Other Laws: Add the following:

Insert "City of Farmington" for name of jurisdiction.

SECTION 201.0 - GENERAL DEFINITIONS

201.3 - Terms not defined: Add the following:

"Building Official": The Building Inspector of the City of Farmington or his duly authorized representative.

"Building Permit": The term "building permit" shall include permits for demolition or moving of buildings as well as for construction, alterations or repairs to any building.

ARTICLE 202.0 - BUILDING LIMITATIONS

SECTION 202.0 - GENERAL

202.1 - Scope: Add the following:

Insert "City of Farmington" for name of jurisdiction.

SECTION 203.0 - FIRE LIMITS

203.2 Fire Limits: Add the following:

There is hereby created a "Fire Limits Area" within the City of Farmington which shall be bounded by all land and premises within the following districts: All R-10 Residential Office District, O Office District, CBO, Central Business District, C2, Community Commercial District, C3, General Commercial District, All M-1, M-2, and M-3 Industrial Districts.

There is hereby created a "Fire District One" area within the City of Farmington which shall consist of all land and premises within the following districts: All R-10 Residential Office District, O Office, C1, Local Business District, CBD Central Business District, All M-1, M-2, and M-3 Industrial Districts.

Definitions:

(a) BRICK: means a solid masonry unit having a shape approximately a rectangular prism thirty inches a brick may be of burned clay or shale or fire clay, or mixtures thereof, of lime and sand, of cement and suitable aggregates, or of other approved material.

(b) SOLID MASONRY: means a masonry unit consisting of solid masonry units laid consecutively in mortar, or consisting of solid concrete.

(c) SOLID MASONRY UNIT: means a masonry unit whose net cross-section area in every space parallel to the bearing surface is 75% or more of its nominal area measured in the same plane.

(d) Suitable material may be substituted for solid masonry if it furnishes equivalent fire rating quality and approved by the City Engineer.

(e) Construction in Fire Limits: No building or structure shall hereafter be erected, extended or placed on the land or premises within the Fire Limits of the City of Farmington other than a solid masonry unit as defined above.

ARTICLE 12 - PRECAUTIONS DURING BUILDING OPERATIONS

SECTION 120.1 - EXCAVATIONS

120.2.1 Deep Excavations: Add the following:

Insert "2 feet" for number.

120.2.2 Shallow Excavations: Add the following:

Insert "2 feet" for number.

ARTICLE 14 - SIGNS AND OUTDOOR DISPLAY STRUCTURES

SECTION 140.1 - SIGNS AND OUTDOOR DISPLAY STRUCTURES

140.1.1 - Amount of Sign: Add the following:

Insert "\$10,000.00" for dollar amount.

140.1.2 - Filling Band: Add the following:

Insert "City of Farmington" for name of jurisdiction.

ARTICLE 17 - PLUMBING, DRAINAGE AND GAS PIPING

SECTION 170.1 SEWER AND WATER SUPPLY DATA

170.1 Public Sewer: Add the following:

Insert "City of Farmington" for name of jurisdiction.

ARTICLE 18 - PREFABRICATED CONSTRUCTION

SECTION 180.0 - GENERAL

180.3 Conflicting Laws: Add the following:

Insert "City of Farmington" for name of jurisdiction.

This Ordinance was introduced at a Regular Meeting of the Farmington City Council on May 17, 1978, was adopted and enacted at the next Regular Meeting of the Council on June 7, 1978, and will become effective after publication in accordance with the Charter of the City of Farmington and sixty (60) days after the date of passage of this Ordinance and sixty (60) days after a Certified Copy thereof is delivered to the State Construction Code Commission.

ORDINANCE NO. C-394-78

AN ORDINANCE TO ADOPT BY REFERENCE THE ONE AND TWO FAMILY DWELLING CODE

THE CITY OF FARMINGTON ORDINANCES

Section 1. Adoption of Code by Reference. Pursuant to Section 8 of the State Construction Code Act, Act 230 of 1972, Compiled Laws 1969, Section 125.1301 et seq., of the 1975 Edition of the One and Two Family Dwelling Code, as published by the American Insurance Association, Building Officials and Code Administrators International, Inc., International Conference of Building Officials and Southern Building Code Congress, is hereby adopted by reference.

Section 2. Code on File. Complete printed copies of the 1975 Edition of the One and Two Family Dwelling Code, herein adopted, are available for public use and inspection at the Office of the City Clerk.

Section 3. References in Code. References in the 1975 Edition of the One and Two Family Dwelling Code to "State" and "name of State" shall mean the State of Michigan; references to "Municipality" or "jurisdiction" shall mean the City of Farmington; references to the "municipal charter" shall mean the Charter of the City of Farmington; and references to "local ordinances" shall mean the Farmington City Code.

This Ordinance was introduced at a Regular Meeting of the Farmington City Council on May 17, 1978, was adopted and enacted at the next Regular Meeting of the Council on June 7, 1978, and will become effective after publication in accordance with the Charter of the City of Farmington and sixty (60) days after the date of passage of this ordinance, and sixty (60) days after a Certified Copy thereof is delivered to the State Construction Code Commission.

ORDINANCE NO. C-395-78

AN ORDINANCE TO AMEND THE 1975 EDITION OF THE ONE AND TWO FAMILY DWELLING CODE AND TO PROVIDE CERTAIN MODIFICATIONS THEREIN FOR ITS APPLICATION TO THE CITY OF FARMINGTON

THE CITY OF FARMINGTON ORDINANCES

Pursuant to the provisions of Section 8 of the State Construction Code Act, Act 230 of 1972, Compiled Laws 1969, Section 125.1301, et seq., the City of Farmington hereby amends the following Chapters, Sections and Subsections of the 1975 Edition of the One and Two Family Dwelling Code.

Section 1. Changes in Code. The following Chapters, sections and subsections of the One and Two Family Dwelling Code are hereby amended as indicated. The referenced chapters and section numbers refer to the numbers of chapters and sections of the One and Two Family Dwelling Code.

CHAPTER 1 - ADMINISTRATIVE

TITLE - R-101

R-101.1 - Add the following:

ERRATA SHEET: First Printing, One and Two Family Dwelling Code, Second Edition, 1975, pg. 14, Paragraphing in and in Figure No. A-2 has been added.

pg. 21, under "Footings": Sec. R-403, second paragraph, now reads: "Foundation walls shall extend below the finished ground level."

pg. 27, "Exception of 'Grade'": In Sec. R-408 now reads: "bearing shall not supporting floors may be No. 1, Utility Grade or equivalent."

pg. 29, note about approving sheeting in Figure No. B-4 now reads: "For approved sheeting see Table No. 6-A and Chapter III."

pg. 57, under "Grade": of Sec. R-408 now reads: "feet" and "level" shall be substituted for "feet" and "level" respectively."

pg. 65, under "Grade": of Sec. R-708 now reads: "All rafters and ceiling joists shall be of Standard Grade lumber or equivalent."

VIOLATIONS AND PENALTIES - R-106

R-106.1 - Penalties: Add the following:

Any violation of or failure to comply with the provisions of this Code shall be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars and the cost of prosecution, or by imprisonment for not more than ninety (90) days.

RIGHT OF APPEAL - Section R-107

R-107.1 - Board of Appeals: Add the following:

The Board of Zoning Appeals of the City of Farmington is hereby constituted the Building Code Board of Appeals under the One and Two Family Dwelling Code.

Section 3. Severability: If any section, subsection, paragraph, clause or phrase of this chapter should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter, which shall remain in full force and effect, and to the end the provisions of this chapter are hereby declared to be severable.

This ordinance will be effective after publication in accordance with the Charter of the City of Farmington and sixty (60) days after the date of passage of this ordinance, and sixty (60) days after a Certified Copy thereof is delivered to the State Construction Code Commission.

ORDINANCE NO. C-396-78

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF FARMINGTON TITLE IX, CHAPTER 88, BY ADDING NEW SECTIONS, WHICH SECTIONS SHALL BE DESIGNATED AS SECTIONS 9.15, 9.16, 9.17, 9.18, 9.19, AND 9.20.

AN ORDINANCE TO DEFINE UNSAFE BUILDINGS OR STRUCTURES: TO PROVIDE FOR THE VACATION, REMOVAL, REPAIR OR DEMOLITION OF UNSAFE BUILDINGS TO ASSESS THE COST OF VACATION, REMOVAL, REPAIR OR DEMOLITION AS A MUNICIPAL LIEN OR ASSESSMENT AGAINST SUCH PREMISES AND TO PROVIDE FOR THE RECOVERY OF SUCH COST; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF

THE CITY OF FARMINGTON ORDINANCES

9.15 Dangerous Buildings Defined. All buildings or structures which have any or all of the following defects shall be deemed "dangerous buildings":

- 1) Those whose interior walls or other vertical structural members lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle one-third (1/3) of its base.
- 2) Those which show damage or deterioration of the supporting members or damage or deterioration of the non-supporting enclosing or outside walls or covering.
- 3) Those which have been damaged by fire, wind or other causes so as to become dangerous to the occupants thereof or to the people of the City of Farmington.
- 4) Those which have become or are so disintegrated, decayed, unsafe, unsound or otherwise provide the premises essential to decent living that they are unfit for human habitation or are likely to cause sickness or diseases so as to work injury to the health, morals, safety or general welfare of those living thereon.
- 5) Those not having adequate light, air, heating and ventilation facilities adequate to protect the health, morals, safety or general welfare of human beings who live or may live thereon.
- 6) Those having inadequate facilities for egress in case of fire or panic or having insufficient stairways, fire escapes or other means of access.
- 7) Those which have parts thereof which are so attached that they may fall and injure persons or property.
- 8) Those which, because of inadequate electrical wiring or heating facilities or because of storage of flammable materials or for any other reason constitute a fire hazard.
- 9) Those which, because of any of the causes similar to the above are an unsound or dangerous to the health, morals, safety or general welfare of the people of the City.
- 10) Those which are vacant and are not kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereof by unauthorized persons.
- 11) Those which are partially completed unless such structure is in the course of construction in accordance with a valid and substantial building permit issued by the City of Farmington and unless such construction is completed within a reasonable time.

9.16 Standards for Repair, Vacation or Demolition. The following standards shall be used in substance by the Building Inspector and the City Council in ordering repair, vacation or demolition:

- 1) If the "dangerous building" can reasonably be repaired so that it will no longer exist in violation of the terms of this Ordinance, it shall be repaired or derelict.
- 2) If the "dangerous building" is in such condition as to make it dangerous to the health, morals, safety or general welfare of its occupants, it shall be ordered to be vacated.
- 3) In any case where the "dangerous building" is in fits, 50% or more of the building is damaged or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of this Ordinance, it shall be demolished. In all cases where a "dangerous building" is a fire hazard existing in violation of the terms of this Ordinance, the Ordinance of the City or State of the State of Michigan, it shall be demolished.

9.17 Enforcement by Building Inspector. The Building Inspector shall:

- 1) Examine every building or structure reported as dangerous, unsafe, structurally or constituting a fire hazard. He shall cause a report to be filed in a docket of unsafe structure and premises, stating the use of the building, the nature and estimated extent of damages, if any caused by collapse or failure and such other particulars as may be appropriate.
- 2) Notify in writing the owner, occupant, lessor, mortgagee, land contract vendor or vendee, agent or other persons having an interest in said building as shown by the records in the office of the Register of Deeds for the County of Oakland, Michigan, of any building or structure found by him to be a "dangerous building" within the standards set forth in Section 1 of this Ordinance, that:
- 1) The owner must vacate, repair or demolish said building in accordance with the terms of the notice and this Ordinance.
- 2) The occupant or lessee must vacate said building or may have it repaired in accordance with the provisions of this Ordinance and remain in possession.
- 3) The mortgagee, land contract vendor or vendee agent or other persons having an interest in said building as shown by the records of the Register of Deeds may, at his own risk, repair, vacate or demolish said building or have such work or act done, provided that any person notified under this subsection to repair, vacate or demolish any building or structure shall be given such reasonable time, not exceeding thirty (30) days as may be necessary to do so or have done the work or act required by the notice provided for herein.
- 3) Set forth in the notice provided for in subsection 3) hereof a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a "dangerous building" and an order requiring the same to be put in such condition as to comply with the terms of this Ordinance within such length of time not exceeding thirty (30) days, as is reasonable.
- 4) Report to the City Council through the City Manager any non-compliance with the notice provided for in the foregoing subsections hereof.
- 5) Appear at all hearings conducted by the City Council and testify as to the condition of "dangerous buildings."
- 6) Place a notice on all "dangerous buildings," reading as follows: "This building has been found to be a dangerous building by the Building Inspector. This notice is to remain on this building until it is repaired, vacated or demolished in accordance with the notice which has been given the owner, occupant, lessor, mortgagee, land contract vendor or vendee or agent of this building and all other persons having an interest in said building as shown by the records in the office of the Register of Deeds for the County of Oakland, Michigan. It is unlawful to remove this notice until such notice is complied with."
- 7) In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless immediate action is taken with respect to a "dangerous building," as defined herein, the Building Inspector shall report such facts to the City Manager and the City Manager shall cause the property to be boarded up, fenced or otherwise made safe pending final action by the Council. The cost of such emergency work shall be collected in the same manner as provided below.

9.18 Action by the City Council

- 1) Upon receipt of a report of the Building Inspector as provided for herein, the City Manager shall give written notice to the owner, occupant, mortgagee, lessor, land contract vendor or vendee agent and all other persons having interest in said building or structure as shown by the records of the Register of Deeds for the County of Oakland, Michigan, to appear before the Council on the date specified in the notice to show cause why the building or structure reported to be "dangerous building" should not be repaired, vacated or demolished in accordance with the statement of particulars set forth in the Building Inspector's notice provided for herein.
- 2) The Council shall hold a hearing on said date and hear such testimony as the Building Inspector or the owner, occupant, mortgagee, lessor, land contract vendor or vendee or any other persons having an interest in said building as shown by the records shall offer relative to the "dangerous building."
- 3) The Council shall make findings of fact from the testimony offered pursuant to this section as to whether or not the building in question is a "dangerous building."

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